



Employment and labour market policies for an ageing workforce and initiatives at the workplace

National overview report: Romania

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Introduction

Over the last few years the problems of the ageing workforce have become of increasing concern to policy-makers and the main actors involved at European level, especially starting with year 2000, by the adoption of the EU Directive on equal treatment in employment and occupation for all people irrespective of a range of factors, including age.

As a Candidate Country to the European Union, Romania is undergoing the aligning process of the national legislation at the EU regulations and the application of the measures/practices regarding the ageing workforce.

31 % of the inhabitants of Romania were aged 50+ in 2004 (EU-25: 33 %), this share has slightly increased between 1991 and 2004. The employment rate of the older generation (50 - 64) amounted 47.5 %, which was lower than the European average (EU-25: 51.9 %), too.

The problems of the ageing workforce have been taken into account starting with the period of the 'big' restructuring of the Romanian industry (during the 1990s there were collective redundancies in mining and the metallurgic industry) when the unemployment rate was very high and the unemployed people over 45 years have become gradually long term unemployed, being unable to reintegrate into the labour market. Furthermore, the employers, in the same period, preferred to hire younger people to the older ones, due to the lower costs of the young workforce and their assessed higher ability to face the job requirements (i.e. abilities in using new technologies (including computers and IT), the availability of working long hours, the resistance to working conditions such as stress, hard working conditions etc.).

This tendency may still be observed. This is why older persons choose to retire, even earlier. Older workers are experiencing more long-term unemployment and get less training than younger ones.

The Romanian government took the first steps by drawing up two National Employment Plans (Planuri Nationale de Actiune pentru Ocuparea Fortei de Munca - PNAO): PNAO 2002-2003 and PNAO 2004-2005.

However, this problem is not treated as a distinguished one but correlated with other problems such as unemployment, discrimination, pension system, health public system, work protection and security system etc.

One of the first distinct actions to foster active ageing was the PHARE 2000 – Economic and Social Cohesion Programme – Human Resources Development. Through this programme projects were financed in which the over 45 year old unemployed persons were trained and reintegrated in the labor market.

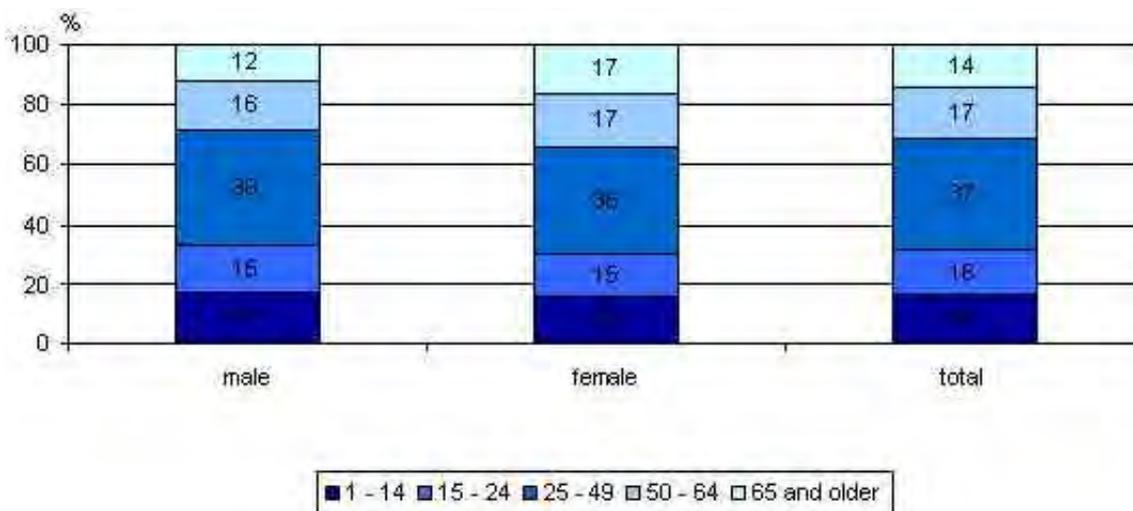
The Ministry of Labour, Social Solidarity and Family (via the National Agency for Employment and according to the Law 76/2002) gives subsidies to those employers who hire the over 45 year old persons. By adopting the Law 202/2002 on gender equality, the legal framework for reducing the all kind of discrimination, including the age discrimination, was created.

The organisations dealing with older employees issues are the Ministry of Labour, Social Solidarity and Family (MLSSF) and its field offices (offices for labour, social solidarity and family), the National Agency for Employment and the County Agencies for Employment, the City Halls via the General Divisions for social assistance, Trade Union organisations, employers' associations as well as NGO's having the older and ageing workforce as a target group.

Situation of older workers in Romania

Romania is characterised by a population that is comparatively younger than that of the EU-25. Nevertheless, 31 % of the inhabitants were aged 50+ in 2004, whereby, in particular, the share of the persons aged 65+ is higher for women than for men (see Figure 1). Between 1991 and 2004 the share of the older population (50+) increased by about 3 %-points, whereby this rise is higher for women than for men and particularly to be attributed to the generation 65+. As a result, the Romanian share of the older population is expected to approximate that of the EU-25 in a foreseeable future.

Figure 1: Share of the population of Romania by age class and gender in %, 2004



Source: Eurostat

As regards the educational attainments of the inhabitants of Romania it can be observed that the younger generations on average dispose of a higher level of formal qualification than the older ones. While, for example among the population aged 65+ the share of those having only completed (pre-) primary and basic education amounted to 78 % and as few as 4 % were academics in 2004, 20 % of the 25 - 49 year old ones left the formal education system after (pre-) primary and basic education and 11 % completed tertiary education. Nevertheless, the share of the Romanian population having completed tertiary education is considerably lower than on European average across all age classes. There are clear differences by gender: Whereas older women (45+) are worse educated than older men, almost no differences can be found in the younger age classes. An analysis over time shows an increasing share of inhabitants with completed (post-) secondary education and a decreasing share of those with (pre-) primary and basic education). The number of participants in further education is higher for women than for men. Both, the general participation and the duration of the education/training period are decreasing with age. While, for example, more than 90 % of the participants in further education aged 15 - 24 attended courses lasting 2 years or longer, the respective share amounted to about three quarters for the 35 - 49 year old ones in 2003. (Source: Household labour force survey, AMIGO 2003; for the persons aged 50+ an insignificant number of cases has been registered)

In comparison to the EU-25, Romania is characterised by a considerably lower disability rate: in 2002, about 5.8 % of the Romanian population (the respective share is higher for women than for men) indicated to have longstanding health problems or disabilities (EU-25: 16.2 %) whereby a positive correlation between age and the prevalence of health problems/disabilities can be observed (e.g. 2.0 % of the 25 - 34 year old suffered from health problems/disabilities while the respective share was as high as 9.8 % in the age class 45 - 54 and 14.1 % for the 55 - 64 year old persons). The share of disabled persons in unemployment is higher than the disability rate among the employed. The highest disability rates can be found in the agriculture sector and among skilled agricultural and fishery workers and clerks, respectively.

(Source: Eurostat, Labour Force Survey 2003) By the end of 2004, about 16 % of the social insurance pensioners (excluding farmers) received payments for invalidity whereby an increasing tendency can be observed over time (e.g. 1996: 12 %). As a result, the share of pension recipients for age reasons is decreasing (e.g. from 71 % in 1996 to 66 % in 2004) in spite of a rise in the absolute number. (Source: Romanian Statistical Yearbooks)

The employment rate (i.e. the share of employed persons aged 15 and over in the total population of the same age) of Romania corresponds to the European average, whereby it is slightly lower for men and higher for women in Romania than in the EU-25 (see Table 1). As regards the different age classes, particularly the employment rate of the 65+ is much higher in Romania than in the EU-25. This is at least partly to be attributed to the higher average exit age from the labour market (Romania: 62.8 years vs. EU-25: 61.0 years in 2003). Nevertheless, the employment rate of the generation 50+ has been decreasing for the last years. The highest incidence of older employees can be found in the sector of public administration, education, health and other services (one fifth of the employees of this sector was aged 50+ in 2004). Comparatively few older employees are active in the wholesale and retail trade (9 % were aged 50+ in 2004).

Table 1: *Employment rate (i.e. share of employed persons aged 15 and over in the total population of the same age) of Romania and the EU-25 by age class and gender, 2004 (%)*

	Male		Female		Total	
	RO	EU25	RO	EU25	RO	EU25
15-24	30.3	39.2	25.7	33.4	28.0	36.4
25-49	82.5	85.9	70.8	69.4	76.7	77.7
50-64	54.2	61.4	41.5	42.8	47.5	51.9
65+	18.5	5.7	13.9	2.2	15.8	3.7
Total	57.3	59.6	45.7	43.6	51.3	51.3

Source: Eurostat

Romania is characterised by a lower unemployment rate (i.e. unemployed persons as a percentage of the active population of the same age) than the European average (7.1 % vs. 9 % in 2004) which holds true for all age classes except of the youngest aged 15 - 24 years (see Table 2). Nevertheless, the Romanian unemployment rate has been almost continuously increasing for the last years which - for example due to the change of content for some activities and the tendency of increasing the competence levels required - particularly affects older persons. So, the share of older persons (50+) among the unemployed has been increasing (e.g. from 7 % in 2001 to 11 % in 2004) - a tendency that can be found for the EU-25, too, even though less markedly (i.e. from 15 % in 2001 to 17 % in 2004). As a result, also the unemployment rate of the 50 - 64 year old ones is increasing over time (from 2.6 % to 4.7 % for Romania and from 6.3 % to 7.2 % for the EU-25, respectively, between 2001 and 2004). In general, the duration of unemployment increases with age whereby the highest share of long-term unemployed can be found in the age class 40 - 49 years. For the older persons, the duration of unemployment rather stays constant. (Source: Romanian Statistical Yearbooks)

Table 2: *Unemployment rate (i.e. unemployed persons as a percentage of the active population of the same age) of Romania and the EU-25 by age class and gender, 2004 (%)*

	Male		Female		Total	
	RO	EU25	RO	EU25	RO	EU25
15-24	25.1	18.4	18.7	18.7	22.3	18.5
25-49	7.3	7.5	5.4	9.5	6.4	8.4
50-64	6.3	7.1	2.9	7.3	4.7	7.2

Source: Eurostat

Role of public actors in fostering active ageing in Romania

No Romanian public organisation has a specific role in fostering active ageing. The public actors are involved in the field of employment, health, work security or in the social field but in general have as an objective the reduction and elimination of any kind of discrimination.

Nevertheless, they included in their strategies, programmes or activity some measures regarding the ageing workforce.

Thus, we can mention here the government which stipulates in its Programme in Chapter 7 – The Social Protection Policy that one of the active measure in this field will be the ‘Promotion of some special programmes in partnership in order to diminish long term unemployment affecting youngsters and persons over 45 years as well as persons that are facing integration difficulties’.

The government policy is implemented by the ministries in the field, such as:

- The Ministry of Labour, Social Solidarity and Family (MoLSSF) (and its field offices (offices for labour, social solidarity and family)) is the specialised authority of the central public administration, subordinated to the Romanian government and has a comprehensive role to ensure and coordinate the implementation of governmental policies in the fields of labour, social solidarity, social protection and family.
- One of the main objectives of the MLSSF is the drawing up of the legislation regarding workforce, including the ageing workforce. There are no specific legislative initiatives or drafts concerning old and/or ageing workforce, the already existing laws having a non-discriminatory character, covering all age groups segments.

The National Employment Plan 2004 - 2005 included some important measures concerning old and ageing workforce such as:

- stimulation of employers to hire persons of 45 years of age or older, according to the law 76/2002 (art. 85);
- designing of long term, specific schemes aimed at updating and changing old or ageing workforce’s focus on the labour market; at the same time, besides subsidies granted to the employers who create new jobs for the unemployed persons of 45 years of age or older, there were other measures taken according to the same law such as job related information and consultancy given in order to increase the chances of finding new jobs for these persons;
- designing new legislation in order to create a more favourable environment for the adults’ professional training: adult professional training providers, authorisation, setting up of new occupational standards, evaluation and certification of the professional competencies gained by adults through continuous professional training;
- improving the new Labour Code by including specific measures concerning employees’ professional training.

To comply with its overall mission, MoLSSF undertakes a series of responsibilities, which consist of:

- Strategic aspects: it ensures the conception of strategies to implement the Governmental Programme in the field of labour, social protection and solidarity, and family policies;
- Regulatory aspects: the conception of the normative and institutional framework necessary to fulfil strategic objectives in the given field of activity (labour, social solidarity, social protection and family); adoption of the EU acquis into the national legislation pertaining to its field of activity (social insurance and special laws; labour legislation);

- managerial functions for the sectorial operational programme concerning employment and social policy;
- domestic and international representation of the Romanian state in the given field of activity (European affairs and international relations) – cooperation with the similar institutions from European countries and all over the world;
- state authority securing the monitoring of an unitary implementation of and compliance with the law, and overseeing the activity of the institutions under its supervision or in coordination with MoLSSF. The Ministry also monitors compliance with responsibilities assigned to the main authority for payment and receipt of public money; the aforementioned responsibilities are delegated, according to the law, to the Executive Directors of the National Agency for Employment and of the National House of Pensions and Other Social Insurance Rights, respectively.

The Common Paper on Employment Policies Evaluation and The Human Resources Development Strategy included in National Development Plan 2004 - 2006 pinpoint, within Priority 3 - Human Resources Development, 'active fight against social exclusion' as an important objective.

To reach this objective, a number of various specific projects will be implemented, financed by the PHARE Programme – investments for social and economic cohesion, having as final goals:

- improved access to and involvement in the educational process;
- social inclusion and equal access to the labour market promotion for the most disadvantaged social groups (ageing workforce being included among them).

The main objectives of the National Agency for Employment (NAE) and the County Agencies for Employment are:

- Institutionalisation of the social dialogue in the field of employment and professional training;
- Implementing of the employment and professional training strategies;
- Implementing of the social protection measures for the unemployed persons.

In order to accomplish its objectives, the NAE has the following functions:

- to organise the employment services;
- to organise, deliver and finance, according to the law, the vocational training services for unemployed people;
- to direct the unemployed people and to mediate between these people and the national employers, in order to balance the offer and the demand on the national labour market;
- to manage the budget of the unemployment insurance fund;
- to initiate proposals for legal regulations and submit them to the MoLSSF;
- to implement programmes financed by the European Social Fund.

The Ministry of Health (MS) is responsible for the health of Romanian citizens. According to the law it is responsible for the elaboration and implementation of the Public Health Strategy.

Through its 42 district branches, named Public Health Directorates, it develops specific programmes in the fields of health promotion and occupational health. Each District Public Health Directorate has a special department of health promotion and a special one for occupational health, both of them dealing with all the initiatives concerning workplace health promotion at district level. It has to be recognised that only in the past few years these departments started to collaborate for developing joint programmes.

Both ministries, Ministry of Labour, Social Solidarity and Family and the Ministry of Health, have jointly drafted the 'Policy and strategy for Romania in the field of health and safety for the period 2004 – 2007'.

The National House of Pensions and Other Social Insurance Rights (CNPAS) was created in 2000 and recently (starting with January 1, 2005, in accordance to the Law 346/2002, modified and completed by the Government Emergency Decision 129/2004 and the Law 57/2005) enlarged its field of activity to cover work accidents and occupational diseases insurance.

A particular situation in Romania, not very often found in Europe, is that the National Fund for Accidents and Occupational Diseases has been created under the authority of the National House of pensions. Moreover, the National Institute for Medical Evaluation and Recovery of Work Capacity has been built also under this National House of Pensions and Other Social Insurance Rights. The fact that both, the Institute and the National Fund are under this pensions' house does not allow them to exercise their autonomy in the field of promoting health and safety at work.

The objective of the General Divisions for Social Assistance (GDSA) of the City Hall is to protect people that are unable to provide for their basic social needs and to develop their capacities and competencies for a successful social integration due to economic, physical and psychological or social reasons.

GDSA mainly fulfils the following functions:

- Strategy: elaborating social assistance plans for the prevention of social exclusion and action plans against poverty;
- Coordination: identifying the means for developing intervention strategies for people in need and the prevention of the marginalisation situations and social exclusion at county level;
- Administration: assures the administration of the goods received as well as the financial funds at its disposal;
- Collaboration: encouraging partnerships with the decentralised public services of ministries and institutions (like county agencies for employment, county departments for public health, county houses of pensions, county houses of health insurance etc.) that have responsibilities within the area of social assistance, local social assistance services and NGOs involved in programmes of social assistance;
- Execution: ensuring human resources, materials and financial aid necessary for implementing plans of social assistance and carrying out solutions for social, individual and collective needs;
- Representation of the County Council at national and international level in the area of social assistance.

The National Institute for Medical Evaluation and Recovery of Work Capacity develops studies and research in the field of evaluation of working capacity and the recovery of the work capacity (safety and health at work can be considered as an additional activity). These domains are being tackled by ongoing prevention of occupational diseases, health education courses, prevention of workplace accidents studies, vocational orientation research and training courses as well as the design of programmes for disabled people.

The Romanian trade unions have a longstanding tradition, with its official birth being marked by the implementation of the General Association of Workers in 1872. When the communist regime was installed after the Second World War, trade unions continued to exist but they became part of the apparatus of the ruling party and were centralised under the General Union of Trade Unions in Romania (Uniunea Generală a Sindicatelor din România, UGSR) - there were, however, some unsuccessful attempts to create free trade unions or take independent action.

After 1989, trade unions entered a reorganisation process resulting in five trade union confederations that meet the representative criteria¹ at national level.

These are:

- the National Confederation of Free Trade Unions of Romania ‘Brotherhood’ (Confederația Națională a Sindicatelor Libere din România Frăția, **CNSLR Frăția**)
- the National Trade Unions Bloc (Blocul Național Sindical, **BNS**);
- the Democratic Trade Union Confederation of Romania (Confederația Sindicatelor Democratice din România, CSDR)
- **Cartel Alfa**; and
- Meridian.

Apart from these confederations, strong trade union federations are active in a number of industries (for instance in mining, metalworking, education, commerce, agriculture and healthcare) and there are also some independent unaffiliated trade unions. These only partially meet the required representative criteria but they are allowed to participate in consultations and bargaining or, in some cases, to negotiate with the employers’/government bodies in their field of activity.

During the communist period, from 1948 to 1989, no employers’ organisations existed in Romania. After 1989, the first employers’ organisation - the Romanian National Employers (Patronatul Național Român, PNR) - was governed only by a regulation dating back to 1924 (Law 21/1924). In 1991, the legal framework was partially adjusted in order to allow the formation of employers’ organisations in the dominant public sector. The Government Decision 503 thus provided for employers’ organisations representing state-run companies (regies autonomes) and fully state-owned companies. As the private sector was still young and privatisation had not been initiated at that time, this initial regulation, even if covering only the public sector, assisted the process of building up new industrial relations structures. It was only in 2001 that the Parliament adopted a comprehensive legal framework for the existence of employers’ organisations, in the form of Law 356.

¹ The law 130/1996 regarding the collective contract stipulates that for being part of the negotiation of the collective contract trade unions should respect the following conditions, cumulatively: at national level they need to have the legal statute for trade union confederation (being legally constituted as a confederation), organisational and patrimonial independence, as components (members), their own trade union structures in at least half of the counties, including Bucharest, as members, representative trade union federations from at least 25 % of the activity sectors, and their trade unions members need to have, as members, at least 5 % of the employees of the national economy.

At present, there are 12 nationally representative employers' organisations in Romania, as follows:

- the General Union of Romanian Industrialists - 1903 (Uniunea Generală a Industriaşilor din România 1903, UGIR 1903);
- the Employer Confederation of Romanian Industry (Confederaţia Patronală din Industria României, CONPIROM);
- the National Council of Romanian Employers (Consiliul Naţional al Patronatului Român, CoNPR);
- the National Council of Romanian Small and Medium-sized Enterprises (Consiliul Naţional al Întreprinderilor Private Mici şi Mijlocii din România, CNIPMMR);
- the General Union of Romanian Industrialists (Uniunea Generală a Industriaşilor din România, UGIR);
- the National Union of Romanian Employers (Uniunea Naţională a Patronatului Român, UNPR);
- the National Confederation of Romanian Employers (Confederaţia Naţională a Patronatului Român, CNPR);
- the Romanian National Employers (Patronatul Naţional Român, PNR);
- the National Union of Romanian Employers with Private Capital, recently renamed Romanian Employers (Uniunea Naţională a Patronatelor cu Capital Privat din România - Patronatul Roman, UNPCPR - PR);
- the VITAL Confederation (Confederaţia VITAL);
- the Romanian Association of Building Entrepreneurs (Asociaţia Română a Antreprenorilor de Construcţii, ARACO);
and
- the Employers' Confederation of Romania (Confederaţia Patronatelor din România, CPR) - which is an umbrella organisation for a number of the other employers' organisations

Beside the professional associations and employers' organisations there are some NGOs which focus on disadvantaged groups and unemployed people, not only the ageing workforce.

'Labour and Prosperity' FOUNDATION - BRAILA was created on the basis of Law 21/1924 in November 1995 as a non-profit and nongovernmental institution. It was an initiative of the Mayor of Braila and also of a group of institutions and companies' representative for the local community.

The purpose of the Foundation is to elaborate and implement the social assistance programmes in order to support the disadvantaged groups of people.

The objectives of Foundation are to:

- train unemployed people
- provide placement services for the trained unemployed
- provide consulting for entrepreneurs and people involved in social and economic activities
- provide workshops involving collaboration with other nongovernmental institutions from Romania and abroad
- find other financial sources, local, national and international, in order to sustain the proposed projects
- elaborate new programmes for the local economic development.

40 PLUS Association which is a new NGO has people over 40 years as the target group. It is a non-profit, non-governmental, non-political organisation founded in August 2005, dedicated to the economical, social, cultural and educational development of human resources.

40 PLUS Association focuses on the needs and interest of mature workers – and the organisations who increasingly need to recruit them – by offering assistance in the career transition process, providing professional job search training and performance improving, building on the necessary skills and polishing their networking abilities to further their job-search objectives. Therefore, 40 PLUS aims to promote better recruitment practice amongst employers and to give the older worker access to the best opportunities available.

Its activity areas include: human resources development, lifelong learning, informal and non-formal education, e-learning, labour market, employability, professional information, assistance and coaching, project management, environment, train the trainers, civic education, local and regional development, European integration.

Main activities:

- Promote and support of projects/programmes regarding human resources development in the European Union integration context;
- Promote and support of human resources development projects/programmes, employability increase, improve work force adaptability, and fight against social exclusion;
- Development of projects/ programmes aimed to improve performance, managerial and entrepreneurship competencies of the more mature applicants;
- Support and promote educational and lifelong learning programmes;
- Support and promote educational programmes mediated by ICT, distance learning, e-learning;
- Promote education for environment, health, civic education;
- Implication in intercultural educational activities, diversity management, human rights;
- Promote extension of active life and increase labour market participation of mature workers over 40 years;
- Promote and support personal career development programmes.

Principles:

- Respect human rights and dignity
- Cooperation and partnership
- Continuous quality improvement
- Recognition of each person's value
- Equal opportunities
- Respect of professional ethic

Target groups are currently available managers, executives and other professionals over 40 years of age moving their career to where they want to be.

The roles of the public actors mentioned above consist of initiating and promoting legal regulations and measures regarding the vulnerable groups (disabled persons, unemployed new university graduates, long term unemployed persons, unemployed persons over 45 years, unemployed persons having a family to support).

Among the active measures implemented recently a focus has been laid on the continuous professional training promotion.

In order to stimulate the employment of the high exclusion risk groups (including the unemployed persons aged over 45 years) considerable attention has been paid to some measures, such as:

- for those looking for a job, especially a vacant one: professional counselling and information, work mediation, professional training;
- for those who want to start a business: consultancy and assistance in setting up an independent activity/business;
- for employers who want to hire unemployed persons: credits under favourable conditions for creating new jobs and subsidies for jobs created for persons belonging to vulnerable categories.

The main priorities, in which both the government representatives and social partners are involved, are the following:

- Improvement of the adaptability to a rapidly changing labour market;
- Promotion of lifelong learning and continuous professional training;
- Raising the unemployment prevention and absorption efficiency methods (methods for efficient absorption of the unemployed people on the labour market) for the high risk groups;
- Promotion of the most efficient ways for fighting against occupational discrimination, especially as regards the high risk groups;
- Identification of new and more efficient methods for the creation of new jobs within the most disadvantaged areas (mining zones, agricultural areas etc.) by launching national and local public works programmes.

Regarding expert groups, for a limited period of time the public bodies set up temporary work groups in order to draw up acts and/or strategic documents by consulting social partners as well as the civil society representatives.

In terms of national tripartite bodies and institutions, nationally representative employers' organisations and trade unions are involved in:

- the tripartite advisory Economic and Social Council (Consiliul Economic și Social, CES), set up under Law 109/1997 amended by the Law 58/2003, in order to carry out the social dialogue at national level among trade unions, employers and the government and to establish a social stable climate. The Social and Economic Council has a consultative role in a number of areas such as setting up social and economic policies and strategies, settling disputes between social partners and promotion and development of the social dialogue and social solidarity, especially regarding wage policies and work environment and health and social protection. At the same time, there are Social Dialogue Commissions at each county level, consisting of local administration representatives, senators and deputies and representatives of the civil society (trade unions, unemployed persons association, NGOs) who discuss issues of local interest, including, if necessary, ageing employment issues.
- the National Employment Agency (Agenția Națională pentru Ocuparea Forței de Muncă, ANOFM);

- the National Commission for Employment Promotion (Comisia Națională de Promovare a Ocupării Forței de Muncă, CNPOFM), on which PNR, CNPR, CONPIROM, UGIR 1903, UGIR, ARACO and CNIPMMR are represented;
- the National Adult Training Board (Consiliul National pentru Formarea Profesionala a Adultilor, CNFPA);
- the Commissions for Social Dialogue at ministry level. The most important are those at the Ministry of Public Finances (Ministerul Finanțelor Publice, MFP), Ministry of European Integration (Ministerul Integrării Europene, MIE), Ministry of Labour, Social Solidarity and Family (Ministerul Muncii Solidarității Sociale si Familiei, MMSSF), Ministry of Public Administration and the Interior (Ministerul Administrației Publice și Internelor, MAPI), Ministry of Economy and Commerce (Ministerul Economiei și Comerțului, MEC), Authority for Privatisation and Management of State Ownership (Autoritatea pentru Privatizare și Administrarea Participațiilor Statului, APAPS) and Ministry of Transport, Construction and Tourism (Ministerul Transporturilor, Construcțiilor și Turismului, MTCT);
- the National Health Fund (Casa Națională de Sănătate, CNS); and
- The National Pensions and Social Insurance Fund (Casa Națională de Pensii și Asigurări Sociale, CNPAS).

Public initiatives for fostering active ageing

The discrimination issue - anti-discrimination measures

The most important legal regulation regarding the fighting against discrimination is the Law no.27/2004 regarding the approval of the Government Ordinance no. 77/2003 which modifies and completes the Government Ordinance no. 137/2000 regarding preventing and penalising all forms of discrimination.

In Governmental Ordinance no. 137/2000 the definition of discrimination criteria was incomplete. This is why it was approved the Governmental Ordinance no. 77/2003 which gives a more comprehensive definition of discrimination, including the age criterion.

Government Ordinance no. 77 of August 28, 2003 reads in Article 2: ‘(1) According to the present Ordinance, discrimination is considered any difference, exclusion, restriction or preference, based on race, nationality, ethnic, language, religious, social category, credo, gender, sexual orientation, age, disability, non-contagious disease, AIDS or disadvantaged category criteria, which have like scope or effect the restraint or dismissing of the recognition, of the usage or exercise, in equality conditions, of the human rights and the fundamental freedom or of the legal rights, in political, economic, social and cultural or in any other public life field.’

In August 2002, the National Council for Fighting against Discrimination (NCFD) was founded as a governmental organisation which has to implement the legal regulations in non-discrimination field. The mission of NCFD is to promote and to protect the rights stipulated by anti-discriminatory legislation.

The general objectives are:

1. to implement the law and to protect discriminated persons;
2. to improve the legal framework;
3. to increase awareness regarding the discrimination issues.

There was elaborated the National Plan for Fighting against the Discrimination 2002 - 2006 and in the Chapter IX General Actions the setting up of the strategies on different sectors such as the strategy regarding preventing and fighting against the discrimination based on age criteria (young, ageing people) is mentioned.

Furthermore, in 2004, the Juridical Resources Centre which is an NGO (<http://www.crj.ro>) elaborated an Anti-discrimination Manual for the Romanian NGOs. In the manual there are explained the EU directives and the Romanian legal regulations regarding the fighting against all kind of discrimination, including the age discrimination and what a NGO can do in this field (practices and methods).

Social security/pension system

In 2005, the order of the minister of labour, social solidarity and family 46/2005 approved the Law 19/2000 on public pensions system and other social insurance rights, including the subsequent modifications and additions. According to the Law no. 19/2000 regarding the pension public system and other social insurance rights (section 1), pensions for legal retirement age are granted as follows (art. 41):

1. The pension for legal retirement age is conceded to the insured persons who cumulatively observe, at the retirement date, conditions regarding the legal retirement age and the minimum contribution stage at the public system.
2. The legal retirement age is 60 years for women and 65 for men. These legal retirement ages will be gradually implemented during the next 13 years by increasing the retirement age from 57 years for women and 62 for men according to the Annex 3 (see Appendix).
3. The minimum contribution stage is 15 years for both women and men. The minimum contribution stage will be gradually increased from 10 to 15 years during the next 13 years from the date the law came into force.
4. The complete contribution stage is 30 years for women and 35 for men. These complete contribution stages will come into force gradually during the next 13 years, starting from the actual stage of 25 years for women and 30 for men.

As for the anticipated pensions, art. 49 of the law (law no. 19/2000) stipulates that:

1. Persons who pay social insurance and have 10 years over the complete stage of contribution can apply for an early pension no more than 5 years before the standard pension age.
2. The early or anticipated pension's amount is established in the same way as for the age limit pension.

Article 50 of the same law, regarding the partial anticipated pensions, stipulates that:

1. Persons who pay social insurance and have completed the contribution stage as well as those who have 10 years over the complete stage of contribution can apply for partial anticipated pension by shortening with no more than 5 years the standard pension age.
2. The partial anticipated pension quantum is established by diminishing the quantum for standard pension age in accordance with the contribution stage and with the number of months which reduce the standard pension age.

It is already well known that the rapid demographic transition (due to life expectation increase) and the fertility decline led to a rapid increase of the elderly within the total population. From this perspective, the complex reform of the Romanian social insurance system took place with a view to implement the best possible measures able to ensure a decent living standard and safety for the elderly, as well as proper health services.

The public pension system (and other social insurance benefits) has always been and still is a main issue for the Romanian policy-makers.

Recent trends proved the necessity of a rapid reform of the social insurance system and the next step would be the completion of a legislative and institutional framework by carrying on a systemic reform leading to the creation of a complex pension system based on more components.

Once Law 19/2000 (on public pension system and other social insurance benefits) came into force, the Romanian government started the above-mentioned reform.

The public pension system is the first component of the multi-pillar state guaranteed system, based on a re-distribution principle. It is seen as a modern regulation, consistent with the European legislation.

The new legislation (on public pension system and other social insurance benefits) provides, as a priority, the increase of social insurance budget financial sustainability, by growing incomes and lower expenditures. The increase of the income will be realised by an

- increased degree of social insurance contribution collection;
- increase of the minimum collection stage;
- increase of the standard minimum retirement age.

The decrease in the general level of the expenditures of the consolidated budget will be achieved through the:

- decrease of the number of unemployed persons;
- decrease of the unemployment allowance paid by the Unemployment Fund;
- increase of the standard minimum retirement age.

The pension system reform primarily aims at adopting and implementing some measures with a view to fully cover inflation influencing pensions as well as to eliminate all unbalances and/or inequities between pensions levels granted according to previous legislation.

The basic principle of the multi-pillar pension system is to settle a diversity of pension incomes financing resources by involving both the public and the private sector. Beside the above-defined benefits scheme, based on re-distribution and solidarity among generations, different schemes based on capitalisation (defined contributions to pensions funds, privately administrated) will also be put in place.

The advantages of a multi- pillar pension system are:

- it creates the opportunity of higher pension levels than that in the unique, re-distributor system;
- it enables a long term financial sustainability of the pension system and an equal treatment for all contributors;
- it leads to significant capital employed in internal market, positively influencing the economic growth rate and, as a consequence, the living standard of the population.

Recent strategy in social assistance focussed on permanent updating of benefits' level for those in most disadvantageous conditions, and on improving and implementing new programmes able to ensure an effective social protection for groups with a major social risk, especially for elderly.

The main goals in the field of social assistance of the elderly at national level according to the government Programme refer to:

- developing the social assistance system capacity of providing social services for vulnerable groups;
- encouraging efforts for re-organisation and rehabilitation of elderly care institutions;
- providing institutional support with a view to develop and diversify proper social services for vulnerable groups;
- organising community services able to face needs identified at local level.

Training, qualification, skill development

The Government Emergency Ordinance 129/2000 regarding the vocational training of the adults stipulates in art. 2 ‘The adults have equal rights to access vocational training courses, without any discrimination on age, sex, race, ethnics, politic or religion criteria.’

In order to complete the legal framework regarding the training programmes and skill development for the unemployed persons, in 2002 the Romanian Parliament passed the Law 76/2002.

Some of the main goals of the Law 76/2002 refer to offering incentives for unemployed persons looking for a job. The unemployment insurance budget covers, among others, the financing of the vocational training services for unemployed persons, co-financing for modernisation projects of the vocational training services based on the international agreements and co-financing for employment stimulation programmes.

The provisions of the Law 76/2002 regarding vocational training services were completed through the Law 107/2004 as follows:

- the unemployed persons benefit of vocational training free of charge, including transport, accommodation and meal costs, if necessary;
- co-financing from the unemployment insurance budget of the training programmes organised by the companies for their own employees, with 50 % of the training costs, for no more than 20 % of their total employees. The employers could benefit of the co-financing only once in a year. They have then the obligation to keep on pay roll at least three years the persons participating in the training programme.

These goals have been implemented by a number of measures such as:

- vocational counselling and information spreading;
- Labour mediation;
- Professional training;
- Counselling and assistance for the unemployed persons who want to start up an independent business;

The assistance and advising activities are developed and carried out within various institutions by specialised personnel – in Psycho pedagogical Assistance Centres, in centres subordinated to The National Agency for the Labour Force – and through the Socrates (for the education component) and Leonardo da Vinci (for the professional training component) programmes.

Within the project ‘Informing and counselling for the career’ developed by the government ‘The Network of Centres for Informing and Vocational Counselling’ was set up in 1998. It is not specifically targeting at the ageing workforce but it also includes this group.

As for the legislative framework, the Law 76/2002 regarding the unemployment insurance system and the labour force inducement stipulates that the vocational training services can be granted for:

- persons who became unemployed (with or without redundancy payment);
- those who could not re-enter the labour market after graduating or after accomplishing the military service period;
- those who obtained the refugee status or another form of international protection;
- those who could not re-enter the labour market after being repatriated or after being released from detention.

Art. 4 of the Law 76/2002 stipulates that in implementing the Law provisions, ‘it is forbidden any kind of discrimination on political, racial, nationality, ethnic, language, religious, social status, beliefs, sex and age criteria’ as regarding the participation at vocational training courses of the persons mentioned by the law.

In June 2005, the existing system of centres for unemployed persons’ training of the National Agency for Employment (ANOFM) has been extended by setting-up new county centres for adult professional training (7 by now).

From the institutional point of view, ANOFM:

- Organises the employment services;
- Organises, finances and carries out professional training services for unemployed persons;
- Makes proposals of drafts concerning the employment activity;
- Implements training programmes.

ANOFM’s network consists of 42 county field offices as well as some other local agencies in order to cover all counties and to allow the unemployed persons to find the nearest office/agency within a 60 kilometres range.

Promotion, career management

In Romania, promotion is based on yearly evaluations of the competencies. The trade unions specify that the abolishment of bureaucratic restrictions regarding career promotion is compulsory.

In the local public administrations’ internal bylaw it is stipulated that ‘...the career promotion should be based on criteria regarding competitiveness values, results, moral and civic probity, transparency and in accordance with law’.

Career management service is provided mainly to job seekers. To help them define their career path, specialised HR private companies invite them to the assessment and development centres where they use a range of specific assessment tools such as detailed interviews, tests, interactive exercises and role-play.

Health and safety, work environment/working conditions, workplace health promotion programmes

Law 418/2004 on the specific professional statute of the Occupational Health Physician, establishes the specific responsibilities and rights of the Occupational Health Physician, the relations of Occupational Health Physician with the

employer, the code of conduct in practicing the occupational health care and the organisation of the occupational health services.

Occupational Health Physicians' specific attributions are stipulated in the Statute of the Occupational Health Physicians agreed by the Romanian labour Medicine Society, Labour Medicine Practitioners Commission' of the Romanian Labour Chamber and Labour Medicine Practitioners Commission' within the Health Ministry.

Among the most important attributions are the following:

- Identification of the risk factors and participation at the evaluation actions of these factors;
- Monitoring the employees' health and the risk magnitude effect on the employees' health with respect to the legal regulations and the ethical principles;
- Monitoring the work environment factors and the work practice that could affect the workers' health;
- Counselling in health problems, occupational security and hygiene in industrial sectors, ergonomics and individual protection outfit;
- Setting up first aid and emergency service;
- Recommending the planning and organisation of ergonomics and job design implementation;
- Evaluation of the working capacity, establishing the work skills according to the employees' health;
- Counselling the manager regarding the working conditions according to the special circumstances of the vulnerable groups, such as: pregnant women, mothers during the nursing period, teenagers, older persons and persons with disabilities.

Return to work programmes for older unemployed persons

According to the Government Decision 936/2004 regarding the criteria and procedures for the state grants awarding process, the amount of money from the unemployment insurance budget allotted for this measure to employers is directly proportional to a set of criteria including, among others, the following:

- The number of new workplaces created;
- The employment of persons from disadvantaged categories (among others, persons aged 45 or older);
- The support of the local community etc.

Taxation

The Government Emergency Ordinance 144/2005 modifies and completes Law 76/2002 and stipulates that:

'Employers who hire unemployed persons over 45 years of age or unemployed single parents who are the sole income earners and supporters for their dependants are relieved, for a 12 month period, from the payment of the contribution to the unemployment insurance budget, directly proportional to the number of unemployed persons hired, and, on the other hand, receive, for each of these persons, an amount of money equal to a minimum gross wage if the employer keeps them on the payroll for at least 2 years.'

Wage subsidies

According to the Law 76/2002 every unemployed person who receives unemployment allowance is entitled to receive, when he/she re-enters the labour market, a net amount of money on a monthly basis until the end of the unemployment period (previously determined as such at the very beginning of the unemployment period). This amount is as much as 30 % of the unemployment allowance.

The unemployed persons who find a new job at a distance of more than 50 kilometres are entitled to receive a net amount representing a so called 'hiring bonus' amounting to two gross minimum wages calculated at the hiring time.

The unemployed persons who find a new job at a distance of more than 50 kilometres and, as a result, have to change their domicile are entitled to receive a net amount representing a so called 'relocation bonus' amounting to seven gross minimum wages calculated at the relocation time.

There are also incentives aimed at stimulating employers who hire unemployed persons.

These incentives are put into practice by a number of measures such as:

- Subsidies for the creation of new jobs;
- Credits, under favourable conditions, for the setting up of new businesses or the development of the existing ones;
- The employers who hire unemployed persons over 45 years of age or unemployed persons having a family to support receive, on a monthly basis, for a period of 12 months for each of these persons an amount as high as a gross minimum wage, having the obligation to keep them on the pay rolls for at least 2 years.

Measures and initiatives implemented at individual company/organisation level

These case studies have been selected to be included in this National Report because each of them covers an important measure such as: recruitment, redeployment, training and development and lay-off policy and also because the companies referred to are acting in different sectors of activity, being from private or public sectors, and having different number of employees.

FURS Company

Organisational background

FURS Company is a private, joint-stock company with private foreign shareholders. The sector it belongs to is light industry, namely textiles and furs. The company has focused its activity on furred work and protection outfits for special working environments (construction industry, railways etc.)

The total number of employees has been continuously decreasing for years, presently amounting to 25, out of which 12 % are below 25 years of age, 30 % between 30 and 40 and 58 % are over 40.

Out of the total number of the employees there are 3 employees with a university degree (12 %), 5 employees with a high-school degree (20 %) and 17 employees with vocational school degree or who attended training courses (68 %).

There is no trade union/works council, but a person who represents the employees' interests reports to the management.

Generally, older workforce with significant experience is highly appreciated. There are no age profile preferences; rather, the company focuses its attention on experienced personnel. The company's policy is to reduce fluctuation among the existing workforce, including those over 45 years of age.

Older workers are well integrated in their teams. They are more competent, observe the working hours more attentively and are more open to share their knowledge and experience with their co-workers.

Practice today

Flexible working practices (part time contracts, flexible working programme) are set up on a case-to-case basis according to each person's specific features (age, health, experience) and according to each field of activity.

There is a constant concern of the management to create optimum working conditions (rather collateral conditions - for lunch and breaks - than about ergonomics at the job place) in the workshops and other common spaces (lunch room, cafeteria etc.) and the management permanently monitors the existing health and work conditions.

The relationship between generations is very good, mutual respect being shown not only at work but also in private life. There are not pre-set teams, everybody works as part of a production line. A constant support is given to those encountering difficulties. At the same time, older workers are constantly working together with the young, newly hired employees in order to provide them a comprehensive hands-on training.

There are no significant differences between older and younger workers' wages for the same amount and quality of work. For hard working employees and for those with special performance and initiatives prizes and bonuses are granted.

Workforce rotation is a common practice. If an employee does not fit into a certain workplace, he or she is included in a training programme and is redeployed to another job.

The most important measure taken by this company is the recruitment of workforce over 40 years old.

One to one or group meetings between management and employees are being held on a regular basis on various topics such as personnel training for specific work places or due to the changes in their activity. At the same time, there are team meetings and discussions between management and the employees' representative regarding changes that could induce work quality alterations, such as new technology implementation, rotation of the workforce after a training course, changes in the wage policy or wage scale etc.

This measure is part of a more complex HR policy, being considered as the first step taken by the company and followed, during the period the person is under contract, by other measures such as personnel motivation, good working environment creation, maintaining of a good, sound management – employees dialogue etc.

Only experienced workers will be hired, irrespective of their age. Taking into account that there are low chances to get qualified young workers in this field due to the lack of vocational schools all manufacturing techniques and skills are being transferred from one generation to another.

It was the decision of the management of the company to initiate this process along with the HR department, which was in charge of the implementation of this measure (after close consultation with the employees' representative).

Two new employees have been hired under this measure each year for the last two years. The share of the ageing workforce in total employees is over 80 % (represented by the over 40 years old women).

In this case the initiative/practice is in favour of the older, more experienced workers and/or ageing workforce, increasing their chances to be employed.

The continuous involvement and the permanent concern of the management regarding the health of the workforce represent one of the beneficial effects on the older employees.

There are no major negative effects of this measure except, maybe, the risk of an increased number of sick persons due to their age.

The company has maintained a core team of professionals with an age between 40 and 45 and even older over time, highly specialised in operating a range of different equipment which could be considered the key of success, and, at the same time, the main strength of the current practice and a solid base for the future development of the company.

The hiring policy of the older workforce is a strategic objective of the top management; at the same time, young, eager to learn employees will be hired to involve them in on-the-job training. As mentioned above, the age management and the future of the organisation are harmoniously correlated.

The management of the company has the HR policy as a permanent objective, with a special stress on the age management.

Further information

Contact person: Mrs. Gabriela Nedelescu, General Director

Sources: not applicable

Production Company

Organisational background

The Romanian production company under consideration is a private company with national and foreign ownership. It is active in the production/distribution sector, mainly focused on hardware articles (mechanical and electromechanical locks, security doors and fittings, industrial locks).

Organisational structure and departments:

- Management
- Human Resources Department
- Business/Sales Units
- Marketing Department
- Sales Support and Logistics
- Financial Department

The company has been active for 7 years. The main activity is hardware production for end users like the hospitality industry as well as households. The economic environment is favourable taking into account the positive trend of the Romanian economy. The mission of the company is to become the most competitive producer of this kind of products on the Romanian market and to promote its own brands like URBIS / ASSA / YALE and, thus, to become market leader.

The current number of employees is 960 and the replacement / turnover rate is about 20 %. There are no age profile preferences; the company appreciates all persons irrespective of their age, but implicitly the older ones. Advantages of having old workers hired are: theoretical and practical experience gained in time, more openness to share their knowledge, less confrontational and readiness to have open conflicts, loyalty and confidentiality. Disadvantages are, however: higher wages, reduced involvement in the decisions and problem solving process as they are approaching the retirement age.

There are no special agreements except internal bylaws and there is no special agreement for older persons working within the company.

Practice today

The current measures dealing with older workers are: recruitment, training, development, promotion, career management; health and well-being, generational relations, wage policy, redeployment. The most important measure is professional redeployment for older workers. As company's employees are carefully selected they have a great professional potential and it is desired that redeployment is professionally conducted to maintain and to raise workforce's performance and company's products and services quality. Also, gender equity is definitely applied in the company. The role of the management, the HR department and other departments in applying this measure is related to implementing, monitoring, coordinating and analysing the measure's efficiency.

Activities related to the measure also include studies regarding: staff's career goals and aspirations within the organisation, perceptions of career progression options – opportunities and barriers, perception of age discrimination within the organisation, education and training needs, reasons for and against participation in education and training, attitudes towards participation in education and training, attitudes towards new technology, attitudes towards the implementation process of new information technology as well as occupational health and safety concerns.

The target group is represented by a number of 432 old persons (over 45 years). This measure is considered to be part of a larger one, regarding training courses, which refers to all company's employees. Through this measure older workers are assumed to overcome the fear of being replaced by younger ones.

Since June 2004 (when the measure was launched), 105 persons have been trained and they participated in 5 specialised trainings on CLIQ Technology – based on miniaturised electronics and sales techniques and contracts bargain. It is planned to organise training every 3 months during the next 3 years, depending on technological and economic changes on the market.

The results can easily be seen with regard to turnover's level, which increased by 2 % versus June's 2004 level, having the same number of employees as last year and delivering the same products and services, but with a more qualified workforce. Another indicator is the replacement/turn-over rate, which decreased by 10 % versus June's 2004 level.

The main reasons for implementing this measure was internal (the company) reasons regarding decreasing replacement/turn-over rates of the personnel. The top management has initiated this measure after a rigorous analysis of the Human Resources Department. There was no role model outside the company for applying this measure. The

implementation process comprised a careful preparation regarding the needs for applying this measure and an open communication about the objectives of the initiative with both, staff in general and the target group in particular.

The measure is financed from company's own resources. In the near future the application to EU funds programmes for human resources is planned. The measure has a life-course approach because the company is trying to show to younger workers that over the next 10 – 20 years pension age will be certainly increased and they have to be aware that they have to face professional redeployment in every moment of their lives. By stimulating the achievement of as much knowledge as possible the company contributes to professional redeployment of the labour force. The beneficial effects of this measure are: encouragement of employees to build their resumé, assisting them in documenting skills developed on-the-job that may not be formally recognised, promoting fairness by not discriminating older workers, improvement of training, advice and guidance for older workers, offering incentives to stay in the labour market, including older people in performance appraisal and management. The strong points of this measure are: encouragement of job mobility among older workers to increase their exposure to new challenges and work variety, adaptation of career management and remuneration packages for workers of different ages, assessment of all employees regardless of age as assets that continue to yield a high rate of return for a long period of time, if they are adequately managed, educated and trained as well as fitting jobs to workers as well as workers to jobs. The weak points of this measure: the idea of retirement as an earned right.

Future prospects are related to training: promote and implement lifelong learning strategies, organise training for employees by age groups and work design (undertake assessments of physical, environmental and organisational risk factors in the workplace for older workers, offer flexible work arrangements).

Hitherto development of the case study

Before applying this initiative the company's policy was based on wage policy only. According to a thorough analysis it showed that a decreasing replacement/turn-over rate and a focus on labour force redeployment within the company will lead to an increase in profitability and competitiveness.

This initiative is an additional one to the previous measure (regarding wage policy) and the factors, which account for this change, were the high rates of replacement/turn-over.

The outcome of these changes is a higher degree of stability within the company and a better focus on improving company's labour force quality.

Elias Emergency University Clinic Hospital

Organisational background

Thanks to the academician Jacques Elias's will, Elias-Emergency University Clinic Hospital was established in 1936, the Romanian Academy having the universal legacy. At the same time, Elias-Emergency University Clinic Hospital established a partnership with the Emergency University Hospital in Bucharest.

Elias-Emergency University Clinic Hospital is a public health care services institution. As regards the personnel policy, there is an 'equal chance' policy related to age and gender regarding both, employment and career building.

In 2004, 1,181 people were employed, and presently (autumn 2005), there are 1,300 people out of whom:

- 738 are between 18 and 45 years of age
- 562 are over 45 years old
- 152 have university degrees
- 513 with high school degree
- 305 represent auxiliary medical personnel
- 108 represent the administrative personnel
- 223 are unskilled workers

80 % of the total employees constitute women.

Regarding the wage policy, there is a fine-tuned balance between wage and age, education and experience.

The major decisions are approved by the Board whose members discuss the main issues with the departments' managers and the Trade Union representative. The Trade Union leader has the important negotiation role between the Board and the employees. His opinion has a significant influence when taking major decisions related to the general institution's interest.

Practice today

This training and development project for the medical personnel who are between 35 and 45 years old started in 2004 and will finish in 2006. One of the project initiatives is a multinational research study, 'Reduction of Atherothrombosis for Continued Health'. To be a part of this initiative as a partner, the institution had to have only its neurology and cardiology department employees attend specialisation courses abroad.

Reduction of Atherothrombosis for Continued Health is an international research study in which many countries take part, such as: Austria, Denmark, Switzerland, France, Germany, Greece, the United Kingdom, Canada and Australia. In Romania, this research study is performed in 18 centers in Bucharest, Iasi, Timisoara, Cluj, Brasov and so on.

This activity gathered physicians and research assistants from the neurology and cardiology departments which analyse the risk of atherothrombosis appearance. Each patient is kept under observation for nearly 2 years, being seen every 3-6 months. The patients are persons who are over 45.

According to it, almost 500 employees are trained in order to become more efficient. The project objectives are accomplished by training courses, seminars or symposiums held in the country or abroad. For this purpose, also courses are run within the institution.

This measure was taken as a requirement regarding Romania's integration into the European Union. Elias Emergency University Clinic Hospital aims at reaching the European standards regarding medical services' quality and their diversification. These are the reasons why the organisation is ready to improve the already existing medical sections and to create new ones. To offer services of high quality, the personnel have to attend training/development courses.

The measure was initiated by the Board and the employees' representatives and it was designed especially for nurses, physicians and medical lecturers who will be on the labour market for at least 20 - 30 years. The training needs are correlated to the changes and the news in this field. It is assessed that, this particular group has a higher capacity for acquiring the current medical techniques and methods.

As for the age group structure related to the persons who are responsible for the courses' organisation and performance, almost 75 % represent persons who are 35 - 45 years of age and 25 % are more than 45 years old.

The employees' representatives play an important role regarding the organisation/participation of the different courses, seminars and symposiums and their financial support either comes from their own budget or from sponsorship. They cannot make decisions without consulting the Board.

The participants in this training course are mainly women (85 %). This weight is a consequence of the fact that women prevail in the health care field.

The Board considers that the personnel training and development will improve the medical services' quality, especially the ones with a significant degree of difficulty. Besides, the financial support sources are quite poor; so, there are payable services that are meant to cater for as many patients/customers as possible. This is possible, if high standards professionalism requirements are displayed.

As concerns the beneficial effects regarding both, the employees and the employer the following may be mentioned: personnel skills improvement, professional development or even initiation related to different medical specialisations and also a strengthened efficiency.

As a remark, negative effects arose due to the fact that after specialisation the employees may leave the institution, which financed the expenses of the training courses. In this way, the institution is in danger of losing a significant part of its specialists.

Elias Emergency University Clinic Hospital aims at becoming:

- a reference point for European Medicine;
- a medical care reference centre in Bucharest;
- a place where innovation, perseverance and honesty are basic concepts serving the medical care objectives;
- a well-known education post university environment;
- an institution in which each employee is eager to work and to give his/her support to the people's benefit.

Hitherto development of the case study

This initiative is correlated to the previous ones, such as:

- inter-generational relationships by working in joint teams (young and old people)
- training courses on different specialisations involving older employees.

The joint teams imply special training courses for the young and the ageing staff.

In the past, these training courses were financially supported by the employees who were attending them. Now, the institution and sponsors provide for the financial support. Unlike in the past, there are much more training courses on different specialisations offered either abroad or in the country.

Further information

Contact person: Popescu Maria – Human Resources Manager
Daniela Safta – Medical Deputy Manager
Florica Ionita – SANITAS Trade Union leader

The Research-Development National Institute for Environmental Protection

Organisational background

The Research-Development National Institute for Environmental Protection (I.C.I.M.) is a research institute with a national coverage co-ordinated by the Romanian Ministry of Environment and Water Management, carrying out complex research studies commissioned by the Ministry in the field of environmental protection and engineering, focusing on air, water and ecosystem management.

The Institute is one of the largest and most renowned and prestigious of its kind in Romania. It has a highly qualified staff organised in specialised teams of researchers.

The Institute has 250 employees as follows:

- senior scientific researcher (first degree): 36
- senior scientific researcher (second degree): 24
- senior scientific researcher (third degree): 18
- junior scientific researcher: 12
- researcher assistant: 40
- high school degree personnel: 120

The age-group structure is:

- between 25 and 45 years of age: 61
- over 45 years: 189

The hiring policy as regards the research personnel is based on the rebalancing of the age structure by hiring university graduates with good, recognised education results.

The Institute has as a continuous concern the increase of the professional capabilities of its employees as well as of the coverage of a more diversified range of domains.

The Trade Union has a considerable influence in the decision making process within the Institute. The employees' representatives themselves are over 45 years of age and that is why, based on their career-long experience, they are in the position to identify the employees' priorities and rights and to protect them in a better way.

Practice today

Under the present unfavourable economic circumstances, the Institute has implemented a lay-off policy considered to be the most immediate and effective measure for the time being.

In this context, a measure to keep the older workforce on the payrolls has been taken, considering their considerable value and professional aptitudes as well as their major contribution to the overall income of the Institute.

The main actors involved in taking these measures are: management, HR Department and the Trade Union.

This measure is based on the articles of the collective work contract which stipulates that negotiations have to take place between the Board of Directors and the employees through their representatives, the final decision being taken by the management of the Institute.

The lay-off process was focused on young, high school degree holders and was based on a set of criteria, mainly social, such as:

- if the measure possibly affects both spouses who work in the Institute, only the one with the lower income will be laid off;
- single persons either men or women (widows/widowers or divorced) who have young children to take care of should not be dismissed;
- special protection will be given to those who have less than three years until the retirement age.

Regarding the gender equality, there was made some positive discrimination in the sense that women have been given a higher protection against the lay-off by retaining them in their existing jobs, any of the laws in place not recommending such measures.

On the other hand, as the older employees are considered a valuable 'asset' they are kept with the organisation in order to become trainers and to assure the 'knowledge transfer' to the young, inexperienced employees between 25 and 45 years of age.

Considering the number of years that are necessary to become a good researcher this measure aims at motivating the older employees to stay with the Institute until the retirement age and, at the same time, they are also helped to get various scholarships abroad.

This measure favours older employees in the sense that they are able to keep their jobs until at least the retirement age, if not (in exceptional circumstances due to their experience) a little longer.

The target is a group of 50 employees (namely the senior scientific researchers and the personnel with a university degree), aged over 45 years and, in some cases, they have 3 years (or less) until they reach the retirement age.

Some of the older researchers are, at the same time, active professors, having published scientific works, contributing in this way to the dissemination of the information and creating a good, solid base for young employees.

Strong points of this measure:

- the increased profitability of the Institute due to the increased number of contracts signed by older, more experienced researchers;
- on-the-job training offered by the older researchers to the young ones;
- for the skilled, experienced researchers there is an increase of their wages according to the increased responsibilities they get as a result of their increased capabilities.

Weak points:

- the young employees have a limited and difficult access to a job with the Institute because of the narrow specialisation required in this field;
- the general ageing of the workforce.

One of the concerns for the future is to implement new techniques that lead to the decrease of the average age of the employees without affecting the older ones.

Two types of consequences have been noticed:

- on the short term, the research activity has been highly disturbed as has the financial balance due to the lay-off monetary support given to the dismissed employees;
- on the long term, the economic recovery of the organisation.

Further information

Contact person: Titel Stanescu, Trade Union leader

Răzvan CONSTANTIN, Head of Research Programmes Division

Sources: <http://www.icim.ro>; annual report, internal bylaws, collective work contract

Conclusions

The governmental policy regarding the human resources development has, as priorities, measures that sustain the young people, both young unemployed people and young university graduates as well as measures to develop entrepreneurial abilities of the young people: see the Operational Plan for Employment and the National Development Plan.

In Romania there are few measures regarding the ageing workforce and these are only for stimulating the employment of the 45+ by governmental subsidies given to those employers who hire people over 45 years old (Law 76/2002).

The companies and organisations generally apply the same employment policy as the government. There are few companies that hire ageing or older workers and if they do so this is to be attributed to the subsidies received from the government and not because they consider it useful to hire experienced people.

Although the legislation forbids discrimination against age, young people are still preferred because the wages are lower for young, inexperienced employees than for the older and experienced people.

Furthermore, the companies' owners think that it is harder for the older employees to adopt themselves to the changes, especially to new technologies.

It is also true that a part of the 45+ generation has a certain mentality inherited from the communist period, which influences them and makes them reluctant to change.

The collective restructuring policies had a considerable impact on the ageing workforce. A large number of skilled persons with very much experience in their field and used to have a secure job had been in the situation of being unemployed, unable to support their families and getting the feeling of uselessness. For these people a solution was earlier retirement, if this was possible (as an alternative to unemployment).

Besides, redeployment is not so easy for the ageing and older persons, if there are not special measures for that.

Moreover, the training and re-qualification programmes are mainly designed for young persons or, at best, for all age groups, irrespective of their age, with no specific focus on the older workforce.

The legal procedures and practices regarding work protection and security are general, no specific measures being designed, yet, for the ageing workforce.

Nevertheless, at company level, there were some private initiatives focused on employees' training, including the older ones, i.e. the experienced employees being used as on-the-job trainers for the young persons.

Ergonomics and job design have not been used in a sufficient extent until now, although some companies took some steps in implementing these measures.

It is becoming common to apply for advice from a company specialised in human resources development in order to hire and evaluate new employees rather than for implementing measures designed to improve the efficiency of the workforce.

It is considered necessary to set up and develop consultancy and counselling centres for over 45 years old persons, for either professional re-conversion, finding a new job, remaining on the labour market for a longer period (as the retirement age was raised) or for coping with the new retiree status.

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Appendix

Annex 3: Law no. 19/2000 regarding the pension public system and other social assurance rights

The pension standard ages and the minimum and the complete stage of contribution for women and men, on April 2001–March 2015 period

The period (Perioada)	Women (Femei)		
	The age of the women at the retirement time years/months (Vârsta asiguratei la ieşirea la pensie ani/luni)	The complete stage of contribution years/months (Stagiul complet de cotizareani/luni)	The minimum stage of contribution years/months (Stagiul minim de cotizareani/luni)
1	2	3	4
april 2001 - march 2002	57	25	10
april 2002 - september 2002	57/1	25/1	10/1
october 2002 - march 2003	57/2	25/2	10/2
april 2003 - september 2003	57/3	25/3	10/3
october 2003 - march 2004	57/4	25/4	10/4
april 2004 - september 2004	57/5	25/5	10/5
october 2004 - march 2005	57/6	25/6	10/6
april 2005 - july 2005	57/7	25/7	10/7
august 2005 - november 2005	57/8	25/8	10/8
december 2005 - march 2006	57/9	25/9	10/9
april 2006 - july 2006	57/10	25/10	10/10
august 2006 - november 2006	57/11	25/11	10/11
december 2006 - march 2007	58	26	11
april 2007 - july 2007	58/1	26/2	11/2
august 2007 - november 2007	58/2	26/4	11/4
december 2007 - march 2008	58/3	26/6	11/6
april 2008 - july 2008	58/4	26/8	11/8
august 2008 - november 2008	58/5	26/10	11/10
december 2008 - march 2009	58/6	27	12
april 2009 - july 2009	58/7	27/2	12/2
august 2009 - november 2009	58/8	27/4	12/4
december 2009 - march 2010	58/9	27/6	12/6
april 2010 - july 2010	58/10	27/8	12/8
august 2010 - november 2010	58/11	27/10	12/10
december 2010 - march 2011	59	28	13
april 2011 - july 2011	59/1	28/2	13/2
august 2011 - november 2011	59/2	28/4	13/4
december 2011 - march 2012	59/3	28/6	13/6
april 2012 - july 2012	59/4	28/8	13/8
august 2012 - november 2012	59/5	28/10	13/10
december 2012 - march 2013	59/6	29	14
april 2013 - july 2013	59/7	29/2	14/2

Employment and labour market policies for an ageing workforce and initiatives at the workplace

The period (Perioada)	Women (Femei)		
	The age of the women at the retirement time years/months (Vârsta asiguratei la ieşirea la pensie ani/luni)	The complete stage of contribution years/months (Stagiul complet de cotizareani/luni)	The minimum stage of contribution years/months (Stagiul minim de cotizareani/luni)
1	2	3	4
august 2013 - november 2013	59/8	29/4	14/4
december 2013 - march 2014	59/9	29/6	14/6
april 2014 - july 2014	59/10	29/8	14/8
august 2014 - november 2014	59/11	29/10	14/10
december 2014 - march 2015	60	30	15
The period (Perioada)	Men (Bărbați)		
	The age of the men at the retirement time years/months (Vârsta asiguratei la ieşirea la pensie ani/luni)	The complete stage of contribution years/months (Stagiul complet de cotizareani/luni)	The minimum stage of contribution years/months (Stagiul minim de cotizareani/luni)
april 2001 - march 2002	62	30	10
april 2002 - september 2002	62/1	30/1	10/1
october 2002 - march 2003	62/2	30/2	10/2
april 2003 - september 2003	62/3	30/3	10/3
octombrie 2003 - march 2004	62/4	30/4	10/4
april 2004 - september 2004	62/5	30/5	10/5
octombrie 2004 - march 2005	62/6	30/6	10/6
april 2005 - july 2005	62/7	30/7	10/7
august 2005 - november 2005	62/8	30/8	10/8
december 2005 - march 2006	62/9	30/9	10/9
april 2006 - july 2006	62/10	30/10	10/10
august 2006 - november 2006	62/11	30/11	10/11
december 2006 - march 2007	63	31	11
april 2007 - july 2007	63/1	31/2	11/2
august 2007 - november 2007	63/2	31/4	11/4
december 2007 - march 2008	63/3	31/6	11/6
april 2008 - july 2008	63/4	31/8	11/8
august 2008 - november 2008	63/5	31/10	11/10
december 2008 - march 2009	63/6	32	12
april 2009 - july 2009	63/7	32/2	12/2
august 2009 - november 2009	63/8	32/4	12/4
december 2009 - march 2010	63/9	32/6	12/6
april 2010 - july 2010	63/10	32/8	12/8
august 2010 - november 2010	63/11	32/10	12/10
december 2010 - march 2011	64	33	13
april 2011 - july 2011	64/1	33/2	13/2
august 2011 - november 2011	64/2	33/4	13/4
december 2011 - march 2012	64/3	33/6	13/6
april 2012 - july 2012	64/4	33/8	13/8

The period (Perioada)	Men (Bărbați)		
	The age of the men at the retirement time years/months (Vârsta asiguratei la ieșirea la pensie ani/luni)	The complete stage of contribution years/months (Stagiul complet de cotizareani/luni)	The minimum stage of contribution years/months (Stagiul minim de cotizareani/luni)
august 2012 - november 2012	64/5	33/10	13/10
december 2012 - march 2013	64/6	34	14
april 2013 - july 2013	64/7	34/2	14/2
august 2013 - november 2013	64/8	34/4	14/4
december 2013 - march 2014	64/9	34/6	14/6
april 2014 - july 2014	64/10	34/8	14/8
august 2014 - november 2014	64/11	34/10	14/10
december 2014 - march 2015	65	35	15

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