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**Annual Review of
Labour Relations and Social Dialogue in South East Europe:**

Romania

By Stefania Barbuceanu*

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* **Stefania Barbuceanu**, Economist

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Regional Project for Labour Relations and
Social Dialogue in South East Europe
Tadeusa Kosciuska 8/5
11000 Belgrade, Serbia

E-Mail: fes@fessoe.de
Internet: www.fessoe.de

The text is available online:
www.fessoe.de

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1. Summary

Romania experienced a more stable economic environment in 2013, with higher economic growth, envisaged to exceed 2.2% annual growth. The political framework was also more balanced, ensuring continuity of reforms and enhancing international trust.

The country continues to pursue another Stand-By-Arrangement with the International Monetary Fund for a 2 year period and an amount of EUR 2 bn; which should be provided by the IMF, the European Union and the World Bank. This agreement was signed in order to continue the implementation of the reforms, especially industrial reform, now that financial consolidation is well on track.

In 2013, the International Labour Organization discussed and published its findings on the impact of new labour legislation on Romania's industrial relations. However, despite several recommendations and contact between the ILO Director and the Romanian Prime Minister, no significant changes were made to the new reforms enacted in 2011. The tripartite agreement reached stated that trade unions should express officially what they believe should be changed in the new legislations by the end of 2013 and these suggestions should be the basis for future discussions. Continuously, collective agreements have had a sluggish pace, as the branches are still impeded by the high representative rate clause.

2014 should bring forward more action from trade unions, however considering that next year is an election year, the chances for considerable changes in the reforms are very slim.

2. Socio-economic developments

2013 was a stable economic and political year, somewhat burdened by euro area difficulties. GDP growth continued consistently from last year (+0.7% year-on-year) and in the first nine months of 2013 the economy increased by 2.7%, sustained by industry. For the full year GDP is predicted (by the financial institutions) to increase by 2.2%, however this could be surpassed.

An additional 2-year Precautionary Stand-By Agreement was reached at the end of September 2013 with the IMF with the agreed EUR 2 bn will be provided by IMF, the European Union and the World Bank. The agreement was first signed in order to allow the continued implementation of reforms, especially industrial reform now that financial consolidation is well on track. However, recently, Romanian President, Traian Basescu, decided not to approve the final agreement mainly due to a clause within the document stipulating an excise increase. This will delay the final agreement for a couple of months.

Foreign direct investments stood at EUR 1,497mn in January-September 2013, down 10% as compared to Jan-Sept 2012 (revised data), mainly absorbed by the industrial sector. In the period Jan-Sept 2013 the balance of payments current account posted a deficit of EUR 595mn, substantially lower than in the same period of 2012 when the amount stood at EUR 4,800mn. The state consolidated budget recorded in 10m/13 a deficit of RON 7.57bn, 1.21% of GDP, below the deficit target of 2.2% of GDP. Consequently, in March 2013, Romania exited the European Commission's *excessive deficit procedure* as it brought the deficit below the 3% of GDP benchmark outlined in the Maastricht criteria and demonstrated a strong fiscal framework. Additionally, public debt ended the 2012 year at 37.9% while in August 2013 the figure slightly decreased to 36.9% of GDP.

2013 brought on-stream government Initial Public Offerings with the most important being 15% of the Romgaz national company and 10% of the Nuclearelectrica national company. For next year they plan similar IPOs for Hidroelectrica, Centrala Electrica Oltenia and a full sell-off of Electrica. These are part of the plan agreed upon in the structural reforms with the IMF.

Annual inflation increased marginally by 1.9% year-on-year in October 2013, reflecting the reduced VAT for certain key food goods. The ILO unemployment rate increased compared to the end of 2012, reaching 7.5% in September 2013 from 6.7% from December 2012. According to a governmental law approved at the beginning of 2013, the minimum wage was set at c. 168 EUR (750 RON) until mid-year and increased to c. EUR 180 (800 RON) from July 2013. In 2012, the percentage of people at risk of poverty or social exclusion was 41.7%, increasing from 40.3% in 2011. The Gini-coefficient reported by the United Nations Development Programme in the 2012 Human Development Report stood at 30.0.

3. Governmental policies and legislation

Compared to previous years of high political unrest for example in 2012 when the government changed three times, 2013 was characterized by a more stable political background, offering more stability and confidence in the country's economic situation. The comfortable majority enjoyed by the Social Democratic Party was a decisive factor in the development of this more secured political framework.

After being published in 2011, the Labour Code and the Social Dialogue Law were not entirely changed according to the requests made by the social community, which is worrying trait for both Trade Unions and the International Labour Organization. Consequently, in June 2013, the ILO has published *the Impact Study of the Legislative Reforms on Industrial Relations in Romania* of which first conclusions were discussed in January 2013. At the round-table at which the discussions took place were also seated of the IMF, the European Commission, World Bank, national representatives from the National Tripartite Council for Social Dialogue, the Ministry of Labour, the State Secretary for social dialogue and representatives from trade unions and employer organizations.

The ILO study underlines the issue of *collective bargaining*; the significance of which dropped considerably given the obligation of trade unions to re-apply for their representative status under other very constrictive legal conditions, which has result in making it impossible for many to do so. It has been alleged that at the round-table, participants agreed that the new legislation impeded collective bargaining in Romania. While the ILO General Director contacted the Romanian Prime Minister to offer his organization's full support on implementing the consensus they reached previously, no material changes took place.

The new legislation continued to be a matter of discussion in academic and social circles. On the other hand the government declared that the new Labour Code improved the functioning of the market in terms of flexibility and employment growth. The plan now is to monitor the Social Dialogue Law implementation effects and if the government consider any amendments necessary, these will be undertaken in consultation with all stakeholders through legislative processes. Furthermore, the government is willing to continue its cooperation with the ILO to ensure they comply with the conventions.

While *flexibility* is regarded as being a sign of improvement in Government documents, this aspect is regarded as a double-edged sword by the social community. Fixed-term contracts offer the flexibility desired by the government and the new legislation prolonged the time of fixed-term contracts, from 24 months to 36 months. Additionally, dismissal protection decreased especially for cases of termination of contracts without prior notice and on the basis of countless reasons: structural change of the company, (not defined by the government), is one of the broader reasons stipulated in the law. Another group of workers that are poorly protected are temporary agency workers who

face payment inequality due to the fact that the new reforms recommend that their wages should be negotiated but not be lower than the minimum national salary. This gives a window of opportunity for employers to pay them less than the normal employee for the same job.

Given the intervention of the International Labour Organization, considered an important milestone by the domestic trade unions, protests against the new legislation were of a lower intensity in 2013 than in previous years. At the end of September the trade unions confederations worked together with ITUC and sent a signed letter to the Romanian Prime Minister, Victor Ponta, suggesting that steps should be taken to change the current labour market and social dialogue legislation. The phenomena of a less intense, diminished social dialogue, is common throughout the entire European Union, especially in central and eastern Europe.

4. Industrial relations

The number of collective agreements finalized in 2013 was even lower than the previous year. As no significant changes took place in the new legislative framework, the trade unions are further burdened at this level. Remember that signatory power criterion for collective agreement at sector level has to represent 50% of the employees in the sector; which should be working in the affiliated companies. According to the Ministry of Labour website, 16 collective agreements are currently still available in Romania at unit level, of which only 3 were concluded this year. More importantly, only 2 collective agreements at branch level are in force at national level. Only one collective agreement has been signed so far in 2013 and will be enacted as of 2014, representing Veterinary activities from the Health Sector. The other two branches covered are Higher Education and Research and pre-university Education.

One of the most affected sectors by the budget cutting was the health industry. Thus, in July employers organisations and trade unions formed the Coalition of Health Professionals and started a round of protests in September in throughout the country. After one day of protest on the 18th of September 2013 when the Minister, Raed Arafat, came out to the street to invite the protesters to negotiate, a meeting took place on the 22nd of September. 11 representatives of the coalition participated in a round table with government representatives of the Minister of Health, together with the Minister delegate for Social Dialogue from the Ministry of Labour. The most important issue the government agreed on was that by the end of 2016, the share of GDP for the health system should reach 6%, from 4.35% in 2011¹. Additionally, the Coalition asked and partially received some of the requests, among others the doubling resident doctor's salaries which, currently, after 6 years of university education, stand at as little as 200 EUR per month. The resolution on the latter was that the Minister of Health would identify the required financial resources so as to increase their salaries by 20%.

Starting in October, the Cartel Alfa confederation started protesting for an indefinite period considering that the legislative framework was not changed as promised by the government. The National Trade Union Bloc also joined the protests later in the process and together they stated their raising concerns regarding the undelivered promises of the government for changing the new laws, at the same time as the Confederations picketed for further increases in the minimum wage, to reach 1,000 RON in 2014.

Trade unions also marked the 7th of October, the Worldwide Day of Decent Work, stating that Romanian workers, especially the young ones, migrate to other countries in the search for more decent working conditions.

¹ According to Eurostat

Compared to the previous year, confederations did not officially add trade union federations in their structure. Thus, the official number of members registered within their organizations remained unchanged as registered with the Ministry of Labour. As published, the number stood at 1,183,000. The ITUC official representatives list from 2012 shows the same number as in 2011, namely 1,701,000 members from Romania's confederations: Blocul National Sindical, Confederatia Nationala Sindicala Cartel Alfa, Confederatia Sindicatelor Democratice din Romania and Confederatiei Nationale a Sindicatelor Libere din România. National Statistics do not provide official data in this matter. The confederations' statements suggest the number of members' representatives significantly higher.

Employers' organizations are not as compliant as Trade Unions in regards to applying for representation. Thus, so far only Patronatul Roman (PR) received and published its official documents under the new legislation.

5. Tripartite social dialogue

In 2013 the government appointed a new Ministry delegated for social dialogue: Doina Adriana Pana. Recently, the Ministry of Labour started publishing the weekly activities of its Social Dialogue branch; a positive sign for increasing transparency. The information divulged so far only refers to meetings that took place, without giving the details of the negotiations and discussions. For statistical reasons, the Ministry met IMF representatives three times during the course of the year, while ILO meetings are not registered in their official daily agenda. To date, two group meetings with all the trade unions confederations have taken place, while the branch met on average a separate confederation twice this year. This Social Dialogue branch often met with trade union branch Federations but it worth motioning is that the Ministry of Labour officially noted that the National Tripartite Council met only once.

Trade Union Confederations note that even though meetings took place at a tripartite level, the response of the parties involved was completely passive, and no changes or directed actions were taken in regards to their recommendations and requests.

In October 2013 the National Tripartite Council, chaired by the Prime Minister Victor Ponta, reunited the Ministries of Finance, Labour, Health and employers' organizations and trade unions. At this meeting the Prime Minister proposed to sign a memorandum on Labour Law, valid for one year, which would assign a tripartite commission composed of government representatives, trade unions and employers' organizations to monitor the effects of the current labour legislation. While the employers' organization agreed to sign this memorandum, trade unions did not. Thus, finally the agreement was that by the end of 2013 the parties would submit proposals and observations on the new labour law which would be considered the basis for any future changes.

Additionally, the framework of organization for the Economic and Social Council was legally defined and published into a Law, no. 248/2013 in which its status was confirmed; namely as a tripartite consultative body for the Parliament and Government with which to undertake dialogue between employers and trade unions.

6. Forecasts

According to major institutions, GDP is expected to increase by 2.2% in 2014, however considering the positive developments in 2013, this could be an underestimation. In 2013 the economic development is also estimated to increase over 2.2%. The ILO unemployment rate is expected to slightly decrease to 7% in 2014 while 2013 year is expected to end with an unemployment rate of 7.3%. Inflation is expected to reach 4.2% in 2013 and to decrease significantly to 2.4% in 2014.

In political terms, next year is an election year with European Parliamentary elections taking place in the spring and Presidential elections being held in the autumn. These elections will bring instability and thus no major changes in legislation will be enacted. Even so social community and trade unions organisations are expecting results and changes in the labour reforms from 2011, but most likely these will be delayed as much as possible by the current parties in power. Additionally, Tripartite Dialogue will continue with its passive activity and the number of collective agreements agreed on will continue to suffer.

Annex of data

- **Collective bargaining system**

In 2011 the national collective bargaining system has changed. Since 1991, the national unique collective agreement was used to set the main terms of reference for the minimum rights and obligations of all employees, such as the national minimum wage, working time and conditions, even if they were not covered by other collective agreements. According to the new social dialogue Act 62/2011, as of May 2011, these agreements are covered by law, the same law that controls trade unions, employer organizations, social dialogue committees and labour conflicts. The collective agreements will now be negotiated at a sectoral level, according to NACE codes of activity, instead of being at branch level of the national economy. Therefore, all the economic branch collective agreements have now expired and new ones are being signed on a short term as regulated by the law. The few collective agreements signed in 2012 and 2013 are bound to expire by 2013-2014, as they are bound by law to be enacted from 12 to a maximum of 24 months. The maximum period for which an agreement could have been in place was not mentioned in the law before. The pace at which collective agreements are being signed continues to be very slow.

The negotiation of a collective agreement is only mandatory when a company has more the 21 employees. Also, according to the new law, unions have to register at least 15 employees accounting for at least 50%+1 of the employees within the same company.

- **System of tripartite social dialogue**

Tripartite social dialogue takes place within institutional structures of tripartite consultation, namely the National Tripartite Council for Social Dialogue and Commissions for Social Dialogue, established under Law no. 62/2011. As compared to 2011, the National Tripartite Council is now the institution responsible for tripartite social dialogue while the Economic and Social Council is only the structure of civil dialogue. The National Tripartite Council is the institutionalized structure for tripartite consultation and it is composed of employers' confederations, a trade union confederations' representative at a national level, a representative from Romania's National Bank and a representative from the Economic and Social Council, while its president is the Prime-minister and its deputy is the Ministry of Labour, Family and Social Protection. The goal of the council, as defined by law, is to give tripartite consultation related to the Governments' economic and social strategies, namely: the value of the national minimum wage, solving conflicts to ensure social peace, close social agreements, analyze and if necessary, approve the extension of labour collective agreements and other aspects that lead to the establishment and implementation of the Government's strategies and policies. The law does not stipulate a minimum number of meetings between the parties, nor any clear strategies to improve the current state of the social dialogue process.

Another part of the social dialogue at a national level, similar with the social cooperation between European institutions and the European Economic and Social Committee,

is the consultancy between the Parliament/Government with the Economic and Social Council, as a structure of civic dialogue between the representatives of civil society.

- **Social security systems**

All employees (and employers) are obliged by law to pay a percentage of total earnings for social security and therefore they all benefit from state health insurance, pension insurance and unemployment benefits. Unemployment benefits come into force after the unemployed person registers at the National/County Agency for Employment. Employee dependents also benefit from state health insurance. There are no statistics data available in this direction. The social taxes that have to be paid by the employers are at one of the highest rates in the EU (more than 40%), putting a huge burden on the shoulders of the employers and encouraging the informal economy.

- **Education and vocational training**

The framework of vocational training was not changed as a result of the new amendments brought to the labour law. In Romania, the continuous vocational training system has been organized as a network of national, local and sectoral structures of the authorities in charge. The system, however, does not operate at maximum potential due to the lack of financial resources. According to the Labour Code, art.193, vocational training may be provided to employees in any of the following forms: attendance of training courses organized by employers or by suppliers of vocational training services; vocational on-the-job training for new-entrants to a position or work place; probationary and post-graduate training in Romania and abroad; on-the-job vocational training; coaching; other forms of training agreed upon between employer and employee. Employers of more than 20 employees are bound by law to prepare and provide, vocational training schemes every two years. Employers of 21 or less employees must provide vocational training schemes at least once every 3 years. The costs of training are covered by the employers, and for companies bigger than 20 employees, each year has to be planned ahead in collaboration with trade unions or the employees' representative. Previously, when the employer failed to comply with the obligation to provide the funds for the vocational training of an employee, the employee was entitled to a paid leave of up to 10 working days for vocational training purposes, this is not the case anymore; nothing similar is stipulated in the Labour Code. Additionally, if the companies include training in the contract and the worker resigns, the worker can be required to pay for the training expenses, depending on the clause stipulated in the contract.

The Ministry of Labour, Family and Social Protection, in cooperation with the ministries and other relevant bodies, elaborates the policies and strategies for continuous vocational training. The Ministry of Labour, Family and Social Protection closely cooperates with the National Authority for Vocational Training (Autoritatea Nationala pentru Calificari, ANC) which is a public institution established at the end of 2011 under the coordination of the Ministry of Education, Research, Youth and Sport, its role is to elaborate and implement the national framework for vocational qualification. In this framework, The National Agency for Employment (Agentia Nationala pentru Ocuparea Fortei de Munca, ANOFM), is in close connection with the above mentioned institutions as it aims to institutionalize social dialogue in order to ensure high rates of employment and professional training, apply strategies in employment and professional training and apply measures of social protection for the unemployed persons.

According to Eurostat, the percentage of the adult population aged 25-64 participating in education and training (whether or not it was relevant to the respondent's current or possible future job) was 1.4% in Romania in 2012, decreasing from 1.6% in 2011, while

the European average for 28 countries reached the level of 9.0%, increasing from 8.8% in 2011.

Education in Romania is poorly funded, reaching only 3.53% of GDP in 2010. The UNDP Human Development Report figure on education spending in Romania sits at 4.5% of GDP on average from 2005 to 2010. According to the 2013 Human Development Report of UNDP the adult literacy rate was 97.7% in Romania on average for the years 2005-2010. School expectancy, which corresponds to the expected years of education over a lifetime (and has been calculated adding the single-year enrolment rates for all ages), stood at 16.1% in 2011 in Romania, while the EU average was 17.5%. According to the Academic Ranking of World Universities up to 2012/2013, no Romanian university was included in the first 500 top universities worldwide.

- **Employment rate**

Period	Q2 2013	Q1 2013	2012	2011	2010
Employment rate (%)	60.2	58.1	59.5	58.5	58.8

Source: Eurostat. Employment rate is calculated by dividing the number of persons aged 15 to 64 in employment by the total population of the same age group.

- **Unemployment rate**

Period	Q2 2013	Q1 2013	2012	2011	2010
ILO Unemployment rate	7.5	7.5	7	7.4	7.3

Source: National Institute of Statistics

ILO unemployment rate represents the ratio of the ILO unemployed in economically active population.

- **Average net monthly salaries (in €)**

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2013	353	354	368	379	371	359	369	362	361			
2012	338	338	353	350	345	348	342	340	342	340	348	378
2011	334	333	358	365	355	351	347	342	342	337	342	371
2010	344	343	369	348	342	335	318	316	314	313	321	349

Source: National Institute of Statistics INSSE for wage values, National Bank of Romania for exchange rates

* Nominal earnings comprise salaries, respective money rights and the rights in-kind of employees for effective work done (including overtime), according to the salary type applied, benefits and indemnities granted as salary percentage or in fixed amounts, other legal rises of salary, amounts paid for non-working time (indemnities for rest and study-leave, holidays, other days-off, amounts paid from salary fund for medical leave), prizes, holiday bonuses and other amounts paid from the salary fund according to normative documents or collective labour contracts, amounts paid from the net profit and other funds (including the equivalent value of lunch tickets).

- **Gender pay gap**

The labour market still displays a certain degree of gender segregation by professions; for example some professions are dominated by women (such as health, education, public administration, etc.), while others are largely served by men (heavy-duty industry, army, etc.). This professional segregation between men and women leads to pay differences between one gender and the other, due to the fact that, in the strongly 'feminine' sectors, pay is, generally speaking, lower than in the predominantly mascu-

line sectors. Law no. 202/2002 (Last modified in June 2013) forms the basis of equality opportunities legislation between women and men. As the last National Agency for Equal Opportunities between Women and Men was abolished, so a new National Commission for Equal Opportunities between Women and Men (CONES) was established. The Commission falls under the auspices of the Ministry of Labour, Family, Social Protection and Elderly Population, under the Direction of Equal opportunities between Women and Men, as regulated by Government Decision 10/January 2013. The organization is comprised of ministries representatives and other specialists from public central administration under Government jurisdiction, representatives of trade unions and employers' organizations at national level and also representatives from non-governmental organizations. The rationale of this commission is to develop policies and national action plans in its field and coordinate their implementation, receive complaints about breaches in the regulations and transmit them to competent institutions which can enforce sanctions, approve draft laws initiated by other ministries related to the topic, realize studies, analysis and forecast in all areas of activity related to equality and ensure informational exchange with European and other international organizations.

According to the 2012 Human Development Report of UNDP Romania's Gender Inequality Index representing a composite measure reflecting inequality in achievements between women and men in three dimensions: reproductive health, empowerment and the labour market stays at 0.327 which represents a ranking of 55th country in the world (as a comparison, Netherlands which ranks 1st worldwide has an index of 0.045)

- **Minimum wage (in €)**

Period – bi-annual data	S2 2013	S1 2013	S2 2012	S1 2012	S2 2011	S1 2011	S2 2010	S1 2010
Minimum wage (€)	179.36	157.50	157.26	161.91	157.89	157.2	137.3	141.63

Source: Eurostat

- **Actual weekly working hours**

Weekly working time set by law is 40 hours while it may exceed 48 hours, but this average must be maintained over a four-month reference period (modified in 2011, as it was first set up at a three month reference period) – the reference period may be up to 6 months for certain professions. The legal annual paid leave is for 20 working days + 11 days of public holidays. In S1 2013, the average actual weekly working hours of full-time employees in Romania was 40.5, while in the EU28 it stood at 39.9. Working hours are set by the Labour Code as of 2011 instead of the abolished tripartite national collective agreement, which provides a minimum basic framework for employment conditions, but no sectoral agreements exist.

- **Normal work / atypical work**

Year	S1 2013	2012	2011	2010
Total employees ¹	9,172,846	9,262,807	9,137,736	9,239,390
Full time employees ²	90%	90%	90%	89%
Part-time employees ³	10%	10%	10%	11%

Source: National Institute of Statistics

¹ Employment comprises, (according to the methodology of Statistical household labour force survey), all persons aged 15 years and over who have carried out an economic activity producing goods or services of at least one hour in the reference period (one week), in order to get income as salary, payment of a kind or other benefits. In the case of the self-employed and contributing family workers from agriculture, the minimum duration is 15 hours.

² Full-time employment is considered the segment of employment which, according to their statement, is performing an economic activity full-time. Generally, for the employees it is considered that a full-time programme is a programme of full-time work as stipulated by the collective labour contract (normal duration).

³ Part-time employment is considered the segment of employment which, according to their statement, is performing an economic activity in part-time. Generally, a part-time programme for the employees is considered to be the program whose duration stipulated by the individual labour contract is significantly lower than normal duration.

- **Migration**

Year	2011	2010	2009
Emigrants - Immigrants (number of persons)	2,769	847	1,605

Source: National Institute of Statistics

*More recent data has not yet been published

- **HDI**

Year	2012	2011	2010	2009
HDI - Value	0.786	0.781	0.767	0.764

Source: UNDP

2013 International Ranking: High Human Development

- **Gini-coefficient** (index; international ranking)

Year	2012	2011	2010	2009	2008
Gini Coefficient	33.2	33.2	33.3	34.9	36

Source: Eurostat

- **Collective agreement coverage**

The National Collective agreement was abolished when the new labour code was enacted. Some of the articles stipulated in the National Agreement were transposed into the labour code, but as of 2012 sectoral agreements have yet to be signed. The government decided to reorganize the economic branches at which level the agreements have to be signed. The new categories are based on group units according to NACE activity codes. Thus the collective agreement coverage was severely diminished, as employers' organizations and confederations have been re-organised in such a way that they can bargain and be representative at sectoral and national levels.

A collective agreement has to be signed between the employer or employers' organization and the employees' representative. The agreement can be representative at a NACE unit level only if the companies are members of the employers' organizations and are signatories to the agreement.

Employees' representative for small companies or trade unions for companies with at least 15 employees might just be an appointed representative. Trade unions have to have at least 15 employees accounting for at least 50%+1 of the employees within the same company in order to be representative.

Negotiations had come to standstill in 2011 due also to the organization of the tripartite social dialogue. In the following years, including 2013 the recovery was sluggish and overall very few collective agreements were signed at group, unit or sectoral levels. Thus, collective agreements only cover few sectors, namely public water supply and sewerage, the administration of Hospitals and Health Services Administration in Bucha-

rest, the administration of the health network of the Ministry of Transportation and Infrastructure, the Ministry of Administration and Interior, the education sector for schools before university level and Veterinary activities from the Health Sector. These collective agreements are due to expire by the end of 2013-2014. The short time period of these agreements is due to the stipulation in the law stating that a collective agreement can be enforced for a maximum time period of between 12 and 24 months. Smaller agreements at unit company level were put in place and as recorded by the Ministry of Labour, seven were completed in 2012. The exact units are mentioned.

- **Ongoing important collective bargaining agreements**

As of May 2011, the Labour Code and the Social Dialogue Code proposed in 2010 were enacted at the same time as the national collective agreement was abolished.

A re-organization of the economic branches at which collective agreements can be signed was due in place by the end of 2011. The government established that collective agreements could be signed at a group of units according to NACE activities codes.

Thus, trade unions are still re-organizing to accumulate higher numbers of members and conclude collective agreements on various levels.

This re-organization as well as the status change of the Economic and Social Council and the establishment of the National Tripartite Council for Social Dialogue have all hampered the collective bargaining process.

Additionally, confederations are focussing on altering the Social Code and the Labour Code in order to deliver more favourable conditions; in concordance with ILO conventions.

- **Trade union density**

National statistics provide no information on the number of trade union members or the representativeness of trade union organizations. According to the ICTWSS Database² union density in Romania stood at 32.8% in 2008, calculated as net union membership as a proportion of salaried workers. This percentage had decreased from the 33.7% in 2007. According to official documents published on the Ministry of Labour's website, the number of members in confederations decreased considerably. Each confederation submitted an official document to state its representativeness in the new structure published. Currently BNS, Cartel Afla, CNSLR Fratia and Meridian have published their official documents on the Ministry of Labour website. Together they account for approximately 1,183,000 members.

- **Employer's organizations density**

According to the ICTWSS Database employers' organization density in Romania stood at 60% in 2007, calculated as a proportion of employees in employment. No other recent data was published. The official statistics do not provide data regarding the number of companies and employees for employer's organisations.

- **Workplace representation**

Workers' representation in the workplace is through the unions, although legislation does provide for workers' representatives to be elected if there are no union members. Workplace union structures potentially play a key role in collective bargaining but they also have significant consultation rights. Union organisations at the workplace are the

² Database on Institutional Characteristics of Trade Unions, Wage Setting, State Intervention and Social Pacts compiled by the Amsterdam Institute for Advanced Labour Studies AIAS of University of Amsterdam

main body for workers' representation. Although by law, workers' representatives can be elected where there are 20 employees and no union is present, in reality this practice is very rare. The arrangements for workers' representation at workplace level are governed by legislation in the Labour Code. One of the key roles of workplace trade unions is in negotiating collective agreements, but they also have the right to be informed and consulted, and in some areas they need to agree before changes can be made. The workplace union is also entitled to support union members in disputes with the employer and the union can represent them in court. The tasks of workers' representatives, who can only be elected if there are no union members are, to ensure that workers' rights are complied with, to participate in drawing up the company's rules and generally to promote the interests of the workers. The specific consultation rights of the workplace union organisation also pass to workers' representatives (where they exist).

- **Trade unions**

- **National Trade Union Confederations**

National Trade Union Confederation	Number of individual members – provided by the Trade Union Confederations	Number of individual members – provided on the Ministry of Labour website official documents	Number of individual members – provided by ITUC	International affiliation
Confederatia Nationala a Sindicatelor Libere din Romania-Frația (CNSLR – Fratia, National Confederation of Free Trade Unions of Romania- Brotherhood)	800,000	306,486	400,000	ETUC, ITUC
Blocul National Sindical (BNS, National Trade Union Bloc)	320,000	254,527	150,000	ETUC, ITUC
Confederatia Sindicatelor Democratice din Romania (CSDR, Democratic Trade Union Confederation of Romania)	400,000	N.A.	101,000	ETUC, ITUC
Cartel Alfa (National Trade Union Confederation "Cartel Alfa")	1,000,000	301,785	1,050,000	ETUC, ITUC
Confederatia Sindicala Nationala Meridian (National Trade Union Confederation "Merid-	300,000	320,204	-	-

ian")				
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o **Trade Union Federations by selected branches**

Trade Union Federation by branch	Number of individual members	Affiliation to national confederations	International affiliations
<i>Metal/electrical industries</i>			
Federatia Nationala a sindicatelor Solidaritatea Metal (SMETAL) – National Unions Federation “Metal Solidarity”	20,590	CNS Cartel Alfa	IndustriAll-Europe
Federatia Sindicala a Siderurgistilor METAROM (FSS METAROM “METAROM”) - Trade Union Federation of Steel Workers	13,108	CNS Cartel Alfa	IndustriAll-Europe and Global
Federatia Sindicala a Lucratorilor din Industrie - METAL (FSLI-Metal) – Union Federation for the industrial workers	15,683	BNS	IndustriAll-Europe
Federatia Sindicatelor Automobilului Romanesc (FSAR) – Union Federation for Romanian Automobile	21,095	BNS	
Federatia Sindicatelor din Posta si Comunicatii – Union Federation from Post Office and Communications	29,735	BNS	
<i>Energy sector</i>			
Federatia Gaz Romania – Romania Gas Federation	20,000	CNSLR Fratia	IndustriAll-Europe, EPSU
Federatia Nationala Mine si Energie –	19,613	Cartel Alfa	

National Federation of Mines and Energy			
Federatia Sindicatelor Libere din Chimie si Petrochimie – Free Union Federation in Chemicals and Petrochemicals	10,000	Cartel Alfa	IndustriAll-Europe
Federatia Nationala a Sindicatelor din Electricitate UNIVERS – National Union Federation for Electricity	25,066	BNS	
<i>Public Sector</i>			
Federatia Sanitas – Sanitas Federation	105,000	Fratia	EPSU
Federatia de Transporturi si Servicii Publice ATU – Public Service and Transportation Federation ATU	12,000	Fratia	EPSU
Federatia Nationala a sindicatelor din Administratie - National Federation of Administration Unions	29,602	Cartel Alfa	EPSU
Federatia Nationala Feroviara Miscare-Comercial – National Freight Federation Movement-Commercial	22,386	Meridian	
Federatia Sindicatelor din Invatamanat Spiru Haret – "Spiru Haret" Education Unions Federation	61,884	CNSLR Fratia	
Federatia Educatiei Nationale – National Education Federation	39,160	Cartel Alfa	
<i>Textile/clothing industry</i>			

UNICONF Federatia Sindicala - Trade Union Central of Light Industry	645	CNS Cartel Alfa	IndustriAll-Europe and Global
<i>Timber industry/silviculture, plastic industry</i>			
Federatia Sindicatelor Libere din Industria Lemnului - Unions Federation of Wood Industry	46,500		BWI, EFBWW
Federatia Generala a Sindicatelor FAMILIA "Anghel Saligny – General Union Federation Family "Anghel Saligny"	4,000	Cartel Alfa	EFBWW

*The data regarding the number of members is provided on their website or on the website of Ministry of Labour

Employer's Organisations

Employer's Organisations	Number of individual members	International affiliation
Uniunea Generala a Industriasilor din Romania (UGIR 1903) - General Union of Romanian Industrialists 1903	780,000	Business Europe (BE)
Confederatia Patronala din Industrie, Agricultura, Constructii si Servicii din Romania (CONPIROM)- Employer Confederation of Romanian Industry	687,261 employees	N.A.
Patronatul Român (PR) - The Romanian Employers	194,634 employees	N.A.
Uniunea Națională a Patronatului Român (UNPR) - The National Union of Romanian Employers	10 employer organisations	European Builders Confederation, Small and Medium Entrepreneurs Union
Confederația Națională a Patronatului Român (CNPR) - The National Confederation of Romanian Employers	350,000 employees	Business Europe (BE), International Organisation of Employers, International Labour Organization
Consiliul Național al Întreprinderilor Private Mici și Mijlocii din România (CNIPMMR) - The National Council of Private	10,000 employees	European Association of Craft, Small and Medium-Sized Enterprises, European Council for Small Business and Entrepren-

Small and Medium Enterprises		eruship
Consiliul Național al Patronilor din România, (CoNPR) - The National Council of Romanian Employers		N.A.
Patronatul Național Român (PNR) - The Romanian National Employers	349,177	N.A.
Asociația Română a Antreprenorilor din Construcții (ARACO) - The Romanian Association of Building Entrepreneurs	1,300 societati	European Construction Industry Federation (FIEC)
Confederația Patronala a Industriei, Serviciilor și a Comerțului (CPISC) - The Employers Confederation for Industry, Services and Commerce	370,000 employees	European Economic and Social Council (CESE), Business Europe (BE), International Labour Organization (ILO)
Uniunea Națională a Patronatelor cu Capital Privat din România (UNPCPR) - The National Union of Employers with Private Capital in Romania	70 territorial employer organisations	Business Europe (BE)
Confederația Patronală CONCORDIA (CP CONCORDIA) - CONCORDIA Employers Confederation	Four employer organizations	N.A.

* Official statistics do not provide data regarding the number of companies and employees for each employer representative organization. Source of this data is from their website or from the Non-Governmental Organizations registered at the Chamber of Deputies. Even though the employers' organization did not change their numbers, the majority did not receive the "representative" status from the Ministry of Labour.