



## INVOLVE

Trade unionists workshop in Bucharest, Z Executive Boutique Hotel on 15.4.16

Brief notes on subjects discussed

Greetings: Corneliu Konstantinoiaia

Margaritis

President of Fratia

Presentation of participants

Presentation of Katsampanis:

Question: Consultation should be done before crisis or when it incurs?

Corneliu Konstantinoiaia: There should be regular information and consultation in order to be able to diagnose at an early stage the signs of crisis.

Tsimekas: Trade unions or employees' representatives should foresee bad days. There should sign agreements on good days and concede to give back some of the acquis when problems arise in order to avoid redundancies.

Every company, which respects itself should present its programme at the beginning of every year.

Romanians: We also used to have sectorial and National collective agreements, but they were abolished. Agreements are now only at company- level. We are all trade unionists and discuss issues that are very important.

Lawyer: Information and consultation should precede collective bargaining. There are neoliberal attacks against trade union freedoms. At company level, thousands of collective agreements have been signed with alleged "representatives" of employees.

Carrefour: Ocean bought another retail store with 3000 employees. At the time of selling, the employee representatives of Agora intervened. The Staff Department pushed employees to sign that the representative is Agora.

Corneliu Konstantinoiaia: Romania is a champion in poverty of working people.

Lawyer: In Romania, the average salary in the private sector is less than the average salary in public bodies.

Corneliu Konstantinoiaia: Information and consultation was less developed before the Directive 467/2006. There are also other regulations preview in the Labor Code. Article 39

(right to I&C), L. 62 Article 130 par. 2, 3, 4 referred to information with consultation for collective agreements as well as L. 186/2011. There are provisions of Romanian Law not only for national Works Councils but for the European Works Councils as well.

The Social dialogue Code restricts the trade union's rights, and gives rights to simple employees' representatives (names on paper that do not represent anyone). The Liberal Governments, mainly of Boc, restricted worker's rights. There are sanctions until 10000€ (ultimately employers can pay 500€).

Law 467/2006 is copy – paste of the directive. In Sintex's products, there is training for information and consultation.

Employees in Romania face a lot of problems, trade union movement faces an attack and participation in trade unions is being diminished. Information and consultation, unfortunately, does not come first.

Margaritis: Information and consultation is being considered suspiciously by some trade union organisations not in favor of the European orientation of the country.

Tsimekas: There are several problems. For example, in my company, my employer says than in order to sign a collective agreements he should be released from the minimum of 800 € salary for seasonal workers, which he was bound to respect in the actual collective agreement.

Corneliu Konstantinoia: Why are they not members of the union?

Tsimekas: They could be but the subject would be more complicate. In Greece it is mandatory that all employees have contracts. There are seasonal workers. They are less protected and less involved in unions.

Corneliu Konstantinoia: Participation in trade unions in general is 7%, it is much higher (35%) for the public sector and for parts of the private sector (banks), where it is 10%.

Romanian study: Interviews are mainly from trade unionists working in the manufacturing sector and secondarily in the services sector.

The crisis in the Romanian market affected differently workers from 2009 – 2011.

There were deep pay cuts in the public sector and reductions in the private sector, for instance in sectors with very small wages, such as agriculture and garment industry.

After the crisis, there was an attempt to revive activity in industry and services, including companies which closed or had proceeded to massive lay- offs. The year 2011 was the worst year as new laws against employees were enacted, which resulted the limitation of workers' rights.

In Romania there was a tradition in Information and consultation and mainly in collective bargaining.

On the other hand, if there is no union, information and consultation may supposedly be done, but in fact it is directly linked to the unions. The same stands for employee representation.

Many times, information and consultation is used as a preparatory stage for collective bargaining with the presence of legal and economic experts.

Although there have been brought many cases at the Courts of Justice and there was also pressure from the Ministry of Labor and the Inspectorate, there were only two cases with satisfactory decisions.

Employees are informed by the union representatives' network, through the internet, and the company's newspaper.

Although there was enough time, trade union representatives asked for additional information in just few of the cases.

There were threats of employers against trade union action they encounter. For this reason they need experts.

Trade unionists advised their colleagues to keep serious, to have solidarity, professional attitude, if necessary to prologue the duration of consultation and not to give up with the first obstacles

In the half of companies, which participated in the survey there are EWCs, while in LUC Oil there is a transnational trade union. Among participants there are also companies, which although meet the set requirements, they don't have an EWC yet.

The law of social dialogue constitutes a real obstacle.

Today's trade unions in Romania were established on the basis of the Polish and the American standards and they actually face many problems.

In case there are several trade unions in a company, employers discusses with everyone.

GAS: If there are 2 unions a company, everyone should be included in the information and consultation, but in the collective bargaining participates only the majoritarian one, representing over 50%. (the majoritarian is defined in a Decision by the court).

Directives talk about worker's representatives. In Romania, there is a relevant arrangement following which employers designate their representative and try to influence those designated by employees.

The federation of Romanian Natural Gas has signed an agreement for the Information and consultation following consultation between employer and employees.