

SUMMARY OF SYSTEM FOR RESOLUTION OF LABOUR
DISPUTES IN LITHUANIA
By Judge Diana Labokaite

1) There is no Labour Court in Lithuania. Labour disputes whether between individual and employer, or trade union and enterprise are dealt with by the courts of general competence.

Disputes between employees in the civil service and the state or municipality are dealt with by the Administrative Courts.

2) From the beginning of 2013 the Labour Code of the Republic of Lithuania was amended and the preliminary investigation of labour disputes in the labour disputes commissions became obligatory unless it is unfair dismissal or removal from the workplace, which goes directly to the court. The labour disputes commissions were established in the structure of Labour Inspectorates and there are 13 labour disputes commissions in the country. In case when the parties are not satisfied with the labour dispute commission's decision they can address the case to the court within one month after the decision of the commission. When there are no objections, the decision of the commission became enforceable.

3) There are three tiers in the general court system: first instance; regional courts which deal with disputes over the sum of 150 000 Litas (aprx. 43 000 euro) and as an appeal instance against first instance judgments; the Court of Appeal, which hears appeals from the Regional courts, and the Supreme Court.

In the Administrative Court there are two levels: Regional Administrative Courts and the Senior Administrative Court.

4) All employees before the general courts or the administrative court are exempted from the court fee. Legal aid is only available for those in receipt of social assistance.

An employee can be represented by an advocate or trade union official, if the employee is a member of a trade union.

5) There are special provisions in the civil procedure code for labour disputes. For example the Court is obliged to resolve labour cases within 60 days, which is impracticable due to the high numbers of cases in the first instance court.

The court has the right to admit evidence and summons witnesses of its own motion.

There is generally an oral hearing, except in simple claims for monies owed.

6) The court can award compensation for estimated loss of earnings for future unemployment and non-pecuniary damages as well.

There are no limits to the amount of compensation.