

Act No. 1264/82, For the democratisation of the trade union movement and the protection of workers' trade union freedom

CHAPTER I. TRADE UNION ORGANISATIONS

1. *Scope.*

(1) Subject to the international labour Conventions which have been ratified, this Act guarantees the trade union rights of workers and regulates the establishment, organisation, functioning and activities of their trade union organisations. For the purposes of this Act the expression "workers" means all persons employed in a dependent working relationship under private law (employees), including workers in the service of the State, public bodies corporate and local self-government agencies.

Especially in the case of the organisations provided for in this Act the provisions of the Civil Code and of the Act to introduce the Civil Code shall apply, as amended or supplemented by this Act.

(2) This Act shall not apply to—

- (a) journalists' organisations, except the provisions of sections 12, 14, 15, 19, 20 (excluding subsection (1), third paragraph), 21, 22, 23 and 26;
- (b) seafarers' organisations. Until a special Act is passed and published, these shall continue to be governed by the statutory system at present in force.

The provisions of this Act shall not apply to professional organisations which have been established by law as public bodies corporate.

(3) Trade union organisations shall be classified as primary, secondary and tertiary.

(a) The expression "primary trade union organisations" means—

- (aa) primary trade unions;
- (bb) local branches, as provided for in their rules, of trade union organisations for a larger area or for the whole of Greece, but only as regards the right to become members of the corresponding labour centre;
- (cc) associations of persons (one for each establishment, undertaking, public service, public body corporate or local self-government agency) founded by at least ten workers by means of articles of association which they deposit to the clerk of the competent magistrate's court and communicate to the employer, on condition that the number of workers does not exceed 40 and that there is no primary trade union with at least half of the workers as members. If, after the establishment (where appropriate) of any such an association of persons, one of the above conditions ceases to be satisfied, the association shall automatically be dissolved. The articles shall specify the purpose of the association, designate two persons to represent it and provide for its duration, which shall not exceed six months.

Associations of persons shall be governed both by section 20, subsection (1), third paragraph, and, *mutatis mutandis*, by the provisions concerning unions in section 3, subsection (1)(a) and section 7, subsections (1), (5), (6), (7) and (8) of this Act.

The election of the representatives of an association shall take place under the surveillance of an election supervisory committee composed of three members.

(b) The expression "secondary trade union organisations" means federations and labour centres. The expression "federations" means associations

of at least two trade unions in the same branch or related branches of economic activity or the same occupation or related occupations.

The expression "labour centres" means associations of at least two primary unions or local branches having their registered offices within the area of the relevant labour centre, irrespective of the place of employment of their members.

(c) The expression "tertiary trade union organisations" (or "associations") means associations of federations and labour centres.

2. Registration of trade union organisations.

(1) Every court of first instance shall keep a special register of trade union organisations containing the data prescribed in section 81 of the Civil Code and the number of the court decision approving or amending the rules of each organisation and recording its dissolution (where appropriate). The provisions of section 83 of the Civil Code shall apply after an organisation has been included in the above register.

(2) Every court of first instance shall keep a file containing the rules of each trade union organisation and any amendments thereto and also the documents mentioned in section 13, subsection (2), of this Act.

(3) Anyone having a legitimate interest may obtain copies of the above documents and attestations of the particulars mentioned in subsection (1) of this section from the clerk of the court of first instance.

3. Books of trade union organisations. (1) Every trade union organisation keep the following books, which shall be numbered and endorsed by the clerk of the court of first instance for the locality where the organisation's registered office is situated, before they are first used:

- (a) a register of members, indicating in numerical order each member's first name and surname, occupation and home address, the number of his identity card, the number of his trade union election passbook or, until the latter is issued, the number of his health insurance book, his social insurance fund and the dates of his enrolment and removal from membership. In the case of a body corporate its name and registered office, the numbers and the dates of the court decisions approving or amending its rules, the dates of its enrolment and exclusion, the number of its enrolled members and of those who participated in the most recent elections shall be entered;
- (b) the minutes of the meetings and general assemblies of the members;
- (c) the minutes of meetings of the executive council;
- (b) a cash-book, recording all revenues and expenditures in chronological order;
- (c) a register of assets, listing all the organisation's movable and immovable assets.

(2) Cheques received shall be numbered and endorsed by the auditing committee before they are used for any purpose.

(3) Members of the organisation and anyone else having a legitimate interest shall be entitled to examine the documents referred to above.

4. *Purposes of trade union organisations.*

(1) The purpose of every trade union organisation shall be to preserve and promote the labour, economic, insurance, social and trade union interests of the workers.

(2) It shall be unlawful for trade union organisations to engage in profit-making activities. They may, on a non-profit-making basis, establish consumers' or credit co-operatives, maintain clubrooms or libraries and provide training courses for their members. They may also set up special funds for temporary solidarity purposes or for the assistance of their members.

(3) Trade union organisations may, with a view to fulfilling their purposes,

- (a) report to the administrative and other authorities any question relating to their purposes, their members, employment, and, more generally, industrial relations and the interests of their members;
- (b) report to the administrative and judicial authorities, or institute proceedings before such authorities in respect of any violations of labour or social insurance legislation, rules or regulations affecting them or their members.

CHAPTER II. FINANCIAL AUTONOMY

5. *Resources.*

(1) Resources of a trade union organisation shall be the following

- (a) members' enrolment fees, subscriptions and voluntary contributions;
- (b) income from the investment of the organisation's assets;
- (c) the proceeds of gifts, legacies and donations and of various functions and celebrations.

(2) The mode of determining enrolment fees and subscriptions, and the level thereof, shall be prescribed in the rules of the organisation.

(3) All gifts and subsidies to trade union organisations shall be by name.

(4) It shall be unlawful for trade union organisations to accept contributions or financial assistance from employers or their organisations or from political parties or other political organisations.

The foregoing prohibition shall not apply to financial assistance provided by an employer to promote socially beneficial purposes of a single primary trade union organisation to which his employees belong or, where there are two or more such organisations, to assistance so provided equally to both or all of them.

(5) It shall be unlawful to distrain upon any portion of a trade union's assets that it needs to discharge its basic functions.

6. *Collection of contributions.* (1) Primary trade union organisations shall be entitled to collect enrolment fees, subscriptions and all other contributions from their members even at the workplace, outside of working time. The period in question is that during which the worker is not required to render services to the employer.

(2) Trade union organisations shall be entitled to collect subscriptions from their members by a system of deduction and repayment by the employer, the details of which shall be prescribed in a national general collective labour agreement or an arbitration award of similar scope. The amount of contributions to be withheld and the manner in which it is distributed among trade unions of all grades, shall be determined by their respective general assemblies or boards, as defined in their Rules. Withholding assistance requires the submission of a written, positive declaration by the employee to the employer, freely withdrawn. Employers withholding allowances will be reimbursed to the primary trade union, which will also be responsible for distributing them¹.

(3) Deleted Law 1915/1990

CHAPTER III. ORGANISATION, FUNCTIONING AND ADMINISTRATION

7. *Members of trade union organisations.*

(1) Every worker who has completed a period of two months in the last year in his undertaking or establishment or in his branch of employment shall be entitled to become a member of one organisation of the undertaking or establishment and one organisation for his occupation, on condition that he satisfies the requirements prescribed in the rules of each organisation.

Minors and aliens who are legally employed may be members of trade union organisations.

Unless the rules provide otherwise, a member of a trade union organisation shall be removed from membership if

- (1) except in cases *of force majeure*, he has failed to participate in the last two elections for the executive council;
- (2) he ceased six months previously, of his own accord, to be employed in the undertaking or in his branch of employment, except where his cessation was attributable to his election to Parliament or to the local administration

(2) Every primary trade union may become affiliated to the corresponding federation and the corresponding labour centre. Every local branch of a basic trade union for a larger area or for the whole of Greece may become affiliated to the corresponding labour centre in accordance with a decision of its executive council.

Every primary trade union for a larger area or for the whole of Greece which is affiliated to the labour centre for the area in which its registered office is situated shall be represented at meetings of the labour centre as regards the totality of its members, other than members of any local branches which have already been set up and become affiliated to other labour centres.

(3) Every federation and every labour centre may become affiliated to one confederation.

(4) Any provision in the rules of a trade union organisation prohibiting its members from becoming affiliated to another organisation shall be valid.

(5) A worker or a primary or secondary trade union organisation shall be enrolled in the corresponding organisation after submitting an application to the

(6) _____

¹ As modified by Art 8 of Law 1915/1990

² Para 2 as modified by Law 4512/2018

³ Para 3 as modified by Law 4446/2016

⁴ Para 4 as modified by Law 4446/2026

body that is competent to decide. Such body shall decide at its first meeting following the submission of the application.

(6) If the body competent to decide on the enrolment refuses the application or if, within one month reckoned from its submission (in the case of a primary organisation or a labour centre) or within two months (in the case of a federation or a tertiary organisation), it has not communicated any decision either accepting or refusing the application to the applicant, the latter may apply to the competent court and may request to be enrolled in accordance with the laid down in sections 663 ff. of the Code of Civil Procedure. The worker or the organisation shall, as from the communication of the decision of the magistrate's court ordering his or its enrolment, automatically become a member of the relevant organisation. The court may, as an interim measure, order the provisional enrolment of the applicant.

(7) If the body competent for the enrolment of new members refuses, without any justification and contrary to the principles of good faith, to enrol new members and appropriate application has been made by members of the trade union organisation or its higher-level organisation, the court shall, in accordance with the procedure laid down in sections 663 ff. of the Code of Civil Procedure, order the removal from office of the organisation's executive council. In such event the competent court shall, in accordance with section 69 of the Civil Code, appoint a provisional executive council, which shall have the task of enrolling new members and holding elections for the appointment of a new executive council within two months of its appointment (in the case of primary organisations) or within four months (in the case of all other organisations).

8. Assembly of members; quorum; adoption and challenging of decisions

(1) An assembly of the members of a trade union organisation shall be convened in accordance with the provisions of sections 95 and 96 of the Civil Code, and decisions shall be adopted on all matters concerning the organisation, other than matters for which some other body is competent in accordance with the rules.

(2) Subject to the provisions of sections 99 and 100 of the Civil Code and to any other provision prescribing a special quorum, and in so far as the rules do not provide otherwise with respect to the conduct of the debates and the adoption of decisions during an assembly, at least one-third of the paid-up members must be present. If there is no quorum during the first discussion, a fresh assembly shall be convened within 2 to 15 days, at which at least one-fourth of the paid-up members must be present. If there is no quorum at the second assembly, a third assembly shall be convened within two to 15 days, at which the presence of one-fifth of the paid-up members shall suffice. Specifically, the discussion and decision-making of a strike requires the presence of at least one second (1/2) of the paid up members².

It shall be unlawful to participate in an assembly or in the votes by any manner of proxy.

(3) A general assembly shall adopt all its decisions by vote and in no case by acclamation.

Every vote relating to the election of an executive council, an auditing committee or an election supervisory committee, or of delegates to a secondary or a tertiary organisation, the selection of a secondary organisation for representation in a tertiary organisation, questions of confidence in the executive council, the adoption of a report on activities, personnel matters or the calling of a strike shall be by secret ballot.

The decisions of an assembly shall, unless otherwise provided in the rules, be adopted by a relative majority of the votes cast by those present.

Whenever a secret ballot is taken, if the presence of at least one-fourth of the members is sufficient to constitute a quorum and a sufficient number of members to attain at least this number are present, a majority of three-fourths of those present shall be required.

An assembly decision may be revoked if non-members of the trade union organisation were present at the assembly and their presence could have influenced the result.

Whenever a general assembly is convened, whether by decision of the executive council of a trade union organisation or at the request of one-tenth of the paid-up members, to decide on the amalgamation of the organisation with another organisation for the same branch of employment, the provisions of subsections (2) and (3) of this section shall apply, regardless of sections 99 and 100 of the Civil Code. The assembly shall also decide on the transfer of the assets to the single organisation which will result from the amalgamation.

(4) Any application for recognition of the invalidity of an assembly decision shall be submitted within 30 days, reckoned from the end of the assembly, to the magistrate's court for the area in which the trade union organisation has its registered office.

The relevant application shall be submitted, in the case of a primary trade union organisation, by at least one-fiftieth of the paid-up members; in the case of other organisations, it may be submitted only by a trade union organisation participating in the discussion as a fully paid-up affiliate.

An appeal shall lie from the decision of the magistrate's court to the single-member court of first instance within ten days of the date on which it is notified.

9. Executive councils; auditing committees; delegates. (1) The executive council of a trade union organisation shall be appointed as prescribed in the rules. The functions of chairman, vice-chairman, general secretary or treasurer may not be entrusted to the same person.

The term of office of executive bodies shall not be longer than three years.

(2) In every trade union organisation the auditing committee shall be elected by the general assembly of the members, in accordance with the rules.

The number of members to be elected to the auditing committee and the manner in which it is to function shall be determined by the rules of the organisation. The term of office of the auditing committee shall in all cases be the same as that of the executive council. Elections to the executive council and the auditing committee shall take place simultaneously.

The auditing committee shall be competent to monitor and supervise the executive council as regards the financial administration of the organisation.

(3) The assembly of the members of each primary organisation shall elect its delegates to the federation and the labour centre to which the organisation is affiliated.

The assembly of each federation and labour centre shall elect its delegates to the confederation to which it is affiliated.

The number of delegates to each secondary or tertiary trade union organisation shall be determined on the basis of the same norm for all , affiliated to the secondary or tertiary organisation concerned.

The calculation shall be based on the number of members who voted for the appointment of delegates in the primary organizations. If the calculation results in a fraction which is greater than half the number constituting the norm, one additional delegate shall be appointed. Any organisation which does not attain at least half the norm shall not be represented.

Primary trade unions whose numerical strength is, because of their characteristics, determined by a special law or by a special committee which is a public body corporate may be represented in secondary organisations irrespective of whether their membership is less than half the norm prescribed in the rules of the secondary

CHAPTER IV. DEMOCRATIC ELECTORAL PROCEDURES

10. *Elections.*

(1) (a) Workers who are members of primary trade union organisations shall elect their executive councils and auditing committees and their delegates to secondary organisations, and shall also be eligible for election, on condition that they have discharged the financial obligations provided in the rules.

The members of primary trade union organisations shall be entitled to vote for delegates to one federation and one labour centre only. If they belong to two organisations, they shall opt for one of them, in respect of which they shall exercise their right, and shall make a declaration to this effect to the chairman of the election supervisory committee. Such declaration shall bind a worker for the entire term of office of the representatives for whom he has voted and for the entire term of office of the bodies elected by the delegates of his organisation.

(2) (a) Every primary trade union organisation shall participate through its delegates in the election of the executive council of the federation and that of the labour centre to which it is affiliated, on condition that it has discharged the financial obligations prescribed in the rules of such federation and labour centre.

(b) Primary trade union organisations shall be represented in a tertiary organisation through the intermediary of one secondary organisation only.

The general assembly of the members of each primary trade union organisation shall decide whether its representation in the tertiary organisation is to be effected through the intermediary of the labour centre or through that of the federation to which it is affiliated (where appropriate).

For a decision of the general assembly a relative majority of the votes cast by the members present shall be sufficient, and the relevant secret ballot shall take place at the same sitting of the general assembly immediately after the election of the election supervisory committee responsible for conducting the election of delegates.

This decision, and a list of the delegates, shall be communicated by the chairman of the election supervisory committee, by means of the relevant document, to both of the secondary organisations to which the organisation is affiliated (where appropriate) and to the corresponding tertiary organisation. At the same time the court - representative shall send the same higher-level organisations a copy of the register mentioned in section 6, subsection (2), of Legislative Decree No. 4361/64, together with the additional data mentioned in section 3, subsection (1) (a), of this Act.

The above obligation of the trade union organisation shall be valid for the entire term of office of the representatives elected by its delegates to the secondary organisation for which it opted.

(3) Each secondary trade union organisation shall elect delegates to one tertiary organisation only.

(4) The delegates to the secondary and tertiary organisations shall be eligible for election to all administrative bodies, and also to the bodies which deputise for the assemblies of such organisations.

11. *Holding of elections.*

(1) Elections to the administrative bodies of a trade union organisation shall be conducted by an election supervisory committee, the number of whose members and the procedure for whose election shall be determined by the rules and which shall be presided over by a court representative. Throughout the holding of the elections and until the announcement of the successful candidates one delegate from each group presenting attend.

(2) The provisions of subsections (2) to (5) of section 6 of Legislative Decree No. 4361/64 shall also apply in the case of the trade union organisations provided for in this Act.

3. A court representative shall be appointed a lawyer with at least four (4) years' professional experience in the case of secondary and tertiary trade unions. The court representative is appointed at the request of the organization by the Bar Association of its seat³.

4. In the case of primary unions having their registered office within the District of the Bar Association, a court representative shall be appointed a lawyer of the Bar Association concerned. Subparagraphs (b) and (c) of paragraph 3 shall apply *mutatis mutandis*⁴.

(4) Deleted (Law 4446/2016)

(5) The presence of a court representative shall not be required at the elections of a primary trade union having its registered office in a locality other than that where the magistrate's court sits, if its membership does not exceed 50.

12. *Electoral system.*

(1) The administrative bodies of a trade union organisation shall be elected by means of a system of simple proportional representation.

(2) The seats on the executive council and auditing committee and the individual candidates are assigned in proportion to their electoral strength. The number of the valid ballot papers shall be divided by the number of seats of the executive council or auditing committee or by the number of delegates to be elected.

The quotient of this division, regardless of any fraction, shall constitute the electoral norm. Each group presenting candidates shall occupy a number of seats of the executive council or auditing committee, and shall elect a number of delegates, equal to the number of times the number of valid bulletin boards it obtained is divisible by the electoral norm.

(3) Any individual candidate obtaining the same number of votes as, or a greater number than, the electoral norm shall occupy one seat on the body for

which he stood, or shall be elected as delegate if he stood for such post.

(4) A group comprising fewer candidates than the number of seats to which it is entitled shall occupy only as many seats or shall elect only as many delegates as it has candidates.

(5) The seats remaining vacant and the number of delegates that is not attained in accordance with the provisions of the foregoing subsections shall be distributed among the groups presenting candidates which have occupied at least one seat or have elected at least one delegate, which hold a residue of bulletin boards greater than one-third of the electoral norm and which are closest to that norm.

(6) The seats remaining vacant or the number of delegates that is not attained even after the provisions of the preceding subsection have been applied shall be distributed among the groups presenting candidates which have the largest residue of bulletin boards, on the basis of one seat or one delegate per group. In the event of equality of voting strength, lots shall be drawn.

13. *Voting; records of votes .*

(1) In all cases a voter shall produce his police identity card or other official document and his trade union election passbook. The court representative shall enter in the passbook the date of the member's exercising his electoral right, the term of office of the representatives for whom he has voted, and also the term of office of the bodies for which his delegates will vote. The accuracy of these entries shall be certified by the court representative by means of his signature and the seal of the organisation.

(2) Subject to the provisions of section 11, subsection (2), the records of the counting of ballot papers and of the proclamation of those elected, and also the minutes of the voting and an extract of the minutes recording the general assembly's decision in accordance with section 10, subsection (2) (b), shall be submitted on the day following the completion of the election by the court representative to the clerk of the appropriate court of first instance and shall be preserved in the file of the trade union organization

13A. Implementation of *system of simple proportional representation* in pensioners' organizations

The provisions of Articles 10, 11, 12 and 13 of this Law shall apply mutatis mutandis to pensioners' organizations.⁵

CHAPTER V. TRADE UNION FREEDOMS AND

14. *Protection and facilitation of trade union activities.*

(1) It shall be the duty of the state authorities to take all essential measures to guarantee the free exercise of the right of establishment and autonomous functioning of trade union organisations.

(2) It shall be unlawful for employers or persons acting on their account or for any third party whatsoever to commit any act or omission likely to hamper the exercise of workers' trade union rights and, inter alia

(a) to exert influence on workers to set up or not to set up a trade union organisation;

⁵ Art 13 A added by Law 4331/2015

- (b) in any way or by any means to oblige workers to join, or prevent them from joining, a particular trade union organisation;
- (c) to require workers to state whether they are or are not members of, or have ceased to be members of, a trade union organisation;
- (d) to support a particular trade union organisation by financial or other means
- (e) to intervene in any way in the administration, functioning or activities of trade union
- (f) to treat workers favourably or unfavourably depending on their affiliation to a particular trade union organisation.

(3) Employers shall not be members of a workers' trade union organisation⁶.

(4) The termination of an employment relationship on grounds of lawful trade union activities shall be invalid.

(5) Termination of the employment relationship shall be invalid in the case of

- (a) members of the executive council of a trade union organisation, in accordance with section 92 of the Civil Code;
- (b) members of a provisional executive council of a trade union organisation, within the meaning of section 79 of the Civil Code, which is appointed by a court in accordance with section 69 of the Civil Code;
- (c) members of an executive council who are elected provisionally during the establishment of a trade union organisation.

This prohibition shall be valid throughout the member's term of office and for one year thereafter, except where one of the reasons specified in subsection (10) exists and has been attested in the course of the procedure provided for in section 15.

(6) The foregoing protection shall be granted to the following extent:

- (a) if the organisation has up to 200 members, seven members of its executive council shall be protected;
- (b) if the organisation has up to 1,000 members, nine members shall be protected;
- (c) if the organisation has more than 1,000 members, 11 members shall be protected

(7) The order of priority of the members to be protected shall be prescribed in the rules. If the rules make no such provision, the order of priority for protection shall be as follows: the chairman, the deputy chairman or vice-chairman, the general secretary, the deputy general secretary, the treasurer, and all members in the order of their election.

(8) The following shall also be protected: the first 21 founding members of

(9)

⁶ As modified by Law 1446/1984

⁷ As modified by Law 4472/2017

⁸ As modified by Law 4472/2017

⁹ Added by Law 2956/2001

¹⁰ As modified by Law 1545/1985

the first trade union set up in the undertaking or establishment or for the particular branch of employment, on condition that the undertaking in which they work, employs between 80 and 150 workers; 25 members, if it employs over 150 workers, 30 members, if it employs more than 300 workers, and 40 members, if it employs more than 500 workers. If the number of workers is between 40 and 80, up to seven founding members shall be protected in the order of their signature of the articles of association.

This protection shall be valid for one year from the date of signature of the articles of association. If the organisation is not in fact set up within six months of the signature of the articles of association, the protection of the founding members shall cease and shall be valid for the members of the next organisation to be set up.

(9) Subject to section 11, subsection (3), of Act No. 1256/82, to provide for plurality of posts, plurality of employment and the approval of the upper limit of salaries in the public sector and for the Auditing Congress, the State Legal Council and other matters, the workers mentioned in subsections (5), (6), (7) and (8) of this section shall not be transferred without the consent of the appropriate trade union organisation. The employer shall be entitled to appeal to the committee provided for in section 15, which shall decide as to the necessity for the transfer.

(10) Termination of the employment relationships of persons protected in accordance with the provisions of this section shall be permissible only where

- (a) during the conclusion of the contract of employment with the employer the worker deceived the latter by presenting false certificates or passbooks for the purpose of being recruited or of obtaining a higher rate of pay;
- b) the worker has disclosed industrial or commercial secrets or has requested or accepted illegal advantages, especially commission, from third parties;
- c) the worker has caused physical injury to, or seriously insulted or threatened, the employer or his representative;
- (d) the worker has persistently and without good cause refused to carry out the work for which he was recruited;
- (e) when the employee has committed theft or embezzlement at the expense of his employer or his representative⁷
- (f) the worker has failed without good cause to report for work for a period of more than three days⁸.

The existence of any of the above substantial reasons shall not release the employer from his obligations under the provisions of the Civil Code and those of labour legislation regarding termination of employment relationships.

(11) For the protection of the unions officers involved to the Executive Committee and the Secretariat of the Confederation of European Trade Unions, the above provisions shall apply accordingly⁹.

15. Committees for the protection of trade union officers¹⁰. (1) Decisions as to the existence of any of the reasons specified in section 14, subsection (10), shall be taken prior to termination by the majority vote of a committee composed of—

- (a) the president of the judges of first instance in the area where the worker performs his work, or a judge of first instance appointed by the president according to the order of priority prescribed in section 11, subsection (3), second paragraph, for a period of one year;

- (b) a representative of the chamber of industry and commerce for the area or, if there is no chamber in operation, of the commercial association. If the case under investigation is one which concerns an industrial salaried employee, the Federation of Greek Industries or the area federation of industries (where one exists) shall appoint one representative, who shall serve on the committee instead of the representative of the chamber;
- c) a representative of the workers, who shall be appointed by the most representative tertiary organisation.

2. The appeal shall be addressed to an appeals committee, which shall also consist of three members:

(a) The oldest **president of the judges of first instance**, who may be replaced by another President, in case of his absence, or impediment, and only in the event that no other President serves, shall be presided over by the oldest presiding judge, who did not participate in the first instance committee, when that contested decision was taken.

b) By a representative of the Chamber of Commerce and Industry with the above distinctions, as indicated in subparagraph 1 (a). b) of this article.

(c) One representative **of the workers**, as indicated in subparagraph 1 (a). c) of this article.

3. Regular or deputy members of the First Instance Committee may not, for the same year, be appointed or participate in the Second Instance Committee. For the other two committees, Article 11 (3) (a) applies. (b) of that law, and in the first application of that provision, the term of office and of the committees shall expire at the same time as at the primary level. The quorum in both committees shall be composed of its chairman and at least one member of the committee.

4. The appeals committee shall deal with an appeal by a party acting within five working days of the notification of that decision to the committee of first instance.

(5) During the first fortnight of January of each year the president of each court of first instance shall invite the above organisations to appoint one regular and one deputy representative for the ensuing calendar year before the end of the same month.

If the above organisations do not appoint representatives, the president shall, during the first ten days of February, designate one employer and one deputy and one worker and one worker's deputy and shall, by a decision himself, set up the two committees for the protection of trade union officers for his area. One of the officials of the court secretariat shall be designated as secretary for each committee.

Each committee shall be convened by the chairman, on application to the secretariat of the court by the employer or the concerned person, within eight days of the submission of the application, and shall deliberate on the case in accordance, *mutatis mutandis*, with the provisions of sections 739 to 759 of the Code of Civil Procedure.

It shall be the duty of the committee to give its decision within ten days reckoned from the date of the sitting.

16. *Democracy at the workplace.*

(1) Work constitutes a right and is protected by the State. Workers and their trade union organisations shall be protected in the exercise of all their trade union rights and also at the workplace.

(2) Primary trade unions shall be entitled to have notice boards for

their

purposes at the workplace and at places agreed upon in each case between the employer and the executive council of the basic trade union concerned.

(3) Regular or special assemblies of the most representative trade union organisations shall be held outside working time, as prescribed in section 6, subsection (1), in appropriate premises at the workplace (which shall not be a production area); such premises shall be provided by the employer, on condition that this is practicable and that the establishment employs at least 80 workers. An employer having the foregoing obligation may, alternatively, provide or rent suitable premises within a radius of up to 1.000 metres from the workplace.

(4) It shall be the duty of the employer, or a fully authorised representative of the employer, to meet the representatives of the trade union organisations, at their request, at least once a month and to endeavour to settle issues which are a cause of concern to the workers or their organisations.

(5) It shall be the duty of every employer whose establishment employs more than 100 workers to provide suitable office space at the workplace for the trade union organisation of the undertaking having the most members, to enable it to fulfil its trade union purposes, on condition that he is requested to do so and ^{that it} is feasible to provide it.

(6) Trade union organisations of any level shall be entitled to distribute their notices at the workplace, outside working time, as provided in section 6, subsection (1), of this Act.

(7) Representatives of the executive council of the primary trade union of the undertaking or, where there is no primary union, of the labour centre for the district, shall be entitled to be present during any inspection carried out by the competent bodies of the Ministry of Labour and to submit their observations.

(8) The competent labour inspector shall determine any disputes in cases covered by subsections (2), (3), (5) and (7) of this section by means of a duly substantiated decision, which he shall take within ten days of the date on which the employer or the trade union organisation applied to him. If the employer fails subsequently to comply with the inspector's decision, the latter shall impose on the employer, in respect of each violation of the provisions of this section, and in respect of each refusal by the latter to comply, a fine of between 5,000 and 10,000 drachmas, through the intermediary of the Workers' Institute, which fine shall be collected in accordance with the provisions of the Public Income Collection

(9) The employer shall be entitled to file an objection with the magistrate's court that is competent for the workplace against the labour inspector's decision to impose a fine. The court shall determine the case in accordance with the prescribed in sections 663 ff. of the Code of Civil

17. Leave of absence for trade union activities¹¹.

(1) It shall be the duty of an employer to grant facilities to enable the members of executive councils and auditing committees and the delegates of primary trade unions to secondary trade union organisations to perform their duties. He shall have the same obligation with respect to the executive councils and auditing committees and to the delegates of secondary trade union organisations to tertiary organisations, and also with respect to the executive councils and the auditing committees of tertiary organisations.

¹¹ Art 17 as modified by Law

(2) An employer shall be required to grant leave of absence as follows:
(a) to members of the executive council of the most representative tertiary trade union organisation, for a period equal to the duration of their term of office;

(b) the President and the Secretary-General of the Labor Centers and of Federations, provided that their affiliated organizations have more than 10,000 voting members, for the duration of their term of office;

(c) to the President of the Workers' Centers and the Federations, provided that their affiliated primary trade unions have from 1,501 to 10,000 voting members, for the duration of their term of office;

d) to the President of the Workers' Centers and the Federations, provided that their primary trade unions have up to 1,500 voting members, fifteen (15) days a month;

e) to the Vice-President, the Secretary-General and the treasurer of the Board of Directors of the most representative secondary organizations; fifteen (15) days a month ,

f) to the other members of the Board of Directors of the most representative secondary organizations nine (9) days a month;

g) to the President, Vice-President, Secretary General of the primary trade unions five (5) days a month, if the members of the organization are 500 or more;

h) to the President, Vice-President, Secretary-General of the primary trade unions three (3) days a month, if the members of the organization are less than 500;

i) to delegates to secondary and tertiary organisations, for the entire duration of the meetings they attend.

j) to the members of the Executive Committee and the Secretariat of the Confederation of European Trade Unions for the duration of their term of office.

3. The leave of absence referred to in paragraph 2 shall be limited to thirty (30) days per year in case of members of the Executive Board or otherwise of the Bureau of non-representative higher education organizations, and for the Chairman of the Board of Directors, for the next more representative secondary organization, as long as it has as many voting members as referred to in cases b and c, and in 1/3 of the time referred to in cases d, e, f, g for the respective union leaders of the immediately next most representative organization.

(4) The workers' period of absence in accordance with the provisions of the preceding paragraphs shall be regarded as time actually worked for the purposes of all entitlements arising out of their employment and social insurance relationship . The days of leave referred to in paragraphs (a), (b), (c) and (d) shall be with remuneration paid by their employer. The days of leave referred to in paragraphs (e), (f), (g), (i), (i) and (i) and paragraph (3) are unpaid. In this case the social insurance contributions of trade union officers in respect of the period of their trade union leave of absence shall be paid by their organisation.

5) Any dispute relating to the application of the provisions of this section shall be determined, on receipt of an application from either party, by the committee provided for in section 15 of this Act.

6. The provisions of the preceding paragraphs shall also apply to the trade unions officials referred to in Article 30. Where such provisions refer to labor centers, they shall be governed the prefectural departments of ADEDY.

18. Exercise of trade union rights.

- (1) The provisions of sections 14, 15, 16, 17 shall constitute minimum trade union rights.
- (2) More favourable arrangements for the exercise of these rights which have been made or which are in future made by agreement between employees and employers or under collective labour agreements or arbitration awards shall prevail.
- (3) This article applies both to employees of public sector bodies, as defined in Article 6 (1) of Law 1256/1982 (A`65), and to employees employed in a private sector¹².

CHAPTER VI.

19. Right to strike.

(1) A strike constitutes a right of the workers which is exercised by the trade union organisations—

- (a) as a means of preserving and promoting the economic, labour, trade union and social insurance interests of the workers, and as a manifestation of solidarity in relation to these objectives; and
- (b) as a manifestation of solidarity on the part of workers of undertakings or which are subsidiaries of multinational companies with in other undertakings or establishments or at the head office of the same multinational company, on condition that the outcome of the strike by the latter workers will directly affect the economic or labour interests of the former.

In cases provided for in clause (b) of this subsection the strike shall be ; exclusively by the most representative tertiary trade union organisation.

The exercise of the right to strike shall be conditional upon notice being given to the employer or his representative organisation at least 24 hours before its implementation.

(2) A strike by workers who are parties to employment relationships in private law with the State, local self-government agencies, public bodies corporate, public undertakings or public utility undertakings whose operation is vital to the basic needs of society as a whole shall be authorised, subject to the provisions of section 20, subsection (2), and section 21 of this Act.

The expression "public undertakings and public utility undertakings whose operation is vital to the basic needs of society as a whole" means undertakings or establishments engaged in—

- (a) the provision of health services by any kind of curative institution;
- (b) the purification and distribution of water;
- (c) the generation and distribution of electricity or combustible gas;
- (d) the production or refining of crude oil;
- (e) the transport of persons and goods by land, sea or air;
- (f) telecommunications and postal services, radio and television;
- (g) the drainage and disposal of sewage water and solid refuse¹³;
- (h) the loading and unloading and storage of merchandise in ports.

- i) Bank of Greece, civil Aviation Service and all kind of services or departments clearing

¹² Added by Law 4472/2017

¹³ As modified by Law 1915/1990

and paying the salaries of the staff of Public Sector pursuant to article 51 of Law 1892 /1990¹⁴

¹⁴ As modified by Law 1915/1990

¹⁵ Art 21 as modified by Law 2224/1994

20. *Calling of strikes.*

(1) In primary trade union organisations a strike shall be called by decision of the general assembly. In the case of stoppages lasting a few hours, on condition that they do not take place on the same day or within the same week, a decision of the executive council shall suffice, unless the rules provide otherwise. In primary trade union organisations for a larger area or for the whole of Greece a strike shall be called by the executive council, unless the rules provide otherwise.

In secondary and tertiary trade union organisations, unless their rules provide otherwise, a strike shall be called by decision of the executive council.

Associations of persons, as defined in section 1, subsection (3), paragraph (a), clause (cc), of this Act, may exercise the right to strike upon a decision taken by secret ballot of the majority of the workers in the establishment, undertaking, public service, public body corporate or local self-government agency. In the case of workers in an establishment, undertaking, public service, public body corporate or local self-government agency, if there is no association of persons or no basic trade union at the works or sector level of which most of the workers are members, the strike decision may be taken by the most representative labour centre for the district in which they work.

Workers in a branch of employment or undertaking who are not members of the trade union organisation which has called a strike may take part in the strike.

(2) In the case of workers covered by section 19, subsection (2), the calling of shall not take effect until four full days have elapsed since the date on claims and the reasons for them have been announced by means of a document communicated by a court officer to the employer or employers, to the appropriate ministry and to the Ministry of Labour.

A strike shall not relate to claims other than those announced.

21. *Safety personnel*¹⁵.

(1) A trade union organisation calling a strike shall provide throughout the strike the necessary personnel to prevent damage or accidents to the installations of the undertaking

(2) For the duration of a strike the trade union organisations of the mentioned in section 19, subsection (2), shall be required to make available, in addition to the personnel provided for in subsection (1) of this section, the necessary personnel to satisfy the basic needs of society as a whole.

The trade union organisations shall, during the first fortnight of January each year, announce to the employer, the appropriate ministry and the Ministry of Labour, through the intermediary of a court administrative officer, the number and special skills of the personnel they will make available in the event of their exercising the right to strike during the year in question.

If the employer disagrees as to the number or special skills of the necessary personnel, or the organisation fails to submit a list of personnel upon being requested by the employer to do so, the committee provided for in section 15 shall take a decision within the second fortnight of the same month: Provided that, in the case of exceptional and unforeseen necessity, the decision shall be taken by the chairman of the committee alone.

During a strike the trade union organisation or the employer may request the committee provided for in section 15 to amend the original list of safety personnel, on the basis of the situation which has developed.

22. *Prohibition of recruitment of strike-breakers: prohibition of lockouts;*

(1) It shall be prohibited for the duration of a lawful strike to recruit strike breakers

(2) Lockouts shall be prohibited.

(3) The judicial prohibition of strikes by means of interim injunctions shall be unlawful.

(4) Disputes resulting from the application of the provisions of sections 19 to 21 shall be settled by the single-member court of first instance for the registered office of the trade union organisation which has called the strike, in accordance with the procedure laid down in sections 663 to 676 of the Code of Civil

In urgent cases the presidents of the competent courts of first and second instance shall fix an early date for their consideration and shall reduce the time-limits for issuing court documents, in order that the hearing may take place within five days of their submission, irrespective of the number of cases pending.

The time-limit for an appeal shall be three days.

5. The disputes arising from the application of Article 656 of the Civil Code in the event of a strike in the company shall be settled in accordance with the procedure referred to in paragraph 4 and in accordance with the same time limits.

CHAPTER VII.

PENAL PROVISIONS

23. 1. The employer and his representatives, as well as any third party, who violates the provisions of Article 14 (2) and (3) of that Law, are punished with imprisonment or /and with a fine of up to 5,000,000 drachmas, and unless a heavier sentence is provided for by another provision.

2. The employer and his representatives, in breach of the provisions of Article 14 (5), (8) and (9) or denying actual employment a worker whose dismissal has been declared void by a court decision or who refuse to re-employ and effectively employ employees referred to in Article 24 shall be punished with imprisonment or/and a fine of up to £ 1,000,000 for each offense of denial.

3. Anyone who falsifies or distorts the outcome of the election for her nominating collective bodies or representatives of any trade union the organization is punishable by imprisonment of at least three months and if he shall be a member of an **election supervisory committee** with at least six in prison months.

4. Anyone who uses the brand or opposes the representation unions without the right to self-benefit is punished to imprisonment of up to one year, if the offense is not punishable by more than another provision.

5. Anyone who obstructs by physical or psychological violence the meetings of the administration or of the assemblies of union members are punishable to imprisonment of up to one year, if the offense is not punishable by more than another provision.

CHAPTER VIII. TRANSITIONAL PROVISIONS

24. [Reinstatement of workers dismissed under Act No. 330/76¹ on of their trade union activities or participation in strikes; procedure for reinstatement.]

25. [Enrolment of members; revision of registers.]

26. [Possibility for trade unions to opt for the immediate introduction of the election procedure provided for in the Act.]

27. [All rights and obligations of the Agency for the Management of the Special Resources of Labour Unions (ODEPES) to be assumed automatically by the Workers' Institute on the publication of this Act; transitional arrangements, alia, for employees of ODEPES.]

28. [Issue of new electoral passbooks, obligation of persons belonging to more than two trade unions to reduce their membership to two of them, cancellation of penalties imposed under Act No. 330/76.]

CHAPTER IX. ENABLING PROVISIONS

29. [Presidential and ministerial decrees and decisions to be issued] respecting registers, electoral passbooks and certain court fees.]

CHAPTER X. SPECIAL

30. *Trade union freedoms and rights of civil servants.*

(1) This Act, except for the provisions of section 14, paras (3) to (10), section 16, paras 7 - 9, 22 paras 1 and 2, 24 and 27, apply with the specific arrangements set out below for to civil servants, with the exception of National Intelligence Service staff as well as to the permanent or with a term of office staff of the local authorities, of the High Educational Institutions, of Church Legal Persons and other Legal Entities of Public Law, and even to private-law employees who hold positions, in accordance with Article 103 (3) of the Constitution.

2. For the purpose of applying the preceding paragraph, employees are also considered the civil servants; where in the present law refer the terms employer, business, establishment, this means both the State and the above legal entities with their competent services. Where the Labor Centre is referred, the reference does not apply to civil servants.

3 Secondary unions of civil servants are:

(a) the federations of the branches or profession trade unions whose members belong to one or more Ministries or legal entities of public law

(b) the federations of associations whose members belong at the same Ministry or according to paragraph 1 of this article at legal entities of public law or groups of legal persons of public law which are under the supervision of the same Ministry. Where employees of a Ministry belong to the single trade union of this ministry with more branches, this trade union is therefore regarded as a secondary one.

Each primary trade union can become a member of a secondary trade union, if there

is no other trade union.

Where a primary trade union belongs to more than one secondary trade unions is required in the first general assembly of its members convened after the issuance of this law, to decide to which secondary (federation) will stay in as a member.

4. Each employee, from his appointment, may become a member of only one trade union of branch or of profession and of one of the workplace, after paying the fees provided by the statutes. Except for other cases specified by the rules of his trade union, the employee shall be removed from membership at the time of termination of the employee relationship, as well as if he has failed to participate in the last two elections for the executive council

5. Without prejudice to Article 11 of Law 1256/1982 " multi-employment and the establishment of a ceiling on earnings in the public sector as well as for the Court of Auditors, Legal Council of State and other provisions ", transfer of the civil servants referred to in paragraph 1 of this Article who are members of boards of directors or of temporary administration of primary trade unions as long as they belong to the secondary trade unions members of tertiary trade unions, is not allowed without their written consent and of their trade unions.

Members of the administration of secondary and tertiary trade unions are equally protected.

6. The Committee referred to in section 15 of this Act where civil servants are concerned, consists of:

(a) the President of the Court of First Instance of the district where the civil servant provides his services, or a First Instance judge or Peace keeper appointed by him, in the order referred to in Article 11, for an annual term of office

(b) An official designated by the Minister for the Presidency of the Government, after consultation with the relevant Minister.

(c) A representative of the civil servants, designated by the most representative tertiary organization.

7. The provision of Article 19 (2) of this Law shall apply on the right to strike of civil servants.

The period of strike of civil servants is considered as time of real public service, but without remuneration.

8. (a) In the case of civil servants referred to in paragraph 1 of in this article, a strike cannot be declared before four (4) full days have elapsed since notification of the requests

and the grounds on which they are based, by a document communicated, with bailiff at the Ministry of the Presidency of the Government, at the Ministry Finance, at the Ministry under which these employees depend as well as to the administrations of the bodies controlling them, when it is a strike concerning their employees.

(b) The strike is decided by secondary or tertiary trade unions following a decision of their General Assembly.

9. During the strike of the civil servants referred to in paragraph 1 temporary staff may not be recruited.

10. Pensioners or pensioners' unions may not be members of primary, secondary and tertiary trade unions of civil servants referred to in paragraph 1 of this Article.