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## *Discussion Paper on operational framework for multi-level & multi actor synergy towards the adaptation to social and economic changes - Romania<sup>1</sup>*

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**Bucharest  
2014**

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<sup>1</sup> This publication is supported by the European Union Programme for Employment and Social Solidarity - PROGRESS (2007-2013).

This programme is implemented by the European Commission. It was established to financially support the implementation of the objectives of the European Union in the employment, social affairs and equal opportunities area, and thereby contribute to the achievement of the Europe 2020 Strategy goals in these fields.

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## **Chapter I. The Legal and Institutional Framework**

The purpose of Chapter I is to identify the instruments and opportunities that have been put in place through the legal and institutional framework with the aim of enabling decision-makers (social partners, public authorities, public employment services, educational and training establishments, etc.) to arrive at a joint anticipation and vision of the future, and cooperate towards creating an operational mechanism of collective preparedness for change.

Our study is purporting an x-ray of the legal and institutional framework with a focus on the general legislation governing industrial relations, social dialogue, and collective redundancies, and on the specific regulations regarding information and consultation of the employees.

### ***1.1 General provisions in the legal framework regarding industrial relations, social dialogue, and collective redundancies***

#### **1.1.1 The anticipatory function**

In seeking to create an "operational framework for a multi-level and multi-actor synergy of adaptation to economic and social changes", a basic role is played by the anticipatory phase, in which a thorough analysis of past and present developments will be the instrument for the identification and strategic approach of future economic and social changes.

To be successful, this exercise requires a good knowledge of the prerogatives and duties assigned by law to the actors and institutions involved in the process at national, regional, sectoral, local, and company levels.

The reference legislation for this purpose resides in: The Labour Code, as approved under Act 53/2003, republished (as subsequently amended and supplemented); the Unemployment Benefit and Stimulation of Employment Act 76/2002 (UBSEA, as subsequently amended and supplemented); the Social Dialogue Act 62/2011 (SDA), as subsequently amended and supplemented; the Social and Economic Council (CES) Act 248/2013; and the National Education Act 1/2011.

##### **1.1.1.1 At national level**

###### **a) Central public institutions and authorities**

According to UBSEA, the **Ministry of Labour Family, Social Protection and the Elderly (Ministerul Muncii, Familiei, Protecției Sociale și Persoanelor Vârstnice,**

MMFPSPV), is called to play the prime role in anticipating the trends on the labour market, and in shaping up the national policies, strategies, forecasts, and programmes for the employment of labour, training of labour, and ensuring the observance of the principle of equal opportunities between men and women.

In full force and effect at present is, for example, the "National Strategy for Employment 2014-2020" (Strategia Națională pentru Ocuparea Forței de Muncă 2014-2020), and the Plan of Action for this Strategy, both which have been designed by the MMFPSPV, and were approved by Government decision at the end of 2013.

The MMFPSPV drafts and endorses various regulatory documents that address the subject-matter of our study, and, in cooperation with other ministries and the **National Authority for Vocational Qualification Standards (Autoritatea Națională pentru Calificări<sup>2</sup>, ANC)**, provides and updates the Classification of Occupations in Romania, so as to reflect the changes taking place in the economic and social structure of the country, and to keep the pace with international standards in this area.

It is also the MMFPSPV which has the prerogative to issue regulations obligating employers to forward to the relevant authorities' information regarding workforce, for the purpose of creating strategies and policies and adopting the requisite measures concerning labour at national level, but also by economic sectors, subsectors or geographic areas.

UBSEA also provides that the ministries and the specialised bodies of the central public administration have the duty to create conditions for the improvement of the employment rate, through strategies and policies tailored for each specific domain of activity.

For this purpose, these authorities are vested with the power to propose to the National Commission for the Promotion of Employment (**Comisia Națională de Promovare a Ocupării Forței de Muncă<sup>3</sup>**) strategies, programmes, and bills addressing labour employment and vocational training issues.

The Commission has the requisite prerogatives to: create strategies, policies, studies, reports, analyses regarding the improvement of employment rate and quality of employment; decide the guidelines of human resource development at national, sectoral,

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<sup>2</sup> This body was set up by virtue of the National Education Act, for the purpose of providing the general [institutional] framework for continuous vocational training, and the development of qualifications meant to sustain the formation of competitive human resources, capable to work efficiently in a knowledge-based society (Government Decision 780/2013).

<sup>3</sup> The National Commission for the Promotion of Employment is chaired by the minister of labour, and is formed of representatives of ministries, and the presidents of the national trade union and employer confederations.

and local levels; forward draft legislation regarding employment, and amendments to existing relevant law; make proposals, based on the economic and social trends on the labour market, for proactive measures to control unemployment through tax policies, structural changes, vocational adjustment training.

Every year, **the National Agency for Employment (Agenția Națională pentru Ocuparea Forței de Muncă, ANOFM)**, which is a tripartite managed public employment service subordinated to the MMFPSPV, receives from the Ministry the performance indicators, and is responsible for the drafting of the policies, strategies, plans and programmes regarding employment of labour, and the vocational training of the unemployed.

The law provides that the ANOFM should remain neutral in any possible dispute that may arise between employers and employees.

One of ANOFM's prerogatives is to prepare, on an annual basis, the Employment Programme, and the National Plan for the Vocational Training, and submit, at the end of each year, to the MMFPSPV, for examination and approval, its Annual Report on how all these tasks were carried out.

Every year-end, the ANOFM must submit employment balancesheets at national level, with statistic figures broken down by counties, to illustrate the effects of the employment stimulation measures. All these reports are public documents.

These strategies, plans, and balancesheets can be considered, and are effectively used, as forecasting instruments.

#### **b) Tripartite institutions at national level**

According to SDA, and with an aim at promoting the best practices at the highest level of representation, the **National Tripartite Council for Social Dialogue (Consiliul Național Tripartit pentru Dialog Social<sup>4</sup>, CNTDS)** was set up as an advisory body of the social partners.

The CNTDS has the following prerogatives: debate and analyse the draft strategies and programmes proposed by the Government; draft strategies, programmes, methods, and standards regarding social dialogue, and promote their implementation; resolve, by tripartite dialogue, disputes over social and economic issues, bargain and sign agreements,

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<sup>4</sup> CNTDS is chaired by the prime-minister, whose alternate, by the effect of law, is the minister of labour. It is formed of representatives of each ministry (state secretaries), the presidents of the national trade union and employer confederations, a representative of the National Bank of Romania, the president of the Economic and Social Council (CES), and other persons, jointly agreed upon with the social partners.

social pacts, and other conventions of national importance, and monitor observance thereof.

Another tripartite national institution is the **Social and Economic Council (Consiliul Economic și Social, CES)** established under Act 248/2013 as an advisory body of the Parliament and the Government of Romania.

As of right, the participants in the national tripartite dialogue hosted by the CES are the national trade union and employer confederations, and members of the civil society, of nongovernmental organisations and foundations.

CES endorses the draft legislation proposed by the Government or by parliament members; makes studies and analyses on the economic and social developments, at the request of the Government or the Parliament, or at its own initiative; **notifies the Government or the Parliament of the occurrence of economic and social issues that need to be regulated by adequate legislation**; monitors the observance of obligations arising from international labour legislation.

The structure of CES consists of 9 standing committees: for economic development, competitiveness and business environment; social inclusion; labour relations and wage policies; education, research, vocational training, etc.

### **c) Social Partners' Representative Bodies**

The SDA provides that the **trade unions and employer organisations representative at national level** take part in the drafting and implementation of the programmes and measures addressing the labour market, and that their opinions shall be asked in the drafting of any legislation regarding employment.

The national employer and trade union confederations may forward to the relevant public authorities legislative proposals for their specific areas of interest.

Also according to the SDA, in addition to the rights afforded to them, the **employer organisations** have obligations regarding the prognosis of future developments in the labour market, social dialogue, business conduct, and social responsibility.

This especially concerns: the drafting and implementation of workforce employment and placement measures; the drafting and implementation strategies and policies for the economic and social development at sector and national levels; provision to their members of, *inter alia*, consultancy and assistance services, including on matters of employment and vocational training, health and safety at work.

### **1.1.1.2 At sectoral and local levels**

At these levels, the bodies that organise joint actions for the forecasting and management of changes are the social dialogue committees formed in accordance with the SDA.

The social dialogue committees are established and carry out their duties in ministries and other central public institutions, as well as in county prefectures and the City of Bucharest.

These committees are formed of representatives of the central or local public administration, and of the national employer organisations and national trade union confederations.

The committees have an advisory function, and their activity is designed to create conditions for smooth social partnership relations between government bodies and the social partners' organisations, with a view to maintaining social stability.

The committees give the social partners the opportunity to voice their opinions on social and economic legislative initiatives.

Prefectures and the local administration authorities are bound by law to keep an eye on the developments in the local labour market, to take an active part in finding and fulfilling the appropriate measures to improve employment rate, and to support the county employment agencies.

## **1.1.2 The information and consultation function**

Employee information and consultation are provided both by the Labour Code, the SDA, the UBSEA, and the ANOFM Act.

In addition to these regulations, employee information and consultation are covered by the Romanian legislation transposing the relevant European Directives, to be referred to in paragraph 1.2 below.

### **1.1.2.1 At national level**

One of the first pieces of legislation that regulated employee information and consultation was the Unemployment Benefit and Stimulation of Employment Act 76/2002 (UBSEA).

According to UBSEA, the ANOFM must contribute to the effort of reducing the unemployment rate through the following types of activities: vocational information and guidance; mediation; vocational training; evaluation and certification of a certain range of competences; promotion of special programmes in partnership with other public or private

legal entities, including measures supported by projects financed from structural instruments, or from funds obtained by the ANOFM from the European Globalisation Adjustment Fund.

It is a matter of evidence that all actions related to information and consultation have an anticipatory dimension.

Under the SDA, information and counselling, provided in specialised centres of the public employment agencies, consist of a panoply of free-of-charge services purporting to: furnish information on the demand for various occupations in the labour market; provide evaluation and self-assessment for purposes of vocational guidance; develop the abilities and self-confidence for adequate career-related decisions.

The mediation services have the aim to connect employers and job seekers for the mutual benefit of the parties.

For this purpose, the employment agencies must identify vacant jobs on employers' staff charts, and notify their availability to persons looking for a job.

Vocational training is designed so as to shape up diversified professional competences, in response to the need for mobility of labour force and a better absorption of labour by the labour market, in consideration of the current demand on this market, with an eye to its future development, and in line with individual options and skills, all of which have a strong conjectural component.

At national level, the ANOFM is in charge of drafting the national vocational training plan, and of submitting it to the MMFPSPV, for approval.

Employers who contemplate collective redundancies must notify their intention to the employment agencies, so that measures to control unemployment and alleviate its unfavourable social consequences could be taken.

Employees who are served notice of dismissal, which is compulsory under the Labour Code, are entitled to receive pre-redundancy counselling consisting of: information regarding the rights afforded by law with regard to job-finding and vocational training; finding vacancies suitable for them; assisting them to vocational readjustment, etc.

### **1.1.2.2 At corporate level**

Under the Labour Code, employers are bound to: inform the employees with regard to any developments that concern labour relations; communicate regularly the business and financial status of the company, in keeping with the timing agreed upon in the relevant collective agreement; consult the trade union or the employee representatives, as

applicable, on any decision that is likely to have major effects on the employees' rights and interests.

Similarly, the SDA defines information as the '*employer's act of transmitting information to trade unions or employee representatives*', and consultation as the '*exchange of opinions as a component of social dialogue*'; collective bargaining between employers and unions has for an aim to smooth the labour relations between the two parties, and to help them reach a common approach of other aspects of joint interest.

The timeframe estimated as useful and/or necessary for collective bargaining is of minimum 12 months, and maximum 24 months, which is the length of collective agreement at company level.

According to the SDA, during the business period when the collective agreement is in full force and effect, the employer *may* invite the representative trade union to the meetings of the board of directors where matters of a professional, economic and social nature are debated, and *must* notify the union, in writing, within two business days of the date of the meeting, of the decisions of a professional, economic and social nature taken by the board.

## ***1.2 Legal and institutional framework governing employee information and consultation. Relevant European Directives transposed in Romanian legislation***

This section tackles the following pieces of legislation: the General Framework Employee Information and Consultation Act; amendments to the Labour Code with regard to information and consultation on collective redundancy matters; Employee Protection Act in the event of transfers of undertakings, businesses or parts of undertakings or businesses; the European Works Councils Act; the Government Decision on information, consultation, and other means of involving employees in the activity of a European company; the Government Decision on information, consultation, and other means of involving employees in the activity of a European cooperative society.

### **1.2.1 The General Framework for Employee Information and Consultation Act 467/2006**

The General Employee Information and Consultation Act 467/2006 (INFO ACT) came into effect concomitantly with Romania's accession to the European Union (1 January 2007), and transposed Directive 2002/14/EC.

The INFO ACT lays down the minimal requirements to be fulfilled by "companies based in Romania and having at least 20 employees", with regard to the employees' right to be informed and consulted.

The main actors taking part in the social dialogue at company levels are the trade unions and/or the employees' representatives on one hand, and the employers on the other.

After the transposition of Directive 2002/14/EC and subsequent to the enactment of the INFO ACT, the new Social Dialogue Act 62/2011 defined social dialogue as "a voluntary procedure by which the social partners keep each other informed, seek each other's opinion, and bargain agreements on matters of mutual interest."

The SDA defines information as the "transmission, by employer, of information to the trade union or the employee representatives, as applicable, in order to enable them to get acquainted with the topics proposed for debate, and approach them in full awareness," and consultation as an "exchange of opinions as a component of social dialogue."

While the two Acts satisfy the theoretical definition of information and consultation, the administrative rules of application of the two concepts are not very clear.

The INFO ACT, for example, provides that "information shall be provided in appropriate terms with respect to time, manner, and contents..." (Art. 5, paragraph 2), and that consultation shall be held "in appropriate terms with respect to time, manner, and contents..." (Art. 5, paragraph 3).

The Act stipulates the right of the management and the employees to "define freely and at any other time through negotiated collective agreement the practical arrangements for informing and consulting the employees".

Until December 2013, in Romania, the practical arrangements for exercising the employees' right to information and consultation were not subject to any other piece of legislation.

Only in early December 2013, the Social Dialogue Committee of the MMFPSPV started examining a draft Government Decision regarding the procedures for information, consultation and other ways of involving employees in the companies' decision-making processes.

The new Decision will apply to all employees in companies incorporated in Romania and having at least 20 employees, and its main provisions are as follows: employees who wish to set up an information and consultation process at their workplaces shall form a representative body. Together with the employer's representatives, the body will draw up a formal written summary of the means by which the company's employees are to be

informed, consulted and involved in their company's decision-making mechanisms; to negotiate this written summary, the employees' representative body may request expert assistance; the cost of any expert assistance needed will be borne by the company, which will also make sure that the employees' representative body has the financial and material resources it needs to fulfil its role; the written summary shall define the procedure for employee information and consultation. It will set out the frequency of meetings, the financial and material resources to be allocated and, if applicable, the rules for the election of employees' representatives to the company's management and inspection structures; the employees' representative body shall have the right to be informed and consulted, to meet with the employer's representatives at least once a quarter, and to meet at any time the representative body deems necessary; the company's management shall send an agenda to the representative body at least three business days in advance of the meetings scheduled by the company's management or inspection structures. It will also supply copies of all the documents made available to any general meeting of shareholders, such as business and financial reports, operational and employment projections, any significant changes in the organisation of the company, relocation of production, mergers, production slow-downs, shutdown of units or parts of units, or planned collective redundancies. If the company decides not to supply such information, it must explain why. If the members of the representative body consider that the management's refusal to withhold information is unjustified, they may take the matter to the appropriate court of law; the representative body has the right to be notified before any decision is made on matters that greatly affect employees' interests; the members of the representative body shall be entitled to a paid leave of absence for training.

A number of social partners took part in these consultations. Two national employer organisations, the National Council of Private Small and Medium Enterprises of Romania (CNIPMMR) and the Romanian Association of Construction Entrepreneurs (ARACO), published their criticisms of the project on their websites.

The CNIPMMR's opinion is that: the draft will have negative financial and bureaucratic consequences for some 26,000 companies, including small and medium-sized enterprises, due to the burden imposed on them to bear the expenses for the employees' representative bodies. This contradicts the principles enshrined by the Constitutional Court of Romania (CCR), and is in violation of the European directives and practices in other EU Member States.

The CNIPMMR believes that the obligation of employers to cover the expenses of an employee representatives' expert is unconstitutional, and that paying the wages of representatives when they have not performed their professional duties is a breach of property rights.

The ARACO agrees, saying that it also disagrees with the concept that the employer should bear the expenses of a leave of absence for training purposes of the members of the representative body, without a correlative reduction of salary.

Since the conclusion of the Ministry's Social Dialogue Committee debates on this issue, no other social partners' opinions have been publicised, and the draft proposals have not been adopted.

However, the outcome of the discussions with the social partners was that a regulation regarding employees' information and consultation procedure is necessary.

This is coherent with the conclusions of the Commission Staff Working Document ['Fitness check on EU law in the area of Information and Consultation of Workers'](#) (2013), which mentioned, among several reasons, 'the lack of necessary means and enforcement instruments and the low priority given to enforcement and I&C requirements' in Romania.<sup>5</sup>

### **1.2.2 Labour Code amendments to information and consultation procedures in cases of mass redundancies**

The Government gave Emergency Ordinance 55/2006, amending and supplementing the provisions of the Labour Code (as enacted under the Labour Code Act 53/2003), in order to align the national legislation to the *aquis communautaire* on collective dismissal issues, respectively to Directive 98/59/CE.

Company and sectoral collective agreements must also include sections regulating collective redundancies.

The Labour Code version of 2003 was then again amended and supplemented through Act 40/2011.

Section V, "Collective Dismissals. Employee Information and Consultation. Mass Dismissal Procedure," gives the following definition: "Collective dismissal shall be construed as the dismissal, within 30 calendar days, for one or several reasons that are beyond the employee's control, of a number of: at least 10 employees, in a company with a

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<sup>5</sup> "Controversy over employee information and consultation procedure", European Industrial Relations Observatory, <http://www.eurofound.europa.eu/eiro/2014/02/articles/ro1402059i.htm>, 2014.

workforce of 21 to 99 workers; at least 10% of the employees, in a company with a workforce of 100 to 299 workers; and of at least 30 employees, in a company that has a workforce of at least 300 workers.

Same Section V sets forth the employer's obligation to call consultations with the trade union or the employees' representatives, as appropriate, **"in due time, for the purpose of reaching an understanding**, and subject to the applicable legal provisions."<sup>6</sup>

The law is silent with regard to exclusions or exceptions for certain categories of workers in addition to those referred to in Art. 1, paragraph 2, of the Directive.

Collective dismissal regulations apply to employers who have more than 20 employees, in the same terms with the INFO ACT, which transposes Directive 2002/14/EC.

The sequence **"due time"** used in connection with the obligation to initiate the information and consultation process is defined in the sectoral collective agreements as 15, 20, or 30 days, depending on whether the bargaining takes place at sector, multi-employer, or single-employer level.

The aim of consulting the trade unions or the employee representatives is to discuss at least: the ways and means to avoid redundancies, or to reduce their number, and to buffer the consequences of loss of employment through social measures.

The Labour Code also obligates employers to explain the criteria by which workers were selected for collective dismissal, after a fair assessment of their work performance (Art. 69, paragraph 3).

The law gives the trade union or the employee representatives 10 calendar days from the date of receipt of the notices of dismissal, to propose measures that may avoid redundancies or diminish their number (Art. 71, paragraph 1); the law gives the employer five (5) days from receipt of such proposals to respond to them in writing, and to motivate his response (Art. 71, paragraph 2).

In our view, the information and consultation procedures in cases of collective dismissals are clearly explained in the applicable legislation, and a quite comprehensive case law is also available as a result of the privatisation and restructuring of state-owned companies over the past decades.

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<sup>6</sup> Constantin Ciutacu, Luminița Chivu, "Evaluation of the operation and effects of information and consultation directives in the EU/EEA countries. National report Romania", European Commission, DG for Employment, Social Affairs and Inclusion, October 2011.

When, after due consultations with the trade union or employee representatives, the employer decides to proceed with the collective redundancy, he must notify, in writing, the local Labour Inspectorate (Inspectoratul teritorial de muncă, ITM) and the local Employment Agency (Agentia teritorială de ocupare a forței de muncă, ATO), at least 30 calendar days prior to issuance of the notices of dismissal (with a copy of such notification concomitantly forwarded to the trade union).

If applicable, the ITM must inform, within three (3) business days, both the employer and the employee representatives, of its decision to extend the 30 day period, and to motivate such decision.

In its turn, the relevant ATO must find solutions to the problems that the collective redundancy decision will generate, and communicate them to employer and the trade union/employee representatives in due time.

If ITM and ATO deem that the problems raised by the collective redundancy notified to them cannot be resolved, they may decide the postponement by maximum 10 days of the date of issuance of the notices of dismissal, subject to written communication of such decision to both employer and the union.

The provisions commented above do not apply to employees of public institutions/authorities, or to individual fixed-term employment contracts (except where such dismissals occur prior to expiry of the employment contracts).

The collective dismissal decisions are, as a rule, accompanied by severance pay in amounts provided by the applicable collective agreements, and ATO must seek re-employment opportunities for the redundant workers.

The applicable legislation does not enshrine the obligation to have a social plan in place, but the privatisation agreements and the restructuring schemes attached thereto always have a special section addressing these issues.

The collective agreements also provide the criteria applicable to redundancies in the following order: first come vacancies; next come employees who hold 2 or more positions, and employees who earn both salary and pension; employees who fulfil the retirement conditions in respect of age and length of service, and who have not yet retired; employees who fulfil the conditions for early retirement on request; employees who meet other social criteria (the law affords protection to employees who provide for dependent children, widows and widowers who have dependent children, etc.).

Workers made redundant may challenge the dismissal notice in a court of law.

### **1.2.3 Employee Protection Act 67/2006 in cases of transfer of company, company subsidiaries, or parts thereof (EPA)**

EPA transposes Directive 2001/23/EC, and provides that the "transferor and the transferee shall notify, in writing, their employee representatives, or the employees themselves, when no such representatives have been appointed or elected, at least 30 days prior to the contemplated transfer," (Art. 12), of the date of the transfer, the reasons of the transfer, the economic and social consequences of such transfer, the future working and pay conditions for them.

There are no other practical instructions or administrative rules of application of this legislation, except for the legal provisions regarding the deadline for the written information and consultation of the employee representatives (30 days before transfer), and the provisions governing the contents of the information.

The Act guarantees the preservation of the rights afforded in the collective agreements applicable at the date of the transfer until the date such agreements expire or are terminated.

The provisions of collective agreements may be subject to renegotiation, but no sooner than one year from the date of transfer.

It is the role of the Labour Inspectorates to verify that the obligations arising from the law are observed. Both the transferor and the transferee may be called to justice by employees or employee representatives to settle individual or collective labour disputes.

### **1.2.4 The European Works Council Act 217/2005, regarding the establishment, structure, and operation of European works councils (republished in 2011) (EWC)**

The EWC puts in place the framework for the establishment of a European works council, the procedure for the employee information and consultation in transnational corporations, and groups of transnational corporations, in order to improve the employees' right to be informed and consulted.

The Romanian EWC Act transposes: Directive 2009/38/EC of the European Parliament and the Council of 6 May 2009, regarding the establishment of a European work council, or a procedure to inform and consult the workers in corporations and groups of corporations that operate in two or more EU member states; the provisions of Art. 13, paragraph (1), of Council Directive 2001/86/CE, supplementing the Statutes of a European company with regard to the involvement of employees; the provisions of Art. 15,

paragraph (1), of Council Directive 2003/72/EC, supplementing the Statutes of a European cooperative venture with regard to the involvement of employees.

#### **1.2.5. Government Decision 187/2007, regarding information and consultation procedures, and other means to involve employees in a European company**

The Decision addresses information, consultation, participation, and other mechanisms to involve employees in the activities of a European company established in compliance with the Council Regulation (EC) 2.157/2001 on the Statutes for a European company.

This Government Decision transposes Council Directive 2001/86/CE, supplementing the Statutes of a European company with regard to employee involvement.

#### **1.2.6. Government Decision 187/2007, regarding the procedures for the information, consultation, and other means of involving the employees in the activities of a European cooperative venture**

The Decision regulates the information, consultation, and other mechanisms for the involvement of the employees in the business of a European cooperative venture established in compliance with Council Regulation (EC) 1.435/2003, regarding the Statutes of a European cooperative venture.

The Decision transposes Council Directive 2003/72/EC supplementing the Statutes of the European cooperative ventures with regard to the involvement of the employees.

**The general conclusion is that the current legal and institutional framework does not compel or coerce the actors involved to cooperate in the effort to foresee the coming changes, and to prepare jointly for such changes, but does create the instruments and opportunities for them to forecast changes, and to pool the resources of the parties concerned in preparing together for the envisioned change.**

### ***1.3 The impact of the legislative reform on industrial relations***

In 2011, the Government of Romania assumed the responsibility, without parliamentary debates for the enactment of the Social Dialogue Act 62/2011.

The "*Social Impact*" section of the preamble to the Social Dialogue Act (SDA) explains that its purpose is to "render more efficiency to social dialogue by giving more clarity to the representativeness criteria of the social partners, secure better coverage for the employees through collective agreements, involve the civil society representatives in the debates on social and economic issues, and provide the framework for an expeditious settlement of labour disputes."

The Act also addresses aspects that previously were fragmented in various other specific pieces of legislation, such as the trade union act, employer organisations act, the collective agreements act, the labour disputes act, etc. The Act also brings important changes to social dialogue, social partners' representativeness, and collective bargaining at national, sectoral and corporate levels. The Act also addresses new aspects regarding information and consultation, and the involvement of the social partners in this process.

### **1.3.1 The impact at national level**

One of the important provisions of the SDA with respect to social dialogue is the obligation of the trade union and employer organisations representative at national level to regain their recognition as representative.

Until June 2014, all the five national trade union confederations have re-obtained their representativeness. They are the Cartel Alfa National Trade Union Confederation (Confederația Națională Sindicală Cartel Alfa, CNS Cartel Alfa, for a period ending in February 2016), the Fratia Free Trade Union Confederation of Romania (Confederația Națională a Sindicatelor Libere din România Frăția, CNSLR Frăția, until February 2017), the Meridian National Trade Union Confederation (Confederația Sindicală Națională Meridian, CSN Meridian, until January 2016), the National Trade Union Bloc (Blocul Național Sindical, BNS, May 2016), and the Confederation of the Romanian Democratic Trade Union (Confederația Sindicatelor Democratice din România, CSDR, until April 2017)<sup>7</sup>.

Under the impact of the economic crisis, and following the reduction of the number of employees, three of the trade union structures have a visibly diminished membership. To re-qualify as representative, BNS filed evidence of a membership of 254,527 persons (compared to 375,000 members registered in 2008), CNS Cartel Alfa claimed a membership of 301,785 (compared to approximately 1 million in 2008), and CNSLR Frăția filed documents for 306,486 members (compared to 850,000 members in 2008). The only confederation whose membership increased from 170,000 in 2008 to 320,204 members is the CSN Meridian<sup>8</sup>. The fifth national trade union confederation – the CSDR – has not released any official information on any membership changes.

On the employer organisations' side, the procedure of re-applying for the recognition of representativeness is in progress. According to the data available on the site of the

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<sup>7</sup>The MMFPSPV site: [www.mmuncii.ro](http://www.mmuncii.ro).

<sup>8</sup> The MMFPSPV site [www.mmuncii.ro](http://www.mmuncii.ro) for 2012 data, and "Anticipating and Managing Restructuring in Romania. National Background Paper", ITC ILO, ARENAS, VC/2008/0667, <http://ec.europa.eu/social/ajax/countries.jsp?langId=en&intPageId=965>, for the year 2008.

MMFPSPV, in June 2014, of all the 13 national employer confederations<sup>9</sup> in existence prior to the date of the SDA, three confederations have re-obtained representativeness, and these are: the National Council of Small and Medium Enterprises of Romania (Consiliul Național al Întreprinderilor Private Mici și Mijlocii din România, CNIPMMR, November 2016), Romanian Employers Confederation (Confederația Patronatul Român, CPR, until July 2017), and the Concordia Employer Confederation (Confederația Patronală Concordia, CP Concordia, until October 2017). Other five employer confederations are still representative based on the previous legislation, and they are: the General Union of Romanian Industrialists 1903 (Uniunea Generală a Industriașilor din România 1903, UGIR 1903), the licence of which expires in June 2014, the General Union of Romanian Industrialists UGIR (Uniunea Generală a Industriașilor din România, UGIR, until June 2014), which has already submitted the documents for recertification of representativeness, the National Council of Romanian Employers (Consiliul Național al Patronilor din România, CoNPR, valid until November 2014), the Romanian Employers Confederation for Industry, Services and Retail (Confederația Patronală a Industriei, Serviciilor și Comerțului din România, CPISC, November 2014), and the National Confederation of Romanian Employers (Confederația Națională a Patronatului Român (CNPR, December 2014). Under scrutiny are the applications of the Romanian Association of Construction Entrepreneurs (Asociația Română a Antreprenorilor de Construcții, ARACO), and of the Romanian National Employers Organisation (Patronatul Național Român, PNR).

Another important change brought about by the SDA is the abolition of the national collective agreement, which, according to the old legislation, produced effects "for all employees of all companies in Romania," and this may leave outside the collective bargaining system the employees of all the companies with a workforce of 20 employees and less, for which the SDA does not make collective bargaining mandatory.

Our estimation, based on the data received from the National Institute of Statistics (Institutul Național de Statistică, INS), is that this will affect some 450,000 enterprises, with an aggregate workforce of more than 1.2 million workers, which stands for about one third of all employees in all non-agricultural economic sectors of Romania.

The now abolished national collective agreement included a definition of the "*due time*" phrase used in connection with the information and consultation procedures. It also

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<sup>9</sup> Romania: Industrial relations profile, European Foundation for the Improvement of Living and Working Conditions, European Industrial Relations Observatory, 2011, [http://www.eurofound.europa.eu/eiro/country/romania\\_3.htm](http://www.eurofound.europa.eu/eiro/country/romania_3.htm).

stipulated the obligation for the company to provide in its internal rules of order specific procedures for the information and consultation of the employees, etc.

### **1.3.2 At the level of economic sector**

Another element that has triggered effects were the changes in the second tier of collective bargaining, where economic sectors were substituted for branches of activity.

The switch from branches to sectors in form and contents, not just as a matter of terminology forced the social partners to re-amalgamate their structures (federations) through mergers, new elections, etc.

After which, collective bargaining was made subject to the social partners' capacity to re-obtain representativeness for the newly reshuffled sectors.

Although the minimal share to qualify as representative for the sector continued to be the same as for the old branches (7% of the number of employees in the sector – for the trade unions, and 10% of the employees in the entities affiliated to the employer federations), there has been a considerable increase in the number of workers in some sectors as an effect of their emergence from the reshuffling of several branches. For example, in 2011, the old legislation permitted trade unions in agriculture, fish breeding and fishing to be representative with a minimum of 4,137 members; the same former legislation recognised the representativeness of trade unions in forestry, hunting, water and environment subject to a minimum number of 1,778 members. Under the new legislation, the two branches have been merged into one sector, which has raised the competitiveness threshold to a minimum of 8,200 members for any trade union seeking to bargain for the sector.

It is also worth noting that, while previously the collective agreement for a branch was applicable to "all employees in the branch for which the collective agreement was made" (Act 130/1996), the SDA, provides that the collective agreements produce effects **"for all the employees working in the corporate entities operating in the sector for which the collective agreement was made and which are affiliated to the employer organisations that are signatories to such collective agreement"** (our emphasis added).

In other words, a sectoral collective agreement does not apply to those employees of the employers who did not sign the collective agreement.

Similarly, the SDA, provides that "collective agreements may be bargained at company, group of units and economic sectors levels", but that collective bargaining is somehow optional at group of units, and economic sectors levels.

In addition to the initial representativeness condition for an employer organisation to cover for at least 10% of the employees in the affiliated entities, the new legislation provides that, in order to register a collective agreement at sectoral level, "the total number of employees must be greater than one half of the total number of employees in that particular sector." This has made the execution of sectoral collective agreements difficult. This explains why, until 2014, as we found out from the site of the MMFPSPV, only three collective agreements have been made at sectoral level, all of them in the public sector (pre-academic education; higher education and research; and health), with the Ministry of National Education (Ministerul Educației Naționale, MEN) and the Ministry of Health (Ministerul Sănătății, MS) as signatories on the employer part.

The following 11 employer federations have regained representativeness at sector level in line with the new criteria: The Bucharest Small and Medium Employers Organisation (Patronatul Întreprinderilor Mici și Mijlocii din București), the Romanian Vending Employers Organisation (Patronatul Român al Industriei de Vending), the BADCOM Employer Organisation (Organizația Patronală BADCOM), five other federations in the energy, gas, and water industries, one federation of employers in the services sector, and two federations in transport, plus more than 70 trade union federations.

According to the same site, only 17 collective agreements at group of units level are currently in force in 2014, most of them for public utility providers, houses of culture, mutual aid associations, urban medical establishments, educational establishment clusters at county level, etc., which, in our opinion, cover a rather slim share of the total number of employees in the national economy.

### **1.3.3 At company level**

The condition to establish a company trade union is to have at least 15 employees working for the same employer, compared to 15 employees working in the same branch or profession, not necessarily in the same company, as the previous legislation used to allow.

The SDA provides that collective bargaining is mandatory only "at company level, provided that the company is manned by 20 or more employees."

Our calculations show that, in 2012, in the manufacturing, construction, commerce, and market services sectors, more than 25,000 companies with more than 20 employees were active, all of which employ some 2.6 million workers (compared to 450,000 companies of 20 or fewer employees, totalling some 1.2 million persons).

Consequently, this would mean the existence of more than 25,000 collective agreements made and signed at company level.

The data available from the MMFPSPV indicate that the number of collective agreements or addenda to existing agreements at company level has changed as follows: 11,729 at the end of 2008 (7,372 company-level agreements and 4,357 addenda), 7,473 in 2011 (4,209 collective agreements and 3,264 addenda), and 8,816 in 2013 (6,171 company-level collective agreements and 2,645 addenda).

The severe drop in the number of collective agreements may also be influenced by the economic crisis, but also by the new legislation.

The new law makes it compulsory for the trade unions that wish to take part in the bargaining and execution of a collective agreement to have a membership of at least half plus one of all personnel (compared to one third in the old law), a condition that may account for the decreasing number of company-level collective agreements. Representativeness gives a trade union the right to attend the meetings of the board of directors, to receive data and information regarding the company's business status, workforce changes, and other types of information that the trade union needs to have in order to bargaining its claims in full awareness.

On the other hand, the positive side of the new legislation is the barrier against the atomisation of trade unions.

While under the old law the employees could be represented, sometimes, by as many as three intra-company trade unions (which made it difficult for all three of them to agree with the employer), the new legislation allows for only one single-employer trade union, which renders bargaining easier.

## **Chapter II Experience in forecasting tendencies and preparing for change**

### ***2.1 Case study on the institutional framework for the joint preparation and implementation of change – The Regional Pact for Employment and Social Inclusion, Bucharest – Ilfov***

#### **◆ Context**

While preparing for the accession of Romania to the European Union (EU), the PHARE Programme put forward a project offering "Support to the Ministry of Labour Social Solidarity and Family (now the MMFPSPV) to draft and implement employment policies" (RO 2003/05 – 551.05.01.04.01.01).

The main aim of the project was to help the translation into fact of employment policies of regional coverage by means of:

- Drafting the regional Plans of Action for Employment and Social Inclusion;
- Creating employment and social inclusion partnerships at regional, county, and local levels (regional pacts, county partnerships, and local partnership).<sup>10</sup>

◆ **Types of measures**

In 2006, at the initiative of the MMFPSPV, eight regional pacts for employment and social inclusion were established, one for each of the eight development regions of Romania, for the purpose of laying the foundations of a partnership structure for the relevant regional players.

The permanent secretariats of each such regional pact are in charge of:

- Conducting studies and research work towards identifying priorities in the human resources segment;
- Developing, coordinating and monitoring adequate policies;
- Mobilising, capacity building, and networking for their members and other interested parties;
- Informing, training, and providing consultancy to entities seeking to qualify for SOP HRD funding.

The permanent technical secretariats of two of the regions have obtained the status of incorporated entities: Bucharest – Ilfov, and North-West.

◆ **Involvement of stakeholders**

All of the eight regional structures have formed networks of such interested parties, which work together through the Permanent Technical Secretariats that were set up after 2008, as an effect of finance received from the European Social Fund (ESF), via the Sectoral Operational Programme for Human Resource Development (SOPHRD), Key Intervention Area 3.3, Development of Partnerships and Stimulation of Initiatives from the Social Partners and Civil Society.

The structure of the institutional networks, formed of 833 institutions and organisations of the stakeholders, is, for each development region, as featured in Table 1.

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<sup>10</sup> "Memorandum of Understanding/Regulation of the Regional Pact for Employment and Social Inclusion, Bucharest – Ilfov Region (PROIS – BI)", Permanent Technical Secretariat of PROIS-BI, Bucharest

**Table 1: Structure of the institutional networks of the regional pacts**

Type/Region	North East	South Muntenia	Bucharest Ilfov	South West	West	South East	Central	North West	Total
<b>Local public administration bodies</b>	13	17	22	10	12	72	20	18	<b>184</b>
<b>Deconcentrated public services</b>	23	36	2	20	20	6	40	10	<b>157</b>
<b>Trade unions</b>	1	6	9	11	10	18	4	6	<b>65</b>
<b>Employer organisations</b>	1	8	5	4	6	14	5	2	<b>45</b>
<b>NGOs</b>	10	24	29	35	28	5	22	17	<b>166</b>
<b>Universities</b>	6	3	6	3	11	25	4	3	<b>65</b>
<b>Corporate businesses/ Companies</b>	0	5	23	32	31	9	5	11	<b>116</b>
<b>Other</b>	1	6	0	12	9	0	0	7	<b>35</b>
<b>Total</b>	<b>55</b>	<b>105</b>	<b>96</b>	<b>127</b>	<b>127</b>	<b>149</b>	<b>100</b>	<b>74</b>	<b>833</b>

Source: Permanent Technical Secretariat of the Regional Pact for Employment and Social Inclusion, Bucharest – Ilfov Region, STP PROIS BI.

### **Experience of the Bucharest – Ilfov Regional Pact for Employment of Labour and Social Inclusion (PROIS BI)**

The Bucharest – Ilfov Region (BI, which includes the City of Bucharest, and the Ilfov County) is not only the place of Romania’s political and administrative seat, but also the main economic hub, where more than 11% of the country’s total population and employed population lives and works, and where 20.7% of the total number of employees is concentrated. Due to this, the region accounts for the generation of 27% of the GDP, and attracts more than 60% of all the direct foreign investment that has been made in Romania since 1990.

While Romania’s GDP per capita stands at some 40% of the EU average, Romania’s GDP per capita stands for only 42% of the average GDP per capita for the BI Region.

When established, in 2006, the BI Pact started with 21 founding members: the MMFPSPV, the Prefecture of the City of Bucharest, the Prefecture of Ilfov County, Bucharest Mayoralty, 2 district mayoralties (for Sectors 2 and 3 of Bucharest City), Ilfov County Council, Bucharest Chamber of Commerce and Industry, Ilfov Chamber of Commerce, Regional Development Agency, Bucharest City Employment Agency, Ilfov County Employment Agency, Bucharest School Inspectorate, Ilfov School Inspectorate, Academy of Economic Studies, National Trade Union Bloc, Cartel Alfa National Trade Union Confederation, Small and Medium Enterprises Employers Federation, Bucharest

Employers Federation, "For Romenque" Federation, and the National Roma Agency – Bucharest – Ilfov Regional Office.

According to their internal regulations (statute/memorandum of understanding between partners), the founding members could approve the acceptance of new members whose scope of business was in tune with the aims of the pact: local public authorities; deconcentrated services; chambers of commerce and industry; educational and vocational training establishments; non-government organisations; social partners; religious organisations; regional development agencies; research and academic institutions; experts in equal gender opportunities; sectoral committees; farmer associations; SMEs, professional associations, etc.

The internal regulations also laid down the **objectives of PROIS-BI**:

- to organise meetings for the **analysis, anticipations, and management of the social and economic changes in the region**, such analyses being aimed at providing the basis of further regional development measures;

- to promote **educational systems tuned to the demand on the labour market**; to increase the rate and quality of employment through encouraging life-long learning;

- **to consult with the trade unions, the employer organisations, and the NGOs represented by the civil society**, in order to facilitate social dialogue, and to render a balanced assistance to the interested parties;

- to **design, based on solid grounds, measures aimed at ensuring a high rate of employment, social protection, and equal opportunities**;

- to **enhance cooperation at regional level towards for the promotion of joint strategies and joint planning of local policies for human resources development policies**.

**The prerogatives of the PROIS-BI**, as laid down in its internal regulations, are to: shape up a regional vision with regard to employment of labour and social inclusion; update, on an annual basis, the Regional Plan of Action for Employment of Labour, in the terms of a modern and dynamic economy in its regional context, by providing the ways by which social groups prone to social exclusion could be integrated in the labour market; promote investment in the human capital; develop partnerships, encourage the active participation of social partners, and increase the capacity for storage, analysis and forecasting of information regarding the labour market.

The Regional Plan of Action on Employment (PRAO) is the basic instrument to achieve the strategy for the development of the labour market, starting from the specifics

and concrete features at regional level, all while ensuring the correlation and complementarities of the Bucharest-Ilfov Regional Development Plan.

PRAO 2006-2008 was developed under the authority of the MMFPSPV, by the Regional Consortium, a partnership structure acting as an advisory body at regional level.

Subsequent to this, the members of the pact used the opportunities offered by the finance available from the ESF to render the Pact operational.

During the period 2009-2012, Transparency International Romania and the Bucharest Chamber of Commerce and Industry (Camera de Comerț și Industrie București), and the Association for the Development of Women's Entrepreneurship (Asociația pentru Dezvoltarea Antreprenoriatului Feminin), drafted and implemented the SOP HRD POSDRU/10/3.3/S/4 Project titled "Social Partners and the Civil Society as Supporters of Employment and Social Inclusion in the București-Ilfov Region", financed under the SOP HRD (Priority Axis 3 – Enhancing Labour Force and Companies Adaptability, Key Intervention Area 3.3, Development of partnerships and encouragement of initiatives from the social partners and the civil society).

The purpose of the project was to establish and operate a Permanent Technical Secretariat of the PROIS BI.

Among the STP PROIS BI achievements worth remembering are the drafting, implementation, and monitoring of the Regional Plan of Action for Employment 2010-2012, and the București-Ilfov Regional Plan of Action for Employment and Social Inclusion 2012-2014 (PRAO BI), now in progress.

The PRAO BI 2012-2014 contains: an analysis of the European and the national background of employment and social inclusion, a diagnosis of the current status at regional level of demographics, business, employment, education, continuous vocational training, and social inclusion; a SWOT analysis of human resources; methods to monitor and assess the PRAO and the extent to which the measures proposed therein are implemented; potential sources of finance that can ensure the viability of the Plan, and the priorities and main steps to be followed after the Plan is approved.

From the information available at the moment, the Pact brings together some 90 members, respectively: The Economic and Social Council, MMFPSPV, Bucharest-Ilfov Agency for Regional Development, 22 local public administration bodies (the two prefectures – Bucharest and Ilfov – Bucharest City Hall, 2 district mayoralities, the two chambers of commerce and industry, 2 school inspectorates, etc.); 2 deconcentrated public services (local employment agencies), 9 trade unions (3 of which are national

confederations), 5 employer organisations (3 of which are representative at national level), 25 NGOs, 10 academic establishments and research institutes, and 29 business corporations (consultants, SMEs, etc.)(Annex 1).

#### ◆ **Results obtained**

The Pact members contributed to the: drafting and distribution to stakeholders of a joint plan of action for employment and social inclusion; creation and monitoring of the regional plans of action for employment (2010-2012 and 2012-2014); drafting two regional studies, and organising two workshops, and two forums; furnishing consultancy services; organising 30 training sessions; supporting assistance and assisting its members in the preparation and submission of 10 projects with ESF finance, via the SOP HRD; creating an operational website (<http://www.stpbi.ro>); attracting new members, etc.

### **2.2 Case study on career transition – OMV Petrom**

#### ◆ **Context**

The Petrom National Company (Societatea Națională Petrom, SN Petrom SA), an operator in the mining of oil and natural gas, was privatised in 2004, after the take-over of 51% of its shares by the OMV Group.

In 2003, SN Petrom had 57,000 employees. After privatisation, according to statistics from the Ministry of Public Finance (Ministerul Finanțelor Publice, MFP), their number had dropped to 36,011 by 2006.

The post-privatisation restructuring plan included significant personnel dismissals. The workers to be made redundant were all specialised and skilled in oil drilling and extraction professions and trades, which was why those people's chances to reintegrate professionally highly depended on the opportunity to readjust and re-qualify.

#### ◆ **Types of measures taken**

With the new conditions in place, the company had to address two types of problems:

- on the one hand, how to "transfer" the redundant persons to new jobs outside the company, while maintaining friendly relations with them and with the trade unions;
- on the other hand, the company had to find ways to motivate the remaining workers, and reassure them that their redundant colleagues would receive a fair treatment.

By doing this, Petrom featured as a "desirable employer", who was able to send positive messages to the Government and the media.

Under these new circumstances, and also as a combined effect of the provisions of the 2005 company collective agreement: "The Company, in addition to the financial support (**in the form of severance pay** – our emphasis added, shall provide the redundant

workers with assistance to either find a new job, or to start their own business.", and of the Labour Code provisions: "Workers that are made redundant for reasons beyond their control shall enjoy the active measures of unemployment control", Petrom designed a Social Programme.

Under this Social Programme, Petrom, in cooperation with the public employment services (ANOFM) decided to set up **counselling centres** to help the transition of laid-off personnel to other employment opportunities.

#### ◆ **Stakeholders' involvement**

The steps taken to give effectiveness to the career transition spanned a broad range of actions: appointment of the central team staff (Bucharest, December 2005); recruitment and training of career counsellors (January – May 2006); training the centre managers and the business counsellors to offer guidance on how to start up an enterprise (June 2006); identification of adequate locations for the career transition centres (June – October 2006); official opening of the centres (October 2006).

The career transition centres offered counselling and accompanying services to redundant workers that needed help to find an alternative job and/or to start their own businesses.

This conversion activity was conducted with the aid of:

a) the **central team**, the role of which was to: coordinate and monitor the outplacement routines in the 15 counselling centres; act as a contact point between stakeholders, the transition centres, and the Petrom management, and offer all of them the technical and organisational assistance needed; draft and negotiate contracts that the transition centres needed to conduct their operations; provide communication links between Petrom's corporate entities, local representatives, and all interested parties; evaluate the results obtained by the centres, and submit progress activity reports to Petrom's management;

b) the **transition centres**, designed to operate as independent entities in the region assigned to each of them (Brăila, Braşov, Cluj, Constanţa, Craiova, Marghita, Moineşti, Piteşti, Ploieşti, Suceava, Târgovişte, Târgu Jiu, Timişoara, Videle and Bucharest), and to provide services to all the redundant workers of Petrom in their geographical area, with the help of the 26 counsellors.

**Counselling for an alternative job opportunity** was done in various forms: through motivational seminars that gave the persons affected by the collective dismissals from Petrom the opportunity to voice their opinions, expectations, and to learn job seeking

techniques; evaluation of the professional/educational profile of the job applicants; identification of the applicants' competences, skills and preferences for their personal career plans; match the readjustment needs of the applicants with the demand on the labour market, and satisfy their training needs with the help of the free training courses offered by ANOFM or specialised training providers; identification of vacant jobs, and assistance to find suitable employment.

The **business counselling services** covered a variety of needs: identification of the market requirements, and matching such requirements to the applicant's business ideas; assisting the applicant in drafting and developing a business plan; identification of sources of finance; supporting the applicant to convert his business ideas into a business project, with the aid of a feasibility study, market studies, financial assessment, and business plans; transmission of knowledge regarding business management and leadership.

#### ◆ **Results obtained**

During the first stage, 2006 – 2010, the career transition centres, with financial support received from Petrom in the worth of 8.5 million euro, offered counselling to more than 11,000 redundant former Petrom workers, and found the possibility to reposition on the labour market some 84% of them.

In the second phase, 2010 – 2013, the OMV - Petrom transition centre, in partnership with the Cluj-Napoca Centre for Managerial Development (Centrul de Dezvoltare Managerială Cluj, CDM), conducted the project titled The National Network of Career Information and Counselling Centres, with ESF finance in the worth of some 5 million euro, via SOP HRD, under the Key Intervention Area 5.1, Development and implementation of active employment measures, in order to carry on the activity of the 15 existing centres, with career counselling services both for the former OMV Petrom employees, and for redundancies from other companies.

During this exercise second phase, the transition centres offered counselling to 28,000 persons to help them return to the labour market or to develop entrepreneurship, for a better cooperation between the partners on this market.

This continued until September 2013, when Petrom, in partnership with CDM Cluj, proposed a new project, with co-finance from the ESF, through SOP HRD, titled "Be active on the labour market!", the aim of which is to ensure the continued operation of the career transition centres.

## **Anexa 1: Membrii Pactul Regional pentru Ocuparea Forței de Muncă și Incluziune Socială București – Ilfov**

Prefectura Municipiului București  
Academia de Studii Economice - CDIMM  
Agenția pentru Dezvoltare Regională București Ilfov  
CNS Cartel Alfa  
Inspectoratul Școlar al Municipiului București  
Agenția Județeană pentru Ocuparea Forței de Muncă Ilfov  
Blocul Național Sindical  
Inspectoratul Școlar Județean Ilfov  
Primăria Sectorului 2  
Instituția Prefectului Județului Ilfov  
Agenția Națională pentru Romi - Biroul Regional București Ilfov  
Camera de Comerț și Industrie a Județului Ilfov  
Federația „For Romenque”  
Primăria Municipiului București  
Consiliul Județean Ilfov  
Agenția Municipală pentru Ocuparea Forței de Muncă București  
Uniunea Generală a Industriașilor Din România-1903 U.G.I.R. - 1903  
Primăria Sectorului 3  
Federația Patronală Regională a IMM București Ilfov  
Camera de Comerț și Industrie a Municipiului București  
Ministerul Muncii și Solidarității Sociale  
Institutul Bancar Roman  
Asociația Femeilor Jurnaliste din România „Ariadna”  
Asociația Națională a Tinerelor Femei Creștine din România  
Asociația pentru Dezvoltarea Antreprenoriatului Feminin  
Asociația Română pentru Transparență | Transparency International Romania  
Ateliere Fără Frontiere  
SC Omicron Consulting SRL  
Asociația Pentru Dezvoltare Europeană și Rețele Asociative  
Asociația pentru Dezvoltare și Incluziune Socială  
Asociația pentru Drepturile Pensionarilor din România  
Consiliul Economic și Social  
CSLR - FSLI  
Federația Sindicatelor din Administrația Publică PUBLISIND  
Patronatul Român din Cercetare-Proiectare  
Penitenciarul București Jilava  
SC Active Finance Solutions SRL  
SC Antonnet SRL  
SC Arexim SRL  
SC Bear Solution SRL  
SC Consulting Grup SRL  
SC SIVCO România SA

SC Stef Management Consulting SRL  
Sindicatul Liga Salariaților din Învățământul Preuniversitar  
Universitatea Bucuresti  
Universitatea Financiar-Bancară  
Universitatea Spiru Haret  
Institutul de Cercetări în Transporturi INCERTRANS  
Fondul Român de Dezvoltare Socială  
Centrul National pentru Dezvoltarea Invatamantului Profesional si T  
SC MBM SOFTWARE & PARTNERS SRL  
SC P&C Q-BECK CONSULTING SRL  
Sindicatul Liber DTC București  
SC GECOST 2001 SRL  
Universitatea Creștină "Dimitrie Cantemir"  
ASOCIATIA DE DEZVOLTARE LOCALA VIDRA NOUA  
Penitenciar București-Rahova  
Casa Angeli  
ASOCIATIA SMART PROJECTS  
PENIT. SPITAL BUCUREȘTI-RAHOVA  
Asociația pentru Tineret "T.E.A.M."  
UGIR  
SC MERCURY 360 Communications SRL  
Federatia Sindicatelor din Comunicatie  
Asociația Societatea de Informatica Medicala Dentara din Romania  
Asociația Activi Pentru Viitor"  
IPA SA  
SC PM CONCEPT CONSULTING SRL  
Administrația Națională a Penitenciarelor  
SC Integral Consulting R&D SRL  
Asociația pentru Tehnologia Informației și Comunicării din România  
S.C. FORMENERG S.A.  
Federația Patronatelor din Turism și Servicii  
Biroul Român de Metrologie Legală  
Asociația Română pentru Prevenția Cancerului  
Total Network Solutions  
Universitatea Națională de Educație Fizică și Sport  
Asociația laboratoarelor din România – ROLAB  
Centrul de Resurse pentru Societatea Civilă  
Fundația „Convergențe Europene”  
Patronatul Femeilor de Afaceri al Întreprinderilor Private Mici și Mijlocii din  
Municipiul București  
Asociația Romana a Antreprenorilor di Constructii  
SC Bostina & Asociatii Financial Consulting SRL  
Uniunea Nationala a Studentilor din Romania  
Scoala Nationala de Studii Politice si Administrative  
SC. BNSind SRL  
Federatia Agricultorilor  
Confederatia Meridian

Fundatia Matca 2000

RATB

Asociatia pentru Dezvoltare Durabila Slatina

Asociatia Alma-Ro

SC Exclusiv Houston SRL

SC BMC PUBLIC MANAGEMENT SRL

ASOCIATA CENTRUL de RESURSE SI FORMARE PROFESIONALA (CRFPS)  
„PRO VOCATIE”

SC CEPECOM SA