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AUTUMN REPORT CROATIA

FEMS General Assembly,
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The dissatisfaction of doctors in Croatia is increasing every day because the problems that HLS points to, have not been resolved for years.

SHORTAGE OF DOCTORS

The number of doctors going abroad is continuing and increasing; to date, about 800 doctors have gone. There is a shortage of more than 2.000 doctors in Croatia.

The shortage is greater in reality, as the residents, under Croatian law, are not allowed to work without the supervision of senior specialists. Such rules are especially burdensome for older hospital doctors, as they would very often cover 2-3 work sites at one time, and then have to supervise the resident additionally. Specialists are responsible for the resident's work, although for the most part, he cannot be physically present by the resident, because of working at another work place.

It is expected that situation will get worse in the next 10 years, as there is 30% (29.2%) of doctors older than 55 and 25% (24.3%) younger than 35 years .

About 500 students graduate annually from the Schools of Medicine in Croatia.

The Croatian Medical Union emphasizes that the current amount of students and doctors in training cannot cover the future needs, even if everyone remains working in Croatia.

OVERTIME WORK

The shortage of doctors is compensated by working a huge number of overtime hours. Most doctors work an average of about 500 overtime hours a year, reaching the legally allowed maximum of 180 hours a year by the end of May.

In addition, overtime is still not paid adequately.

Doctors in Croatia are still working in 24-hour duty basis, which means staying and working in a hospital throughout the 24 hours, equally residents, specialists and sub-specialists.

In hospitals where there are not enough doctors, the specialists are on standby after regular 8 hours on weekdays, and 24 hours on weekends and holidays. During standby, they often have to go to hospitals, where they spend up to 12 hours, which further increases the number of overtime hours.

Consequently, many hospital doctors are burnt out.

The fact is, that overtime is significantly more likely to commit a medical error due to tiredness, while the responsibility for the error resulting in such conditions, bears the doctor who works so hard.

It is absurd, that all competent Croatian institutions are aware of such work in violation of national laws and the EC Working Time Directive (Directive 2003/88/EC), but nothing is being done to solve this problem.

The relevant institutions obviously ignore the fundamental purpose of the adoption of the Directive 2003/88/EC (health and safety protection).

On the contrary, doctors are called to court for excessive overtime work. At the same time, the directors, hospital managers and other responsible persons or institutions, are not referred to the courts for violation and not respecting of national laws and the Directive 2003/88/EC.

OVERTIME WORK AND COURT PROCEEDINGS

Several thousand (about 4,000) lawsuits are still pending due to inadequate overtime calculations.

To date, several hundred cases have been decided in favour of doctors by second instance courts across Croatia, but some hospitals have requested these judgments to be reviewed by the Supreme Court.

The judgment of the Supreme Court was expected in June 2019, but we are still waiting for the final decision.

COLLECTIVE BARGAINING AND REPRESENTATIVENESS

HLS is still not a representative union and does not have the right to negotiate for the rights and salaries of doctors. The right of collective bargaining in the Croatian health system have trade unions of medical nurses and ancillary personnel.

In Croatia, for six years now, nurses, cooks, cleaners and administrative staff employed by the healthcare system, have been negotiating the rights and salaries of doctors!

Croatian Government promised to change the Law on representativeness to entitled doctors to negotiate last year, but this has not yet happened.

In the beginning of September 2019, the new Collective Agreement for Healthcare system was signed by Health Minister and 2 representative trade unions, with validity for the next 3 years. Doctors again did not have the right to sign.

Due to this situation, a joint meeting of the leaderships of the Croatian Medical Union, Croatian Medical Chamber and the Croatian Medical Association was held in early September, where it was agreed that our organizations will jointly act with the Croatian Government in the future to achieve adequate status, rights and salaries of doctors in Croatia.

As national laws do not allow professional collective bargaining, the meeting also concluded, that doctors are looking for the adoption of the Law on salaries of doctors.

About 10 days ago, we made a request to the Prime Minister for an urgent meeting with the presidents of our 3 organizations, where we will require to start the process of adoption of the Law on salaries of doctors.

So far, we have not received any response from the Prime Minister's Office.

Unless a response from the Prime Minister arrives in the next few days, our 3 medical organizations will call all doctors in Croatia to refuse working more than the law allows them to do.

Since the vast majority of doctors in Croatia has long been done by the allowed 180 overtime hours a year, this means that we will continue to work a maximum of 40 hours per week, which will certainly lead to the collapse of the entire health system.

In conclusion, Croatia is faced with a large shortage of doctors, violation of national legislation and European regulations, continuous exceeding the legally permitted number of overtime hours, hard work and a massive doctors burnt-out.

According to a report by the Secretary-General of FEMS after his visit to Croatia in April 2019, which states that „ *FEMS will monitor the process and if there is no significant progress, FEMS will file a complaint with the ILO supervising bodies*” ,

we request

the active support and starting action of FEMS for the consistent application of Directive 2003/88 / EC and the protection of the labour rights, health and safety of Croatian doctors with the European institutions and the International Labor Organization.