



European  
Social  
Charter

Charte  
Sociale  
Européenne



COUNCIL  
OF EUROPE

CONSEIL  
DE L'EUROPE

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## **EUROPEAN SOCIAL CHARTER**

12<sup>th</sup> National Report on the implementation of the  
European Social Charter

submitted by

**THE GOVERNMENT OF ROMANIA**

(Articles 3, 11, 12 and 13 for the  
period 01/01/2008 – 31/12/2011)

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Report registered by the Secretariat on 13 Mars 2013

**CYCLE 2013**



**THE 12<sup>th</sup> NATIONAL REPORT  
ON THE APPLICATION OF  
THE REVISED EUROPEAN SOCIAL CHARTER**

**PRESENTED BY THE GOVERNMENT OF ROMANIA**

**for the period 1 January 2008 - 31 December 2011**

regarding the Group 2 of articles on the Revised European Social Charter,  
"Health, safety and social protection": 3, paragraphs 1-3, 11, 12, 13 paragraph 1-3

In accordance with Article C of the Revised European Social Charter and Article 21 of the European Social Charter, on the measures taken to implement the accepted provisions of the Revised European Social Charter, ratified on 7 May 1999,

In accordance with Article C of the Revised European Social Charter and Article 23 of the European Social Charter, copies of this report shall be communicated:

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- to all workers and employers' organizations nationwide that are affiliated to the international organizations

## **ARTICLE 3 - RIGHT TO HEALTH AND SAFETY AT WORK**

### **Article 3§1– SECURITY ISSUES AND HEALTH REGULATIONS**

#### **OHS contribution**

**Romania has not adopted a national strategy on health and safety at work for the reference period, but the institutions with responsibilities in this field have in mind the objectives of the Community Strategy 2007-2013 on health and safety at work.**

#### **Institutions responsible for health and safety at work**

**Ministry of Labour, Family and Social Protection** is the competent authority in the field of safety and health at work.

**Ministry of Health**, as a specialized body of the central public administration is the central authority in the field of public health assistance.

**Labour Inspection** is the competent authority regarding enforcement of legislation relating to safety and health at work.

**The insurer**, established by law, is the competent authority in insurance against accidents at work and occupational diseases.

**National Research and Development Institute for Labour Protection** substantiates scientifically the measures to improve work safety and occupational health and promote policy established in this field for normal work environment.

**Prevention and protection and labour inspection services**, within sectors and structures which are not controlled by the Labour Inspection, defined by Law no. 319/2006 Article 50..

**National Institute of Public Health** – occupational health research is aimed at:

- a) preventing, surveillance and control of transmissible and non- transmissible diseases;
- b) health monitoring;
- c) health promotion and health education;
- d) occupational health assessment;
- e) health monitoring in relation to the environment;
- f) developing public health regulations;
- g) ensuring public health management;
- h) development of specific public health services.

In the elaboration of normative acts are involved both the **Economic and Social Council and the Commission for Social Dialogue in the Ministry of Labour, Family and Social Protection.**

**The Economic and Social Council** is a public institution of national interest, tripartite, autonomous, established by Law no.109/1997, with subsequent changes, in order to achieve national social dialogue between employers, trade unions and government and the climate of stability and social peace.

The Economic and Social Council has a consultative role in strategies and economic and social policies formulation in settling the conflicts at branch or national level occurred between the social partners and the implementation, promotion and development of social dialogue and social solidarity.

In the specialized committees of this body, the specialists, the social partners and the Government representatives, review and debate legislative acts by proposing, as appropriate, amendments that are subject to approval by the plenum of Economic and Social Council.

**Social Dialogue Commission of the Ministry of Labour, Social Solidarity and Family**, provides a democratic framework where social partners are called to debate laws before the endorsement procedure. The legal document which regulates this commission activities is GD no.314/2001 as amended. This normative act was repealed in the reference period by GD no.369/2009 on the establishment and functioning of social dialogue at central public administration and local level, as amended and supplemented. These committees are established and operate in all ministries and are made up of representatives of the ministry and representatives of trade unions and employers nationally representative.

Since 2011, the functioning of Economic and Social Council and the Commission for Social Dialogue in the Ministry of Labour, Family and Social Protection are regulated by Law no.62/2011 for social dialogue.

### **Contribution of Labour Inspectorate**

Labour Inspectorate, under powers granted by law, cooperate with all bodies subordinated or coordinated by the ministries within the government system defined above:

- Cooperate with INCDPM, with central and local structures of the National House where the insurer operates in accidents at work and occupational diseases;
- Cooperate with the General Directorate of Public Health and the National Institute of Public Health in Bucharest, which includes the National Centre for Community Environment Risk Monitoring which monitors occupational diseases and professional morbidity development in Romania;
- Cooperate with the National Institute of Statistics

Coordination of government activities of OSH systems is provided by MMFPS, according to art. 45 of Law no. 319/2006.

The activities of Framework Programmes and current activities of the Labour Inspectorate have in mind the objectives of the Community Strategy for 2007-2012.

Therefore, according to statistics given by the Labour Inspectorate the dynamics of the number of accidents at work and occupational diseases shows elements that can demonstrate that, to a certain extent now, was fulfilled the objective of the Community Strategy to further reduce the number of accidents at work and occupational disease since 2007, with the target of 25% by 2012 (see Article 3 § 3).

Priorities for actions carried out by the Labour Inspectorate in the period under review were as follows: **small and medium enterprises (SME), risky sectors and risk of injury / illness, vulnerable workers and labour inspectors** (see 3 § 2 section 2), in accordance with the recommendations of the *Council Resolution of 25 June 2007 on a new Community strategy on health and safety at work (2007-2012)*.

**2) Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement national policy in consultation with the organizations of employers and workers.**

### **OSH contribution**

To support the policy of the Ministry of Labour, Family and Social Protection of achieving the objectives set out in the Community Strategy 2007 - 2012 on health and safety at work and to support enterprises, especially SMEs, a **R & D Sectoral plan of the Ministry of Labour, Family and Equal Opportunities was developed for the period 2009 - 2012**, approved by the Order no.668/2008 of the Minister of Labour, Family and social Protection.

The Sectoral Plan for Research - Development of the Ministry of Labour, Family and Social Protection is structured in five programmes related to main areas of responsibility:

1. "LABOUR MARKET" Programme
2. „PENSIONS” Programme
3. „SOCIAL INCLUSION” Programme
4. „WORKERS MOBILITY” Programme
5. „HEALTH AND SAFETY AT WORK” Programme

Main beneficiaries of the research results are the Ministry of Labour, Family and Social Protection, as the national authority which sets strategy and policies on employment and social affairs institutions in coordination or subordination relationships or under the authority of the Ministry of Labour, Family and Social Protection, public and private institutions with attributions and concerns in social field, **employers' and trade unions organizations**, NGOs, enterprises and / or units, regardless of their organization and ownership.

**The specific objectives of Safety and Health at Work programme are:**

**- Continuous improvement of the level of safety and health at work** requires the development of security and health measures in order to improve working conditions and ensure safe machinery and personal protective equipment for workers.

- ***Supporting employers in terms of methodology to achieve prevention and protection activities in health and safety at work aims at developing support for law enforcement in the work health and security area***, reducing costs of accidents at work and occupational diseases (human, economic, social), improving the image of companies and products safety, including safety and health issues in companies development strategy, developing tools for assessing and monitoring risks.

- ***Awareness of the actors involved in carrying out health and safety at work*** is aimed at developing a culture of prevention by using tools to disseminate and popularize best practices in safety and health at work.

- ***Mainstreaming occupational safety and health into education programmes and professional training*** is aimed at providing the necessary information to raise awareness in health and safety at work, at school and university, in line with the development of a European authentic culture of risk prevention.

### **Labour inspection contribution**

In performing its functions and duties, the Labour Inspection shall cooperate nationally and internationally based on protocols, agreements and memoranda with ministries, other institutions of central and local public administration, private organizations, representatives of social partners and, where appropriate, may contract, under the law, the services of experts or specialized bodies (art. 13 of ROF).

Labour Inspection promotes the involvement of social partners in activities to stimulate health and safety measures at work by:

- The conclusion of cooperation agreements with major Romanian trade unions and employers (e.g with the Romanian Employers, Romanian National Employers, General Union of Industrialists in Romania - UGIR, National Trade Union Bloc, Confederation of Democratic Trade Unions in Romania, the Trade Union Federative Union "ATLAS", Sanitas Federation in Romania;
- Inviting representatives of trade unions and employers nationally representative, information sessions, symposia, workshops, regional and national conferences organized by the Labour Inspection (e.g.: Round table organized by IM and ITM Bucharest on "Implementation of risk assessment, as premise to improve wellbeing at work on construction sites"; information and awareness sessions held annually in 5 counties CADImple - Contract to analyze and evaluated the impact of the practical in the workplace Implementation of national Measures Implementing Directive 98/24 / EC on Chemical Agents and so on).
- Stimulate the activities of CSSM established by employers, through the participation of labour inspectors in their quarterly meetings.

Labour inspection is a full member of the SLIC, operating within the European Commission and, as such, participates in biannual meetings that bring together leaders of national labour inspection in the EU. Specialists from the institution participates in European working groups set up to tackle issues of European interest (CIRCA-KSS, Enforcement, MACHEX, ADCO - ATEX and so on).

In its areas of competence, the Labour Inspection cooperates with the International Labour Organization (ILO) and shall report regularly to the International Labour Office the application of ILO Conventions and Recommendations ratified by Romania. Also, experts from the institution attended international labour conferences organized by the ILO.

To develop international cooperation, representatives of the Labour Inspectorate participated in events and activities organized by bodies / European and international institutions, as well as collaborative activities undertaken by the institution along with labour inspectorates in EU Member States and other countries.

Also, the Labour Inspection has developed bilateral relations with European institutions and bodies, in particular the labour inspection bodies in Bulgaria, Greece, Italy, Portugal, Moldova, Spain, Hungary, with which has concluded cooperation protocols to achieve joint actions, exchange of experience and best practices.

In order to achieve its strategic objectives, the Labour Inspection develops an annual **Framework Programme of Action (PCA)** which takes into account the following:

- Tasks of government programmes that are incumbent upon the institution;
- Labour Inspection Strategies in the field of safety and health at work for the periods 2002-2006 and 2007-2012;
- European campaigns on safety and health at work coordinated by the European Agency for OSH and by the SLIC in which IM was constantly engaged;
- Results of control of labour inspectors activity and statistics on accidents at work.

The main activities in the PCA are:

- Control and awareness campaigns on the implementation of minimum requirements by OSH;
- Control actions on implementation of the legislation on areas of activity that have experienced increased incidence of accidents.
- Actions to support SMEs in their efforts to improve the working environment
- Awareness activities and best practices promotion to implement legislation and to support the development of occupational risk prevention culture.

Action Framework Programme of of Labour Inspection is published on the website of the institution, including control subjects (<http://www.inspectmun.ro/site/Program/program.htm> ) to be available to all persons / institutions / bodies concerned: employers, social partners, etc.

**At local level**, territorial labour inspectorates (ITM) shall develop annually **their Action Programme**, which, in addition to national actions may introduce other specific actions tailored to the county's economic features and statistics of accidents recorded locally. Their programme of activities, including control subjects, is posted on the website of the territorial labour inspectorate.



In the period under review, the actions carried out by the Labour Inspectorate were directed with priority to: **small and medium enterprises (SME), risky sectors and risk of injury / illness, vulnerable workers and labour inspectors** (see 3 § 2 section 2) .

Labour Inspectorate assesses the need for **information and guidance** of employers, workers and social partners in accordance with the duties established by ROF and good European practices through:

- Discussion of labour inspectors with employers and workers during inspection visits / inspections;
- Use of questionnaires through which participants in the activities organized by the Labour Inspectorate expressing their needs for information and guidance;
- Analyzing the requests expressed in meetings organized by employers with each ITM, at least quarterly, according to its ROF provisions;
- Analysis of petitions and complaints requesting information;
- employers guidance services in OSH field at the level of labour territorial inspectorates that receive from employers direct requests for information and guidance.

Labour Inspection provides information and guidance to those interested through the following ways:

- Posting on the website of the institution the legislative news, the risk assessment guide, the non-exhaustive guidelines in different fields (e.g working at height, protection against asbestos, manual handling of loads, etc.), the good practice at national and European level, information materials such as posters, leaflets etc. Also posted the annual Action Framework Programme of Labour Inspection, annual control subjects, statistics of occupational accidents, annual reports of Labour Inspection, press releases, etc.
- Organize by ITM, at least quarterly, meetings with employers, their representatives, nominated workers, social partners or other institutions for information and counseling in area of competence and coverage of frequency, circumstances and causes of accidents and measures taken to prevent similar events;
- Dissemination through the media of information of national interest in the field by debates on radio and TV and newspaper articles;
- Organizing information sessions, symposia, workshops, regional and national conferences for information and awareness of health and safety at work (e.g.: *International Day* of OSH at the *European Week of OSH* during the planned actions through the Action Framework Programme)
- Distribution of information materials such as posters, flyers, brochures, developed at national or European level (e.g.: Materials for SLIC campaigns for the European Week, etc.).
- Editing the specialized magazine of Labour Inspection - "Obiectiv" Magazine - which disseminates information and guidance in the field.

### **Professional training in OSH**

In accordance with art. 47 of the *Methodological Norms for applying Law on safety and health at work no.319/2006*, approved by GD no. 1.425/2006 as subsequently amended and supplemented (NM), the levels of training in the safety and health field, needed to achieve adequate skills and abilities to perform prevention and protection activities, are medium and high.

Minimum training requirements in OSH corresponding to the average level are (art. 49 NM):

- high school theoretical studies in mathematics or high school technical studies - technological profile;
- Course in health and safety at work, lasting at least 80 hours.

Minimum training requirements corresponding to higher level in health and safety at work, to be met cumulatively, are as follows (art. 50 NM)

- Graduating in fundamental areas: engineering sciences, agricultural and forestry sciences, with bachelor's degree or equivalent to the 1<sup>st</sup> cycle of university studies, undergraduate studies or university studies, long term or university studies short term, with university diploma;
- Course in health and safety at work, lasting at least 80 hours;
- Graduating with a diploma or certificate of graduation, as appropriate, a postgraduate education programme in health and safety at work, with a duration of at least 180 hours.

The minimum requirement in the last two paragraphs shall be also fulfilled if the person has obtained a master's degree or doctorate degree in occupational safety and health at work area.

Workers' representatives with specific responsibility for the health and safety of workers and employers in enterprises with up to 9 employees who assume under certain conditions, the OSH activities must attend a training programme on safety and health at work, lasting at least 40 hours (art. 55 NM).

Annex 6 to NM sets the minimum content of required OSH training courses as follows:

#### Courses of 40 hours

- General legislative framework on occupational safety and health at work;
- Basic concepts related to safety and health at work;
- Terms of general risks and their prevention;
- Notions about specific risks and their prevention in the corresponding activity of the enterprise and / or establishment;
- First aid.

#### Courses of 80 hours

- General legislative framework on occupational safety and health at work;
- Criteria for risk assessment;
- Organization of prevention and protection activities;
- Actions in case of an emergency and evacuation plans, first aid;
- Preparation of documentation required for carrying out prevention and protection activities;
- Recording and reporting on safety and health at work.

OSH refresher training courses are offered by various institutions and organizations:

- PhD and postgraduate courses in OSH organized by Petroșani University
- Master in OSH provides: "Lucian Blaga" University of Sibiu, Technical University "Gh Asachi" Iasi, "Petru Maior" University in Targu Mures" etc.
- through training courses and mid-level and postgraduate courses offer by: INCDPM "Alexandru Darabont", Labour Inspectorate, University of Bucharest - Faculty of Chemistry etc.

- undergraduate and postgraduate courses organized by labour medicine: University of Medicine and Pharmacy "Carol Davila" - Department of Occupational Medicine, Institute of Public Health, Hospital Colentina Bucharest - Department of Occupational Diseases, Department of Occupational Medicine of Cluj-Napoca and others .

Courses and training programmes on safety and health at work shall be performed by authorized training providers, according to *Government Ordinance no. 129/2000 on adult vocational training, republished, with subsequent amendments* (art. 51 NM).

In each territorial labour inspectorate is established a commission enabling the external prevention and protection services and approval of technical documentation with information and training on health and safety at work under the Order *no. 455/2010*. Enabling conditions are set out in NM art. 35 ÷ 45.

In accordance with Art. 10 (2) of Order no. 455/2010 on Labour Inspectorate's website are published: List of external authorized prevention and protection service and the list of applicants who have obtained the approval of technical information and training documentation in OSH ([http://www.inspectmun.ro/site/Servicii%20externe/Servicii\\_externe.html](http://www.inspectmun.ro/site/Servicii%20externe/Servicii_externe.html)).

#### **Training of labour inspectors - see 3 § 3 pt 2). a).**

- 3) *Please provide actual figures, statistics or any other relevant information, as appropriate.*

#### **Labour Inspectorate**

Labour Inspectorate prepare an **Annual Activity Report** on actions taken at central and local level in OSH, surveillance of products market and labour relations.

In accordance with Law no. 108/1999, this report is submitted to the Minister of Labour, Family and Social Protection and the Director General of the International Labour Office. The report is prepared according to the requirements of ILO Convention no. 81/1947 on labour inspection in industry and commerce and the ILO Convention no. 129/1969 on Labour Inspection in Agriculture, ratified by Romania by the Decree no. 284/1973, respectively, the Decree no. 83/1975. Annual Activity Report of the Labour Inspectorate is published on the website of the institution. (<http://www.inspectmun.ro/site/>).

Based on this **other reports** are also developed, such as, for example, annual activity reports of Labour Inspection submitted to the Secretariat of SLIC.

Quarterly on the MMFPS internet page (<http://www.mmuncii.ro/ro/684-view.html>) is published the **statistical bulletin** data on accidents at work and on activities carried out. Data on persons injured are in English.

In 2010, under the Cooperation Agreement between MMFPS of Romania, the Ministry of Labour and Social Security of the Hellenic Republic and the Ministry of Labour and Social Policy of the Republic of Bulgaria in the field of working conditions and labour rights protection under the law, signed in Sofia on 30 September 2010, the Labour Inspectorate conducted a joint inspection visit with the General Labour Inspectorate Executive Agency of Bulgaria, the site of the bridge over

the Danube at Calafat - Vidin. Labour inspectors and supervisors in the two control bodies conducted a site visit, establishing measures to remedy the nonconformities found in OSH.

In the global exchange of experience and best practices, the Labour Inspection held training programmes for labour inspectors from other European inspection bodies, of which can be mentioned the following:

- organization of a training course of two weeks (10 to 21 October 2011) for 5 junior French labour inspectors for understanding the Romanian system of labour inspection; following the request of the Ministry of Labour, Employment and Health and the Institute of labour, employment and training in France, the Labour Inspectorate has expressed its willingness to organize also in 2012 a training course for 5 French labour inspectors;
- Organize an exchange of experience internship for one labour inspector of the Working Environment Authority in Denmark (12 to 16 September 2011);
- organization of a internship training course of one labour inspector of the General Labour Inspectorate Executive Agency of Bulgaria (7 to 11 November 2011).

## **Article 3§2**

### **IM Contribution**

- 1) Please describe the general legal framework. Please specify the nature, reasons and extent of any reforms**

In Romania, the simplification of the legislative framework was done mostly in 2006, when the old legislative system much more complicated was replaced. Thus were removed many of the employers obligations of reporting, approval and so on, thereby reducing some administrative costs.

The current OSH legislative system f includes:

- Law no. 319/2006 which transposes Directive 89/391/EEC,
- Government Decision no. 1425/2006 approving the Methodological Norms for applying Law no. 319/2006 on safety and health at work, as subsequently amended and supplemented,
- Government Decision no. 355/2007 on workers' health surveillance, as subsequently amended and supplemented,
- Decisions of government that adopts specific directives developed under the Framework Directive and other regulations (see Annex 1).

**Methodological rules** detailing the organization of prevention and protection activities among companies in and Romania contain provisions on:

- Authorization to operate in terms of OSH;
- The organization of prevention and protection activities in the small, medium and large enterprises;
- Development and update of prevention and protection plan that includes technical, organizational measures or other nature;

- Organization and operation of CSSM;
- the obligation of employers to organize workers training in OSH;
- communicate and investigate events, registration and record of occupational accidents and dangerous incidents, notification, investigation, occupational diseases acknowledgment and reporting;
- Internal / external services of prevention and protection; specific provisions on the free movement of external services for prevention and protection.

***Relevant normative acts subsequent to the 2008 report***

<i>No.</i>	<i>The legal act entered into force</i>	<i>Motivation</i>
1.	<b>GD no. 510/2010</b> on the minimum health and safety requirements regarding the exposure of workers to the risks arising from artificial optical radiation.	transposing Directive 2006/25/CE
2.	<b>Law no. 52/2011</b> On occasional activities carried out by labourers	Regulation of day labourers activity*
3.	<b>Law no. 249/2011</b> amending art. 4 of Law no. 349/2007 on the reorganization of the institutional framework in the field of chemical substances management.	Establishing national authorities on REACH Regulation no. 1907/2006
4.	<b>Order no. 1297/2011</b> concerning the establishment of the Commission on Safety and Health at Work on hazardous chemical agents	Transposing art. 12 of Directive 98/24/EC
5.	<b>GD no. 1/2012</b> amending and completing Government Decision no. 1.218/2006 establishing with minimum security and health requirements for the protection of workers from risks related to chemical agents and amending Government Decision no. 1.093/2006 regarding the establishment of minimum safety measures and health protection of workers from risks related to exposure to carcinogens or mutagens at work and the Government Decision no. 355/2007 concerning health surveillance of workers.	Transposing Directive 2009/161/UE – respectively taking over the third list of occupational exposure limits

\* According to Romanian legislation, day labourers may perform unskilled activities in the fields of agriculture, hunting and fishing, forestry, only forest exploitation, fisheries and aquaculture, horticulture and viticulture, apiculture, livestock, shows, films and audiovisual production, advertising, cultural activities, cargo handling, maintenance and cleaning activities.

Day labourers:

- shall be trained and informed about the work they are going to perform, the risks and dangers they might be exposed in pursuit of the activity. Training takes place daily before starting work;
- have the right to working and protection equipment;
- are supposed to be able to supply that work.

Regarding the check if the same working conditions and the same medical surveillance are provided for the own employees and those employed under an individual labour contract of limited duration

or the temporary employees employed by temporary work agencies in accordance with the provisions of GD no. 557/2007, it is stated that so far Labour Inspectorate has carried out activities dedicated to verifying compliance with legal provisions relating to health services of temporary agency workers.

Labour Inspectorate controls how national OSH legislation is enforced *in all sectors of activity* (including transport by rail, mining, agriculture, construction, etc.), *except for the sectors prescribed by law*, all individuals and legal entities that have the quality of employer.

**The main sectors which are not subject to Labour Inspection control are:**

- military sector;
- nuclear sector;
- Self-employed;
- persons performing domestic activities.

**OHS contribution**

**Legislative framework:**

Safety and health law no. 319/2006, entered into force on 1 October 2006. The law fully transposes Directive 89/391/EEC on the introduction of measures to encourage improvements in the safety and health of workers at work.

Under Article 51 par. (1) a) of the above framework law was developed the **Government Decision no.1425/2006** approving the Methodological Norms for applying Law no.319/2006 on safety and health at work.

Transposition of directives specific to health and safety at work, materialized in the development of government decisions, and thus Romania aligned itself with the European legislation..

Following this process, the issues that have been mentioned as being remaining in the previous report of the Committee findings were resolved.

**2) Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement national policy in consultation with the employers and workers organizations.**

OHS contribution

**The main changes to the legal framework in the reference period 2008-2011**

1. **Government Decision No. 510/2010** concerning the minimum safety and health requirements regarding the exposure of workers to the risks arising from artificial optical radiation.

The legislative act aimed at full transposition of Directive 2006/25/EC of the European Parliament and of the Council of 5 April 2006 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (artificial optical radiation).

By adopting this decision was intended to introduce measures to protect workers from health risks of artificial optical radiation and protection of workers against injuries to the skin and eyes.

By adopting this decision the government sought to promote the principles of improving working conditions where work is carried out using installations that produce such radiation and to oblige the manufacturers of work equipment that generates optical radiation to produce them so as not to exceed the allowable limit.

***The Order no.706/2006 of the Minister of Labour, Social Solidarity and Family*** on the minimum health and safety requirements regarding the exposure of workers to the risks arising from artificial optical radiation, published in the Official Gazette no. 915/10, November 2006 **transposes partially the Directive 2006/25/EC** of the European Parliament and of the Council of 5 April 2006 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (artificial optical radiation), which is the nineteenth special Directive within the meaning of Article 16 (1) of Directive 89/391/EEC.

Full takeover of Directive 2006/25/EC provisions introduces important elements regarding health and safety of workers, among which:

- Employers' obligations regarding risk assessment and how exposure to this type of radiation is determined;
- Technical and / or organizational measures and working methods that lead to diminution or reduction of exposure to artificial optical radiation sources;
- Information and training of workers who are exposed at work to artificial optical radiation;
- Consultation and participation of workers and / or their representatives regarding protection against workplace risks where is possible exposure to artificial optical radiation and risk assessment;
- How is carried out the health surveillance of workers.

2. **Government Decision no. 955/2010**, amending and supplementing Government Decision no.1425/2006 on approving methodological norms for the implementation of Law no.319/2006 on health and safety at work aimed at adapting the provisions of the Government Decision no.1425/2006 on free movement of Services.

By adopting this decision the Government ensured compliance with the provisions of Emergency Ordinance no. 49/2009 concerning freedom of service providers establishment and the freedom to provide services in Romania by transposing Directive 2006/123/EC, on the external prevention services and protection of health and safety at work.

Considering the Government Emergency Ordinance no. 49/2009 concerning freedom of establishment for service providers and the freedom to provide services in Romania, envisaged amendments relate mainly to improving the quality of services offered on the market by prevention and protection services in health and safety at work. According to Government Decision no.1425/2006, external prevention and protection services can operate only after obtaining the certificate of entitlement issued by one of the committees enabling the external prevention and protection services and approval of technical documentation with information and training in health and safety at work, within the jurisdiction area they are established, domiciled or resident. Thus, simplified procedures will allow nationals who have acquired the status of "foreign service" in one of the EU or EEA Member States to conduct this activity in Romania by creating their own work, without being authorized under GD no.1425 / 2006 and, at the same time to lead it, namely to

occupy the position of head of external service in case they have not conducted specialized training in Romania.

Besides the mentioned aspects, the amendment of Government Decision no.1425/2006 became necessary following the adoption of new regulations on the reorganization and responsibilities of public institutions, creating effects on structures enabling external services and endorsing security and health at work documentation. Enabling and endorsing committees have been established within the directions of Labour and Social Solidarity, now abolished by law no.329/2009. By Government Decision No.1377/2009 concerning Regulation of organization and functioning of the Labour Inspectorate, the said activity was taken over by the Labour Inspectorate and the establishment of regional commissions and their activity was related to the county labour inspectorates as a result of adoption of Ministry of Labour, Family and Social Protection Order no.455/2010 for establishment the enabling commissions of external prevention and protection services and approval of technical documentation with information and training character on health and safety at work, within the inspectorates of labour.

In its draft bill were made a number of other changes to improve the application of Law no.319/2006 on safety and health at work, such as:

- specify the cases in which it is necessary to make risk assessment;
- change the condition regarding the number of workers that requires the establishment of the internal service for prevention and protection, aiming to reduce the administrative burden on the employers in the public sector and the cost of private sector employers.
- the requirement that the worker assigned to the internal service for prevention and protection be one of the workers with whom the employer concluded an individual labour contract full time and that a person can hold the position of leader to only one external service for prevention and protection, in order to improve quality and activity, respectively, the services provided by the security and health at work services;
- improve the minimum level of training required for the persons performing protection and prevention activities in occupational safety and health at work, including for those belonging to the external services, with the ultimate goal of improving the quality of the services provided by authorized external services and also the work performed by internal services and assigned workers at the employer level;
- additional information on the reporting, investigation and declaration of occupational accidents and occupational diseases;
- other issues following the implementation of Government Decision no.1425/2006, which requires appropriate regulation.

**3. Government Decision no. 1/2012** to amend and supplement the Government Decision no. 1.218/2006 concerning setting minimum requirements for safety and health at work to ensure the protection of workers from risks related to chemical agents and to amend the Government Decision no. 1.093/2006 on establishing minimum health and safety requirements for the protection of workers from risks related to exposure to carcinogens or mutagens at work and of the Government Decision no. 355/2007 on the workers health supervision.



The above mentioned normative act aims to establish occupational exposure limit values to protect workers if they, in their professional activity, use 3 new chemical agents and to modify previously established limits for 16 chemical agents.

The establishment and change of the respective limit values at national level, is done according to the national occupational exposure limit values to be determined by a special committee (Committee on Safety and Health at Work concerning hazardous chemical agents, established by a common **Order of the Minister of Health and Minister of Labour, Social Solidarity and Family no.1297/2096/2011**).

**The common Order of the Minister of Health and Minister of Labour, Social Solidarity and Family no.1297/2096/2011**

**Ordinul comun al ministrului sănătății și al ministrului muncii, solidarității sociale și familiei no.1297/2096/2011** was developed pursuant to Article 44 of Government Decision no.1218/2006 laying down with minimum security and health requirements for the protection of workers from risks related to chemical agents and to Art.33 of Government Decision no.1093 / 2006 on the minimum health and safety requirements for the protection of workers from risks related to exposure to carcinogens or mutagens at work as a result of the latest research results that led to obtaining new information on the harmful effects of the respective chemical agents on the human body.

After analyzing how have been applied certain issues covered by the Government Decision no.1218/2006 and the evolution of Community and national legislation in the field, has resulted the need to make the following changes:

- update the terms ("*safety data sheet*") and definitions used ("*chemical agents*"), following the entry into force of EU framework legislation relating to dangerous substances, preparations or mixtures, represented by Regulation 1907/2006 (REACH ) and Regulation 1272/2008 (CLP) and due to the amendment of the national legislation in the field, namely the repeal of the emergency Ordinance no. 200/2000 on classification, labeling and packaging of substances and chemical preparations and its methodological norms approved by Government Decision no.490/2002 and Government Decision no.92/2003, decisions replaced now by the Government Decision no.1408/2008 respectively, by Government Decision no. 937/2010;
- Correlation with Government Decision no.1093/2006 by introducing the definition of "worker's breathing zone";
- Introduce additional definitions of inhalable fraction and respirable fraction;
- Systematization of legal acts which regulates occupational exposure limit values in national acts, due to the fact that the limit values for powders are currently in two other normative acts, namely the Government Decision No. 355 / 2007 and Government Decision no.1093/2006;
- specify certain issues for better implementation: the introduction of a new paragraph in Article 12 for the proper application of Article 4 of Directive 98/24/EC, in particular its paragraph 2, referring to the employer's obligation to know and evaluate all hazardous chemical agents occurring in the work of his company and to produce documents accompanying risk assessment;
- repeal of Articles 35 and 36, due to the fact that these exemptions are no longer allowed under the Directive 98/24/EC, Article 9, because restrictions in Annex 3 were restricted to those in all other Member States;

- correlation with the law no.319/2006 provisions on safety and health at work and the law no.418/2004 on the specific status of occupational medicine physician stating that "health surveillance of workers is ensured by occupational medicine physicians 'and that' the function of occupational medicine physician is carried out only by a occupational medicine specialist or primary physician, having the right of free practice";

- Possibility of worker involvement, at his request, in the transfer of personal medical data from one employer to another in case of change of employment, in order to improve his/her health surveillance.

## **IM Contribution**

In the period under review, **the main sectors / industries that have experienced increased incidence of work accidents** were: mining, construction, road and rail transport, forestry, metallurgy and agriculture. In these sectors were planned campaigns, and control actions within the Framework Action Programmes of Labour Inspection, such as: construction, road and car repair annually, mining, explosives, artificers: 2008, 2010, 2012, forest exploitation - 2008, 2009, 2012, metallurgy: 2008, social partners awareness, 2010, agriculture: 2009 - agricultural works 2010 - agricultural cultures harvest 2012 - grain silos, combined fodders factories.

With regard to **occupational hazards in the workplace**, which were considered priorities and targeted by awareness and control actions taken at national level, we can mention:

- Biological risks - in 2008 were held activities in birds and animals increase unit, in slaughterhouses and meat processing units, in 2010 were held actions in medical analysis laboratories and so on;
- Chemical risks – between 2009-2010 took place the European campaign concerning "Assessing chemical risks at work in the fields of dry cleaning and industrial cleaning" coordinated by SLIC;
- manual handling of loads - 2006-2008 took place the "*European Campaign on manual handling of loads*" coordinated by SLIC ;
- Explosive atmospheres - 2010 units of petroleum products sales, 2012 mines, grain silos, combined fodders mills, alcoholic beverages, furniture manufacturing, fuel distribution.

Another national priority has been and continues to be the **small and medium enterprises support** in their efforts to implement OHS legislation and improve the working environment. Labour Inspection conducted in 2006-2007, the institutional twinning project "*Implementation of harmonized legislation on safety and health in small and medium enterprises*" (Phare RO/04/IB/SO/01) in partnership with the Agency for European Integration and Economic Development in Austria.

The overall objective of the project was to make employers and employees in small and medium enterprises aware about the importance of harmonized implementation of OSH legislation, transposing EU directives.

The project focused on the national legislation transposing EU directives relating to: improve safety and health of workers at work (89/391/EEC); chemical agents at work (98/24/EC); biological agents at work (2000/54/EC); noise at work (2003/10/EC); manual handling of loads (90/269/EEC);

vibration at work (2002/44/EC); temporary and mobile sites (92/57/EEC); psychosocial risks at work (89/391/EEC).

The project had two main components:

- employers and employees information and awareness about the need to respect and implement the legal provisions in OSH;
- actions to strengthen the implementation of the OSH harmonized legislation in 6 pilot sites of small and medium enterprises.

Labour Inspectorate has organized activities dedicated to various **vulnerable groups**: 2010 - young, self-employed persons, 2009 - sensitive groups, 2005 ÷ 2010 - prepare final year students for entry into the labour market (the project "Cultural valences" - see SLIC questionnaire for the theme day 2011 sent by Romania).

As for steps taken to prepare the labour inspectors see 3 § 3 section 2). a).

### Article 3§3

**1) Please describe the entry into force of health and safety regulations. Please specify the nature, reasons and extent of any reforms.**

#### OHS contribution

The work called "**Study on establishing security and health measures needed to implement national legislation transposing European directives in the field of social policy and employment**" takes place in the Sectoral Plan objective of research and development, safety and health at work programme entitled "Supporting employers in terms of methodology to achieve prevention and protection activities in the field of health and safety at work" **in order to develop support for law enforcement in the field of security and health at work.**

#### IM Contribution

Regarding the protection of workers from asbestos, the provisions of Commission Directive 1999/77/EC, prohibiting since 2005 the marketing and use of products containing asbestos were taken into Romanian law in *GD no.124/2003 on the prevention, reduction and control of environmental pollution by asbestos*.

In order to protect human health and the environment in Romania were prohibited as from 1 January 2007 all marketing activities and use of asbestos and products containing asbestos (art. 12 (1) GD no. 124/2003).

The List of products, especially envisaged, containing asbestos, because they are prohibited from marketing and use covers:

- a) Toys
- b) Materials or preparations for spray application
- c) Finished goods sold to the public in the form of powders
- d) Items for smoking, such as pipe or cigarette cases

- e) catalytic filters and insulation devices that incorporate the catalyst heaters using liquefied gas -LPG
- f) Paints and varnishes
- g) Filters for liquids
- h) Coating material for roads where asbestos fiber content exceeds 2%
- i) Mortar, coatings, fillers, sealing, jointing compounds, mastics, glues, powders and decorative finishes
- j) Thermal and acoustic insulation materials with a density less than 1 g / cc
- k) Air filters and filters used in transportation, distribution and use of natural gas, including municipal distribution network
- l) Linings for floors and walls covered with plastic plates
- m) Textiles finished in the form that will be supplied to the user, except those treated to prevent release of fibers
- n) Tar paper.

Have been exempted from prohibition diaphragms containing chrysotile for existing electrolysis installations that can be used up to end of life of these diaphragms or until producing adequate replacement, free of asbestos, the term considered is the first situation of the two options that materializes.

In 2001 ÷ 2004, 2007 the Labour Inspectorate has organized active control actions on exposure to asbestos and asbestos replacement.

According to the information we hold about buildings and contaminated materials inventory existed until 2010. To confirm the information and any additional information, we recommend you to contact the National Environmental Protection Agency.

Currently there are into force the provisions of Regulation REACH<sup>1</sup>.

Romania has transposed all the European Directives concerning the protection of workers exposed to hazardous chemical agents, including Directive 2009/161/EU establishing a third list of indicative limit values for occupational exposure (see Annex 1).

Until transposing Directive 98/24, in the Romanian legislation it was, for over 20 years, the obligation of employers to make annual determinations for over ~ 500 noxious substances for which were established VLE (limited value estimates). That is why, the Romanian legislation retained these VLE in addition to those recommended by the European Commission. Currently in the Romanian legislation there are binding VLE for ~ 600 volatile substances for a series of 25 powders.

It also should be noted that the Romanian legislation provides for mandatory medical exams for over 100 substances or classes of substances (GD no. 355/2007 *concerning workers' health surveillance*, as amended).

In Romania, the Labour Inspectorate is not the competent control authority for CLP Regulation implementation<sup>2</sup>. Regarding REACH, Ministry of Labour, Family and Social Solidarity

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<sup>1</sup> REGULATION (EC) NO. 1907/2006 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) no. 793/93 and Council Regulation (EC) no. 1488/94 of the Commission and Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC Commission.

was nominated as competent authority to implement health and safety at work of REACH Regulation, in December 201.

Labour Inspectorate has organized or actively participated in a number of activities designed to help prevention actors, especially SMEs, to implement the Directive on chemical agents:

- SLIC Campaign 2009-2010 on chemical risks in dry cleaners and cleaning activities;
- Completing the IM website dedicated to SMEs with information on chemical risk assessment and the specific measures to prevent and protect workers exposed to chemical hazards <http://www.inspectiamuncii.ro/ssmimm/p1bMateriale.html>;
- CADImple project (Contract to analyze and evaluated the impact of the Practical Implementation of National Measures in the workplace Implementing Directive 98/24/EC on Chemical Agents);
- popularization of SUBSPORT project;
- different materials published in the Magazine Obiectiv;
- labour inspectors training at headquarters and systematic information of territorial labour inspectors on legislative appearances/changes etc..

The Order no. 3/2007 of the Minister of Labour, Social Solidarity and Family approved the model of Form to register accidents at work (FIAMA) providing Romania's alignment to Eurostat encodings. Information allow a national analysis of the dynamics of accidents at work and a comparison with the situation in other Member States. The legal document refers to:

- a. form identification, e.g. the employer recording number of the accident, who did the investigation etc.
- b. identify the employer (who records the accident at work)
- c. employer characterization (who recorded the accident) such as branch, work place etc., legal form, ownership
- d. economic activities of the employer (who recorded accident), e.g. NACE coding
- e. employer's identification (where the work accident occurred)
- f. identification of the person injured
- g. information about the person injured, e.g. occupation according to COR, the number of shifts he/she worked, length of employment, occupation etc..
- h. data about the time of the accident, including the day of the week
- i. accident data, e.g. individual, collective, number of days of temporary disability etc.
- j. data about the effects of the work accident, such as the type and location of the lesion
- k. data about accident characteristics, e.g. working environment, the work performed, the deviation that caused the accident, causes etc.
- l. brief description of the accident

2) Please provide some figures, statistics (e.g Eurostat data) or any other relevant information concerning workplace accidents, including fatal accidents, in absolute numbers and in terms of standardized accident rates per 100,000 workers, concerning number of health and safety controls conducted by labour inspection and the proportion of workers and companies covered by the survey, and the number of branches concerning health and safety regulations and the nature and type of sanctions imposed.

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2 REGULATION (EC) NO. 1272/2008 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 16 December 2008 on classification, labeling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) no. 1907/2006.

## Labour Inspectorate Contribution

### a) Organization of labour inspection

Labour inspection is a **specialized body of the central public administration** subordinated to MMFPS, with its headquarters in Bucharest (Figure no. 1).

Labour inspection exercises the state authority tasks in the field of safety and health at work and market surveillance of products and labour relations.

Labour Inspectorate was established under Law no. 108/1999 (Annex 1) in accordance with the Convention no. 81 and no. 129 of the International Labour Organisation and is organized and operates under GD no. 1377/2009 (ROF). The institution has legal personality and is financed from the state budget.

The Labour Inspectorate has **under its subordination**:

- 42 territorial labour inspectorates (ITM), units with legal personality, which are organized in each county and in Bucharest;
- training and professional development center of the Labour Inspectorate (CPPPIM);
- Center for Monitoring Units with Professional Risk (CMURP).

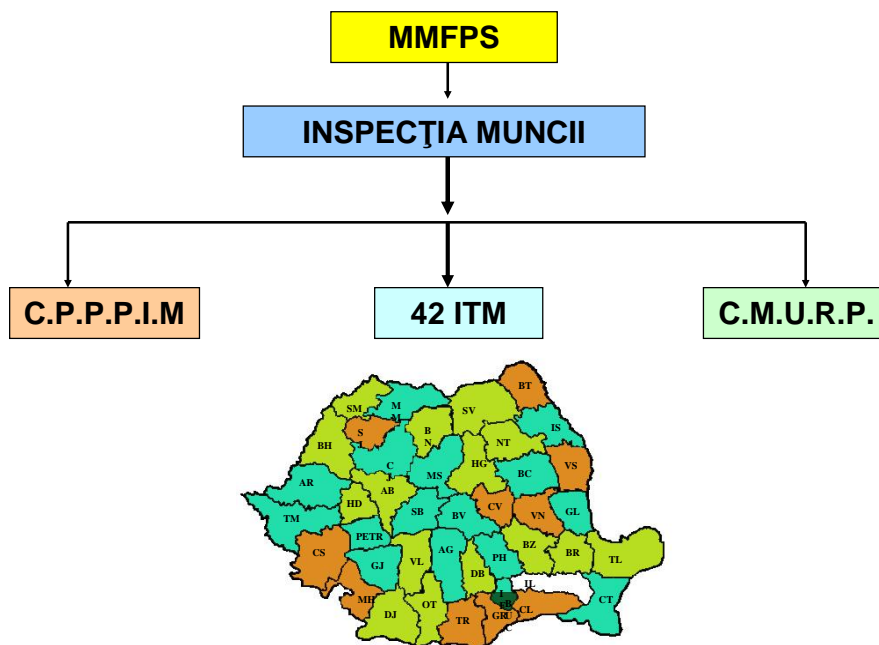


Figure no. 1 - Organisation of Labour Inspection

## b) Human and material resources

### *Dynamics of personnel involved in OSH in the period 2008-2011*

<i>Situation by functions</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>
<b>Central level – labour inspection</b>				
<i>Management</i> <sup>3</sup> ( <i>IGS, IGSA, D, SS, SB</i> ) <sup>4</sup>	12	11	4	5
<i>Execution - Safety and health at work</i>	27	30	36	34
<b>territorial level- territorial labour inspectorates</b>				
<i>Management</i> <sup>e15</sup> ( <i>IS, ISA, SS, SB</i> ) <sup>6</sup>	246	155	126	191
<i>Execution - Safety and health at work</i>	478	519	503	562

Labour inspectors are civil servants within specific public functions with special status. Labour inspector position can be occupied by people with university education in fundamental areas: engineering sciences, agriculture and forestry sciences, legal sciences, economics or specializations: sociology, psychology, medicine, public administration and political sciences.

Labour inspectors are employed through competition or examination as required by law in force, according to candidates qualifications and aptitudes.

There is no specific form of professional training before appointment as public labour inspector. After appointment, labour inspectors may attend specific training programmes in two fields, OHS and respectively labour relations.

The public institution has, by law, obligations regarding training and providing total support for the labour inspector tasks performance.

Labour inspectors may attend specialized training programmes or training programmes organized by external training providers (e.g National Agency of Civil Servants and other public or private organizations specialized in this field).

Also, labour inspectors may attend courses organized within CPPPIM Botosani, institution subordinated to the Labour Inspectorate. Usually, the trainers of such courses are selected from the inside, respectively among labour inspectors.

Training of labour inspectors can also be done through the development of professional training programmes for labour inspectors, programmes organized within projects with external financing in collaboration with partners from similar institutions in other European countries.

In OSH within the Labour Inspectorate and territorial labour inspectorates, in the period 2003 - 2009 was held a professional training programme addressed to OSH labour inspectors attended by most of labour inspectors within the Labour Inspectorate and the institutions subordinated, which lasted 25 days and consisted of 6 modules as follows:

1. Communication and basic rules;
2. Control framework;
3. Ergonomic and psychosocial risks;
4. Risk analysis;

<sup>3</sup> Including labour relations.

<sup>4</sup> IGS - State Inspector General, IGSA - Deputy State Inspector General, D – Director, SS - Chief of Service, SB - Head of office

<sup>5</sup> Including labour relations

<sup>6</sup> IS – Chief Inspector, ISA - Deputy Chief Inspector, SS - Chief of Service, SB - Head of office

5. Safety in the use of machines and machine systems I;
6. Safety in the use of machines and machine systems II.

Since 2009, due to budget constraints caused by the current economic crisis, the number of labour inspectors participating in training / professional development decreased.

Each labour inspector has his own office, desktop computer, access to the internet and email, access to a database of laws and manages a computer application concerning controls and measures taken in units, called "Pacific" and SIGAM database concerning injured at work.

One issue remains pending, the set up of an intranet networking within the Labour Inspectorate.

***The situation on professional development of the personnel within the Labour Inspectorate and the institutions subordinated***

<i>Year</i>	<i>Total number of participants</i>	<i>Of which labour inspectors<sup>7</sup></i>	<i>Total number of participants from IM Out of total number</i>	<i>Of which labour inspectors from IM<sup>7</sup></i>
2008	1178	753	24	2
2009	1049	687	105	70
2010	113	85	25	22
2011	324	235	19	6
<b>Total</b>	<b>2664</b>	<b>1760</b>	<b>173</b>	<b>100</b>

Labour inspectors:

- Hold the *European Computer Driving Licence (ECDL)*.
- have access to *guidelines and best practices* for conducting European campaigns (e.g SLIC campaigns, European Week for OHS);
- have access to *information* on law unitary enforcement (a case resolved / specified for a claimant is sent to all ITM);
- are trained in *regional meetings* (e.g in the field of market surveillance, SLIC campaign concerning manual handling of loads and psychosocial factors) etc.

For the events investigation labour inspectors shall have a *Guide for keeping records of events*.

For the orientation of labour inspectors in carrying out inspection visits to establishments, they have the following tools:

- *Manual of inspection methods* developed in 2002 within the twinning project Romania - Sweden, which explains the stages of inspection. Currently, the manual is being revised.
- *Inspection procedures* for conducting inspection visits in a unitary manner;
- *Methodologies* for each action in Action Framework Programme of the Labour Inspectorate.
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<sup>7</sup> labour inspectors in the health and safety at work and labour relations



<p>Methodologies have in general the following structure:</p> <ol style="list-style-type: none"> <li>1. Objectives of the action</li> <li>2. Action motivation</li> <li>3. Target group</li> <li>4. Action duration</li> <li>5. Development period</li> <li>6. Resources required</li> <li>7. Action development (training / inspection visits development / results capitalization)</li> </ol>
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*Resources necessary to conduct **Labour Inspection** activity at central level and in the 42 ITMs are set by ROF.*

According to ROF, Labour Inspectorate works with a number of 3105 positions, civil servants and contractual staff and may have:

- 322 cars (maximum) to perform control actions and other activities, with a monthly fuel consumption of 175 liters per car,
- 3 boats with an average monthly consumption of 750 liters fuel,
- 2 motor boats for urgent intervention in workplace accidents and control complex actions with a monthly average fuel consumption of 175 liters per boat.

Distribution by counties of **occupational medicine doctors**, from 2008 - 2011 is presented in Annex 2.

### c) Statistical data collected

To collect data for the Annual Report in the format required by SLIC, the Labour Inspectorate monitors the activity of inspection activity through indicators on OSH control activity that are centralized daily, monthly and quarterly.

Currently the ITMs sent daily, electronically, to the central office, the following indicators concerning control activity in OSH:

- Number of labour inspectors in the ITM ;
- Number of controls, number of deficiencies found, number of measures ordered;
- Number of employers sanctioned, number of sanctions applied (warnings, fines, amount of the fines (lei));
- Number of stops in the operation of work equipment, number of shutting down activity;
- Number of events reported, number of events investigated, number of events under investigation.

Daily centralization at national level, of these indicators is sent to the Minister of Labour, Family and Social Protection.

**Monthly** ITMs transmit electronically to the central office, the following indicators concerning control activity in OSH:

- Number of controls carried out by ITM;
- Number of labour inspectors participating in the control activity;

- Number of employers controlled, number of employers sanctioned;
- No. neconformități constatate, no. măsuri dispuse, no. măsuri scadente, no. măsuri realizate;
- Number of applied contraventional sanctions (warnings, fines, the fines amounting (lei));
- Number of stops in the operation of work equipment, number of activity suspensions;
- Number of events communicated by employers;
- Number of events endorsed by ITM and IM (accidents at work, collective accidents at work, dangerous incidents, accidents outside work);
- Number of injured in accidents at work (total, with temporary disability, death);
- Number of injured in collective workplace accidents (total, temporary disability, deadly);
- Number of prosecution proposals submitted to the competent institutions;
- The use of the time fund available - number of days used for: *preventive controls, accidents investigation, advice and expertise for authorization in terms of OSH, participation in pollutants determinations, technical failures investigation, training, letters resolving, petitions, complaints, service, office work, professional improvement*

Monthly centralization, at national level, of these indicators is transmitted to the Minister of Labour, Family and Social Protection.

**d) Labour Inspection Reports** (see 3§1 para. 3)

**e) Dynamic of the main statistical data in the period 2008-2011**

***Situation of checks carried out in the security and health at work field,  
administrative sanctions applied and shutting down activities***

	2008	2009	2010	2011
<i>Numer of controlled unit</i>	84,845	83,638	84,703	86.896
<i>Total number of economic operators *</i>	1,002,897	942,876	876,225	**
<i>Of which number of economic operators with &gt;10 workers</i>	71,801	70,219	64,677	**
<i>Number of performed controls</i>	87.29	86.429	86.403	84.703
<i>Number of contraventional sanctions applied</i>	40.383	55.736	95.917	138.926
<i>Value of fines imposed (mil lei)</i>	55.428	41.566	42.790	58.669
<i>Number of equipment that have stopped from running</i>	12.574	16.720	9.481	1.067
<i>Numer of units whose activity was stopped</i>	814	1.297	980	183
<i>Number of proposals for criminal prosecution</i>	161	164	193	225

\* - According to the National Statistics Institute INSSE,  
<http://www.insse.ro/cms/files/Anuar%20statistic/15/15.1.xls>

\*\* - Information not yet available

In the registration procedure is not introduced control visits indicator of the number of workers covered by the inspection. Therefore, in the database there is no information about the proportion of workers covered by inspections.

### *Situation of injured persons at work*

Year	Total number of employees economy	Total injured persons	deadly injured persons	Collective accidents			Frequency index [%]		Severity index [%]
				No.	Victims	Deceased	Mortal	Total	
2008	5,728,134	5,107	504	49	237	63	0.09	0.85	50.4
2009	5,154,720	3,989	403	47	205	50	0.07	0.85	52.8
2010	4,630,327	3,678	272	39	196	40	0.07	0.80	45.6
2011	4,677,300	3.555	240	41	186	44	0.05	0.76	41.0

Statistics recorded in the reference period have shown that the entry into force of the *Order no. 3/2007 of the Minister of Labour, Social Solidarity and Family for the approval of forms for recording accidents at work (FIAMA)*, through which Romania has aligned to Eurostat encodings, did not bring the expected increase in the number of work accidents reporting with temporary disability.

Labour Inspectorate supported the implementation of this law with other demarches:

- increase by H.G. no. 955/2010, the period of investigation of accidents with temporary disability, investigation made by employers, from 5 to 10 working days;
- development of *Guidelines for keeping records of events* to ease and standardize investigation paperwork related to events investigation;
- encourage employees to communicate workplace accidents by providing them legislation, workers' rights, the disadvantages of non-communicating the accidents etc. during the various actions taken by the Labour Inspection;
- Order the prompt investigation of any work events reported by workers and penalizing employers who have not communicated accidents.

At late last year there was a discussion of the effects of these measures:

<i>Period under review</i>	<i>No. of sanctions imposed for failure to communicate work events *</i>
Jan. 1 to Nov. 11. in 2010	118
Jan. 1 to Nov. 11. in 2011	163

\* In accordance with Art. 27 of *Law no. 319/2006 on safety and health at work*, the employer is obliged to communicate immediately the work events to the territorial labour inspectorates. Failure to communicate is punishable under Art. 39 (5) of the same law with fines between 3500-7000 lei

Occupational diseases and professional morbidity developments in Romania are monitored by the National Center of Risk Monitoring in Community Environment, within the National Institute of Public Health in Bucharest

National Centre for Risk Monitoring analyzes and presents the Environmental Community the annual professional morbidity development, issues related to exposure to risk factors that determine the morbidity work, the dynamics of changes over time, and aspects of introducing new technologies with new risks to exposure to harmful occupational agents.

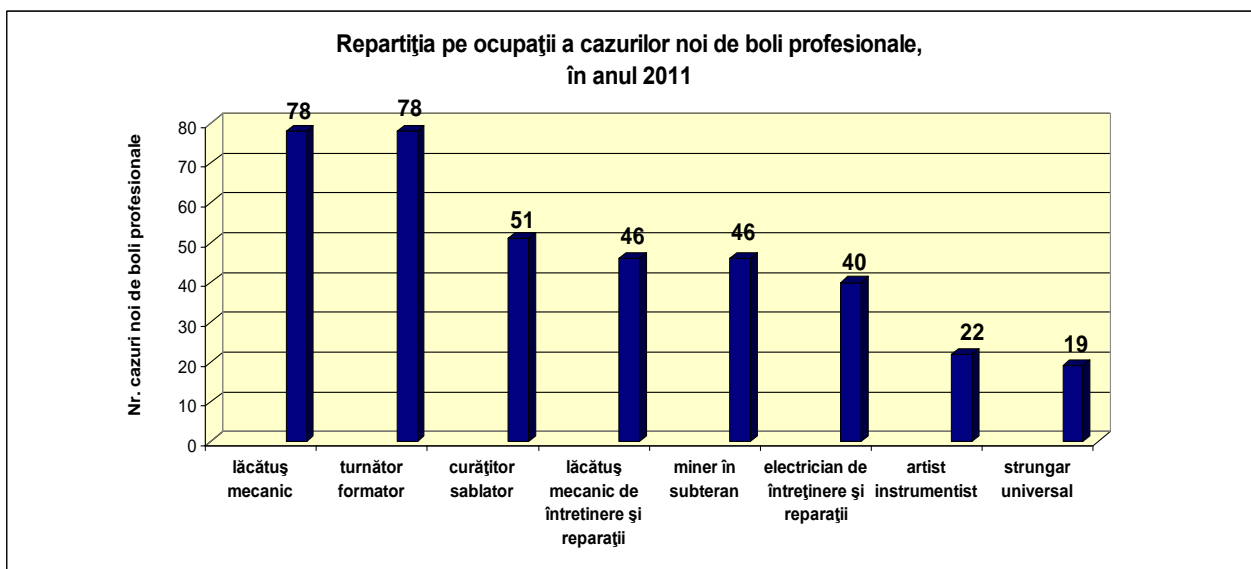
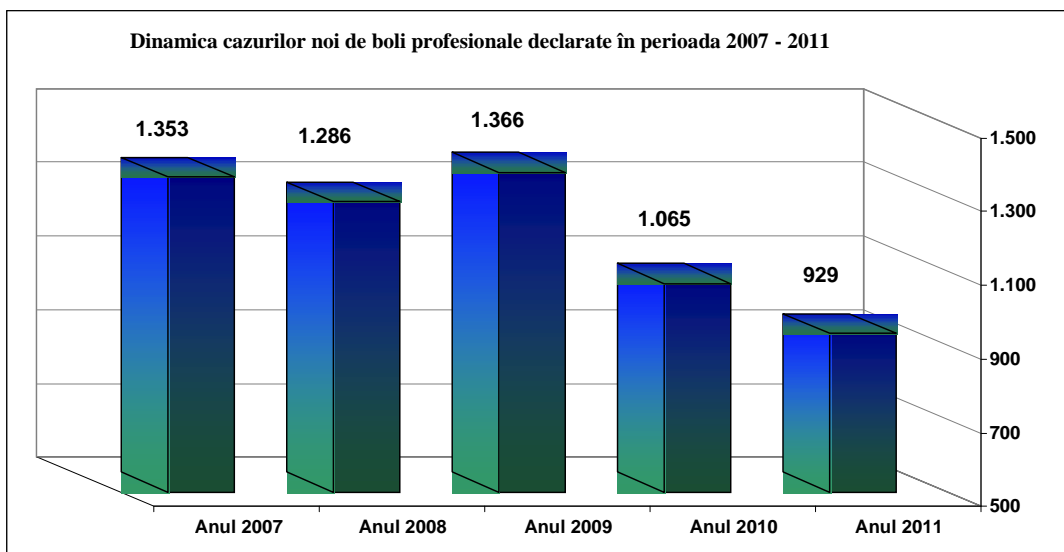
Data provided by the National Center of Risk Monitoring in the Environmental Community are taken in annual activity reports of the Labour Inspectorate and are published on the website of the institution.

***Distribution by economic activity of new cases of occupational diseases reported in 2011***

<i>ECONOMIC ACTIVITY</i>	<i>No. of new cases of occupational diseases</i>
Manufacturing	504
Transport and storage	131
extractive industry	98
Arts, entertainment and recreation activities	40
Other activities of national economy	35
Health and social care	34
Production / supply of electricity and thermal energy, gas, steam and air conditioning	27
Construction	18
Wholesale and retail trade, repair of motor vehicles and motorcycles	10
Water supply, sanitation, waste management decontamination activities	6
Education	6
Agriculture, forestry and fishing	5
Hotels and restaurants	4
Professional, scientific and technical	4
Public administration and defense, social security insurance	3
Activities of administrative services and support services	2
Information and communication	1
Financial intermediation and insurance	1
<b>TOTAL</b>	<b>929</b>

***Occupational morbidity during 1980 - 2011***

<i>YEAR</i>	<i>No. of new cases of occupational diseases</i>	<i>YEAR</i>	<i>No. of new cases of occupational diseases</i>
1980	2.310	1996	2.015
1981	2.568	1997	2.060
1982	2.464	1998	1.828
1983	2.231	1999	1.802
1984	1.683	2000	1.576
1985	1.498	2001	2.238
1986	1.426	2002	2.508
1987	1,384	2003	1,376
1988	1,294	2004	990
1989	1,423	2005	1,002
1990	1,470	2006	910
1991	1,414	2007	1,353
1992	1,506	2008	1,286
1993	1,562	2009	1,366
1994	1,875	2010	1,065
1995	2,031	2011	929



***Distribution by occupations of new cases of occupational diseases during 2008 - 2011***

<i><b>YEAR</b></i>	<i><b>Occupation</b></i>	<i><b>No. of new cases of occupational diseases</b></i>
2008	<b>Miner</b>	<b>118</b>
	Moulder	117
	Locksmith	113
2009	<b>Moulder</b>	<b>145</b>
	Miner	129
	Locksmith	73
2010	<b>Moulder</b>	<b>140</b>
	Locksmith	102
	Miner	67
2011	<b>Locksmith</b>	<b>78</b>
	Moulder	78
	Cleaner	51

*Specific aspects of morbidity*

<b>YEAR</b>	<b>Occupational diseases *</b>	<b>No. of new cases of occupational diseases</b>
2008	Silicosis	308
2009	Musculoskeletal disorders	394
2010	Musculoskeletal disorders	308
2011	Silicosis	237

\* Occupational diseases with the highest weight of total new cases of occupational diseases

## Annex 1

*National legislation which transposes European directives in OSH field*

No.	Normativ Act	DIRECTIVE Transposed
6.	<b>OUG no. 96/2003</b> on maternity protection at work, as amended and supplemented	92/85/CEE
7.	<b>GD no. 1875/2005</b> safety and health protection of workers from risks related to exposure to asbestos, as amended and supplemented	2009/148/CE
8.	<b>GD no. 1876/2005</b> on the minimum health and safety requirements regarding the exposure of workers to the risks arising from vibration, as amended and supplemented	2002/44/CE
9.	<b>Law no. 319/2006</b> of health and safety at work, as amended and supplemented	89/391/CEE
10.	<b>GD no. 300/2006</b> concerning the minimum safety and health requirements for temporary or mobile construction sites, as amended and supplemented	92/57/CEE
11.	<b>GD no. 493/2006</b> on the minimum health and safety requirements regarding the exposure of workers to the risks arising from noise, as amended and supplemented	2003/10/CE
12.	<b>GD no. 971/2006</b> on the minimum signaling requirements for the safety and / or health at work	92/58/CEE
13.	<b>GD no. 1007/2006</b> concerning the minimum safety and health requirements for medical treatment on boardship	92/29/CEE
14.	<b>GD no. 1028/2006</b> Concerning minimum health and safety requirements regarding the use of display screen equipment	90/270/CEE
15.	<b>GD no. 1048/2006</b> concerning the minimum safety and health requirements for the use by workers of personal protective equipment at work	89/656/CEE
16.	<b>GD no. 1049/2006</b> Concerning minimum requirements for safety and health of workers in surface and underground extractive industry	92/104/CEE
17.	<b>GD no. 1050/2006</b> Concerning minimum requirements for safety and health of workers in extracting industries through drilling	92/91/CEE
18.	<b>GD no. 1051/2006</b> on the minimum health and safety requirements for the manual handling of loads where there is a risk to workers, particularly of back injury	90/269/CEE
19.	<b>GD no. 1058/2006</b> on minimum requirements for improving the safety and health protection of workers potentially at risk from explosive atmospheres	99/92/CE
20.	<b>GD no. 1091/2006</b> concerning the minimum safety and health requirements for the workplace	89/654/CEE
21.	<b>GD no. 1092/2006</b> On the protection of workers from risks related to exposure to biological agents at work	2000/54/CE
22.	<b>GD no. 1093/2006</b> establishing minimum health and safety requirements for the protection of workers from risks related to exposure to carcinogens or mutagens at work, as amended and supplemented	2004/37/CE

23.	<b>GD no. 1135/2006</b> concerning the minimum requirements for health and safety on fishing vessels board	93/103/CEE
24.	<b>GD no. 1136/2006</b> on the minimum health and safety requirements regarding the exposure of workers to the risks arising from electromagnetic fields	2004/40/CE Directiva nu a fost notificată la CE.
25.	<b>GD no. 1146/2006</b> concerning the minimum safety and health requirements for the use of work equipment by workers	89/655/CEE; 95/63/CE; 2001/45/CE.
26.	<b>GD no. 1218/2006</b> establishing minimum health and safety requirements for the protection of workers from risks related to chemical agents, as amended and supplemented	98/24/CE; 2000/39/CE; 91/322/CEE; 2006/15/CE; 2009/161/UE.
27.	<b>GD no. 557/2007</b> on completion of measures to encourage improvements in the safety and health at the workplace for employees employed under a fixed term employment contract and for temporary employees employed by temporary work agencies.	91/383/CEE
28.	<b>GD no. 600/2007</b> On the protection of young people at the workplace	94/33/CE
29.	<b>GD no. 510/2010</b> concerning the minimum health and safety requirements regarding the exposure of workers to the risks arising from artificial optical radiation	2006/25/CE
30.	<b>Legea no. 249/2011</b> amending art. 4 of Law no. 349/2007 on the reorganization of the institutional framework in the field of chemicals management	Regulament REACH no. 1907/2006
31.	<b>Ordinul no. 1297/2011</b> the establishment of the Commission for security and Health at Work on hazardous chemical agents	98/24/CE



Anexa 2 - *Distribution by counties of occupational health physicians, 2008 – 2011*

No.	COUNTY	ZEAR			
		2008	2009	2010	2011
1.	Alba	5	6	6	6
2.	Argeş	6	8	8	8
3.	Arad	17	17	17	17
4.	Bacău	12	12	11	11
5.	Bihor	10	10	11	11
6.	Bistriţa - Năsăud	2	3	3	3
7.	Brăila	3	3	3	3
8.	Botoşani	1	1	1	1
9.	Bucureşti	152	183	200	209
10.	Braşov	12	11	11	11
11.	Buzău	3	4	4	4
12.	Cluj	44	54	54	59
13.	Călăraşi	0	0	0	0
14.	Caraş - Severin	6	6	6	6
15.	Constanţa	6	6	8	8
16.	Covasna	2	2	3	3
17.	Dâmboviţa	3	3	3	3
18.	Dolj	13	13	13	13
19.	Gorj	5	5	5	5
20.	Galaţi	4	4	4	4
21.	Giurgiu	0	0	1	1
22.	Hunedoara	4	7	8	8
23.	Harghita	4	5	5	5
24.	Ifov	0	0	0	0
25.	Ialomiţa	0	0	0	0
26.	Iaşi	41	46	47	51
27.	Mehedinţi	3	4	4	4
28.	Maramureş	12	11	11	11
29.	Mureş	16	20	22	22
30.	Neamţ	2	3	3	3
31.	Olt	4	5	5	5
32.	Prahova	6	7	8	8
33.	Sibiu	21	23	23	23
34.	Sălaj	1	1	1	1
35.	Satu Mare	6	6	6	6
36.	Suceava	6	6	6	6
37.	Tulcea	5	5	5	5
38.	Timişoara	59	58	58	58
39.	Teleorman	1	1	1	1
40.	Vâlcea	6	6	6	6
41.	Vrancea	4	5	5	5
42.	Vaslui	2	3	3	3
<b>TOTAL Number of occupational health physicians</b>		<b>509</b>	<b>573</b>	<b>599</b>	<b>617</b>



## **Article 11 - RIGHT TO HEALTH PROTECTION**

### **MS Contribution**

#### **Art.11.1 “to remove as far as possible the causes of poor health”**

Ministry of Health (MS) has proposed, for the period 2008-2010, population health improvement and development of a modern and efficient health system compatible with the European Union, health systems, permanently in the service of citizens.

- 1) In this respect, the medium-term priorities of the Ministry of Public Health are:
  - the actual implementation of equal access of citizens to basic health care
  - improved quality of life by improving the quality and safety of care
  - bringing health and demographic indicators of civilized countries, while decreasing specific pathology of underdeveloped countries.
  
- 2) In order to improve population health status and disease prevention every year are carried out National health programmes, elaborated and carried separately or jointly by the Ministry of Health and National House of Health Insurance.

#### Legislative developments

1. **Law no. 329/2009 on the reorganization of public authorities and institutions, rationalization of public expenditures, business support and compliance with framework agreements with the European Commission and International Monetary Fund, and the points 25 and 27-32 of Annex no. 2 of Law no. 329/2009**
  
2. **Government Decision no. 1414 dof 2009 for the establishment, organization and functioning of the National Institute of Public Health**
  
3. **Government Decision no.1.388/2010 concerning the approval of national health programmes for 2011 and 2012**
  
4. **Health Ministerial Order no. 1591 from 2010 for the approval of the technical norms to implement the national health programmes for 2011 and 2012**
  - I. National programmes on communicable diseases:
    1. National immunization programme;
  
    2. National programme of surveillance and control of communicable diseases (priority communicable diseases, HIV infection, tuberculosis, sexually transmitted infections);
      - 2.1. Subprogramme of surveillance and control of priority communicable diseases;
      - 2.2. Subprogramme of surveillance and control of HIV infection;
      - 2.3. Subprogramme of surveillance and control of tuberculosis;
      - 2.4. Subprogramme of surveillance and control sexually transmitted infections;
  
    3. National programme of surveillance and control of nosocomial infections and monitoring of antibiotic use and antibiotic resistance.
  
  - II. National programme monitoring determinants of living and working environment:

1. Subprogramme for protecting public health by preventing disease risk factors associated with determinants of living and working environment;
2. Subprogramme for protecting public health by preventing disease associated with food and nutrition risk factors.

III. National Programme for Hematology and Transfusion security;

IV. National programme on communicable diseases;

1. National programme for cardiovascular disease:

1.1. Subprogramme for treatment of patients with cardiovascular disease;

1.2. Subprogramme for invasive treatment of acute myocardial infarction;

2. National Programme for Oncology:

2.1. Subprogramme of cervical cancer prophylaxis through HPV vaccination (was carried out only in 2011);

2.2. Subprogramme of screening for early active detection of cervical cancer;

2.3. Subprogramme of screening for early active detection of breast cancer;

2.4. Subprogramme of screening for early active detection of colorectal cancer;

2.5. Subprogramme for treatment patients with oncological diseases;

2.6. Subprogramme for monitoring disease evolution in patients with oncological diseases by PET-CT ;

3. National programme for mental health:

3.1. Subprogramme of prophylaxis in psychiatric and psychosocial pathology;

3.2. Subprogramme for prevention and treatment of drug addiction;

4. National Programme for diabetes mellitus;

5. National Programme for organ, tissues and cells of human origin transplant:

5.1. Subprogramme for organ, tissues and cells of human origin transplant;

5.2. Subprogramme for hematopoietic stem cells transplant, peripheral and central;

5.3. Subprogramme of in vitro fertilization and embryo transfer;

6. Programul national de diagnostic si tratament cu ajutorul aparaturii de inalta performanta:

6.1. Subprogramme for surgical treatment of complex disorders by robotic-assisted minimally invasive surgery;

6.2. Subprogramme of interventional radiology;

6.3. Subprogramme of using mechanical sutures in general surgery;

6.4. . Subprogramme of using of synthetic mesh in laparoscopic and open abdominal parietal surgery;

6.5. Subprogramme for the treatment of deafness through implantable hearing aids (cochlear implants and hearing aids);

7. National Programme for endocrine diseases;

8. National Programme of rare diseases diagnosis and treatment;

9. National Programme for diagnosis and treatment of severe sepsis (in 2011 funds only to settle outstanding payment obligations until December 31, 2010)

10. National Programme of pre-hospital emergency;

11. National Programme of active monitoring of patients with disabilities for recovery (children and adults).

## **V. National programme for health evaluation and promotion and health education:**

**1. Subprogramme for promoting a healthy lifestyle** aims to improve knowledge, attitudes and sanogenetic practices of the population through primary and primordial prevention activities.

Under this subprogramme were organized annually, nationwide, approximately 30 campaigns, of education, communication, and locally implemented according to priorities, campaigns addressed to target groups such as children, adolescents, the elderly, pregnant women and public about smoking prevention and smoking cessation, alcohol and drug prevention, adoption of behaviors to avoid risk factors for non-communicable diseases such as diabetes, cardiovascular diseases, including hypertension, cancer, diseases of the respiratory system, but also communicable diseases such as tuberculosis, rabies, hepatitis. Were also conducted campaigns on the occasion of the European Week Campaign of Vaccination organized by OMS Regional Office for Europe to promote the benefits of vaccination, on the World Day of Commemoration the road traffic accident victims for public awareness on prevention measures, at European Day of information about antibiotics to prevent inappropriate use of antibiotics and therefore antibiotic resistance, the World Day of contraception, World week of breastfeeding, the European Day for Combating Obesity and European Mobility Week.

2. Subprogramme for preventing and combating tobacco consumption;
3. Subprogramme for monitoring population health.

#### VI. National Programme of women and child health:

1. Subprogramme to improve nutritional status of pregnant women and children;  
Activities undertaken through departments and departments of active obstetrics-gynecology health units in the 'Baby-Friendly Hospital'

- a) training of healthcare personnel in maternity (obstetrics-gynecology specialist physicians, pediatrics, neonatology, midwives, nurses in wards / departments of neonatology), the community nurses and Roma health mediators for: promoting prenatal education of couples, methods for infants care and exclusive breastfeeding of infants;
- b) organizing courses in maternity and communities served by community nurses and Roma health mediators to: promote prenatal education of couples, care methods of infants and exclusive breastfeeding of infants;
- c) breastfeeding promotion and counseling on breastfeeding for the target population: pregnant women, nursing mothers and their families, by trained personnel in medical units with beds included in the initiative "Baby Friendly Hospital";
- d) reorganization of the National Committee for Promotion of breastfeeding – as the subcommittee of suckling child and toddler nutrition, in the structure of "Dr. Alfred Rusescu" Institute for Mother and Child in Bucharest and ensure its operating expenses, in partnership with UNICEF Romania
- e) monitoring, evaluation, certification / recertification of the "Baby Friendly Hospital" in partnership with UNICEF Romania;
- f) preparation, printing and distribution of information materials.

2. Subprogramme for child health;
3. Subprogramme for woman health;
4. Subprogramme of monitoring and evaluation of National health programme for women and children

#### VII. National programme of treatment abroad;

VIII. Programme for compensation with 90% of the reference price of medicinal product.

5. Health Ministerial Order no. 5298 of 2011 for approving the methodology for examining the health of preschool children and students in public and private schools licensed / accredited on free medical assistance and to promote a healthy lifestyle.

Thus, for 2010, were approved by Government Decision no.1388/2010 the national health programmes for 2011 and 2012, as amended and supplemented, programmes that have been developed in order to maintain and improve the health of the population.

Financial resources to fund national health programmes came from the state budget, the revenues of the Ministry of Health and transfers from the Ministry of Health budget to the National single fund for health insurance.

### **3) Health Indicators:**

- **Life expectancy at birth for both sexes**, in 2008-2010 : **73.47 years**
- **Life expectancy at birth for men**, in 2008-2010– **77.30 years**
- **Life expectancy at birth for women**, in 2008-2010 – **69.76 years**
- **Birth rate in Romania in 2007 – 10/1000 inhabitants and in 2010 decreased to 9,9‰.**
- **Natal growth of the population in 2007– -1.7, and in 2010 decreased to – 2.2‰**

- The general mortality rate is 12.1‰ in 2010

#### **Mortality by main causes in Romania 2010:**

1. **circulatory system diseases – 729.6/100,000 inhabitants**
2. **tumors – 221.7/100,000 inhabitants**
3. **diseases of the digestive system – 77.5/100.000 inhabitants.**
4. **respiratory apparatus diseases – 59.4/100.000 inhabitants**
5. **traumas, poisoning – 40/100.000 inhabitants**

- **Infant mortality in 2010 – 12,00/1000 of live births**

- **Abortions, Romania 2010 – 101.915/1000 of live births**

- Mortality 0-4 ani – 0.4/1000 persons 0-4 years-

- **Maternal mortality in Romania in 2005 - 24/100.000 live births, while in 2010 - 16/100.000 live births**

- **The main infectious and parasitic diseases in Romania in 2010:**

1. **Tuberculosis 74.8‰**
2. **Syphilis 10.9 ‰**
3. **Viral hepatitis 21.1‰**
4. **Trichineloză 0.9‰**
5. **Salmonellosis 5,1‰**

- **Health professionals in Romania 2010:**

- **medici – 52204**
- **inhabitants on 1 physician – 411**
- **physicians per 10,000 inhabitants – 24,4**
- **medium education health staff – 126.656**

- **Inhabitants to medium education medical personnel – 169**

- **Auxiliary medical staff per 10,000 inhabitants – 59.1**

- **Pregnant women: in 2010, were recorded 142,728 new pregnant women.**

**Access to medical care**

2. According to Article 214 para. (1) of *Law 95/2006 with subsequent amendments* "Insured persons from countries with which Romania has signed international documents including provisions in health care receive medical and other benefits granted on the Romanian territory under the terms of these international documents. "

#### Healthcare professionals and medical equipment

Medical Device Regulation Department of the Ministry of Health develops normative documents in the field of medical devices for the harmonization of national legislation with EU directives, develop rules concerning the organization and functioning of medical devices sector and registered medical devices placed on the market or put into service in Romania, domestic manufacturers, authorized representatives, importers and distributors of medical devices, according to regulations in force. Also creates and updates the national database in accordance with the national legislation transposing EU directives and provides entry into the European data base Eudamed of data from national basis, according to Commission Decision 2010/227/UE.

**Applications for new medical devices equipment** is recorded by all health facilities in the country at the Ministry of Health through the General Economic Directorate and any modifications shall be forwarded to the **National Center for Public Health Statistics and Information**. These requests are accompanied by reports made by health care facilities in accordance with **Order no. 1204/2005 concerning medical devices recording and reporting by health care facilities**, published in the Official Gazette no.1003/17/11/2005. According to this order, users of medical devices are required to provide a documented record of medical devices and report to the Ministry of Health all existing medical devices in the unit accounts as fixed assets, irrespective of how they were purchase.

In this respect, the data provided by Member States and registered in accordance with Directive 93/42/EEC, as subsequently amended, are stored in a European database accessible to the competent authorities of the Member States of the European Union, so that they have the necessary information to enable them to fulfill the tasks set out in this Directive, in accordance with Decision No. 54 of 29 January 2009 on the conditions of marketing of medical devices.

In accordance with the Decision no. 55 of 29 January 2009 on active implantable medical devices, Article 35 states that "the data recorded according to Article 34. (2) letter b) - d) (stored in the national database on medical devices of the Ministry of Health) are transmitted by the Ministry of Health to the European data base accessible to the competent authorities of the Member States of the European Union to enable them to fulfill their knowingly obligations relating to Directive 90/385/EEC, as amended by Directive 2007/47/EC. "

#### **MS Contribution**

Waiting list and waiting time on granting medical assistance shall be made in accordance with Order No. 44/53 of 20 January 2010 approving measures to improve the efficiency of the ambulatory care to enhance the quality medical act in the health insurance system. Thus, under Article 5 it is shown that for "improving the quality of medical act, When planning health care will be taken into account at least the following criteria:

- a. in primary care: the physician's daily programme included in the contract with the health insurance house, taking into account that the average time / consultation is 15 minutes;
- b. in ambulatory clinical specialties: the physician's daily programme included in the contract with the health insurance house, taking into account that the average time / consultation is 15 minutes;
- c. in specialized ambulatory for paraclinical specialties: daily programme of the medical office and technical capacity of existing equipment in its endowment.
- d. in ambulatory of dental medicine specialties: daily programme of the physician included in the contract with the health insurance house and complexity of medical dental services required;
- e. in ambulatory for health care services of health rehabilitation- recovery: the doctor's daily programme included in the contract with health insurance house, equipment supplied and duration of medical services required.

(2) Medical paraclinic services recommended to patients, which mentioned on the sending note a presumptive or certain diagnosis of subacute disease can be scheduled no later than 5 calendar days from the request and with the written consent of the patient.

(3) Medical paraclinic services recommended to patients, which mentioned on the sending note a presumptive or certain diagnosis of chronic disease can be scheduled no later than 15 calendar days from the request and with the written consent of the patient.”

**Article 11.2 "to provide advice and educational facilities for health promotion and encouragement of individual responsibility in matters of health"**

Romania has taken a series of measures aimed at promoting health and encouraging individual responsibility in terms of health.

Thus, the meaning of Art.11.2 of the Revised European Social Charter, the Romanian authorities have approved for 2011, the development of several national health programmes: National programme of evaluation and health promotion and health education having as main objective improving population health by promoting a healthy lifestyle and combat the major risk factors. Subprogrammes within the national programme of health promotion are: 1. Subprogramme for promoting a healthy lifestyle 2. Subprogramme of tobacco consumption prevention and 3. Subprogramm of monitoring the health of population.

Thus, the meaning of Art.11.2 the Revised European Social Charter, the Romanian authorities through the National programme for Woman and Child Health aims to increase access and quality of health services specific to women and children. Subprogramme on improvement the nutritional status of the pregnant woman and the child, the subprogramme for the child and woman health, and the monitoring and evaluation of the National programme for women and children health.

The National Programme on assessment of population primary health care has as objectives: assessment of population health and risk factors in order to maintain and promote health and to prevent illness and complications, share knowledge of risk factors for diseases with a major impact on public health, improving the health of the population by increasing public access to preventive care and increasing life expectancy, provide advice and clinical and biological screening, early



detection of oncological, cardiovascular diseases and so on, based on the risk identified after the assessment of the population health.

The National programme for Community Assistance and Health Action aims to improve population health by increasing access to medical services provided at community level for vulnerable groups of population in disadvantaged areas.

Since 1996, in the schools in Romania is taught as an optional subject, "Education for Health", placing this subjects in the curriculum aims to:

- ensuring the school population education for healthy lifestyle;
- easy access to accurate, informed information, both in urban and in rural areas;
- achievement, indirectly, adult education;
- obtaining lower number of diseases and reducing health risk behaviours;
- helping to improve the quality of medical care act.
- 

The Ministry of Health also supports and participates in programmes / projects / activities to promote health.

## **CNAS Contribution**

### **CNAS**

#### **Information on health insurance system in Romania**

##### **a. System organization**

Health insurance system is administered and managed by the National Health Insurance House - public autonomous institution of national interest, with legal personality..

CNAS is principally engaged in the operation of a unified and coordinated system of health social insurance in Romania and has in its subordination the counties social health insurance houses and the House of Social Health Insurance in Bucharest, the Health Insurance House of Defence, Public Order, National Security and Judicial Authority and the Health Insurance House of the Ministry of Transport, Constructions and Tourism until its reorganization.

Social health insurance is the main financing system of public health care that ensures access to a basic package for the insured persons, a package that includes medical services, health care services, medications, medical supplies, medical devices and other services the insured people are entitled to and are supported from the National Unique Health Insurance Fund.

##### **b. Benefits in kind and in cash provided in the health insurance system in Romania**

###### **A. Medical benefits**

Legal framework: Law no. 95/2006 on healthcare reform - Title VIII "Social health insurance" and Order no. 617/2007 approving the Methodological Norms for establishing the supporting documents to acquire the insured quality, namely without payment of the contribution, and regarding the application of enforcement measures to collect amounts allocated to National Unique Fund of social health insurance.

Field of application:

Insured persons - all Romanian citizens residing in the country and foreign citizens and stateless persons **who have requested and obtained an extension of the right of temporary residence or domicile in Romania and provide proof of payment the health insurance contributions (CASS) to the national unique fund of social health insurance.**

**There are groups of people who are covered by social insurance system in Romania, without paying the health insurance contribution or pay contributions from other sources.**

➤ Insured person who does not pay CASS:

a) all children up to the age of 18, young people from 18 years up to age 26 if they are students, including high school graduates until the start of the academic year, but not more than 3 months, apprentices and students and if they have no income from employment;

b) young people aged up to 26 years from the child protection system that have no income from employment or are not receiving social assistance granted under Law no. 416/2001 on the minimum wage, as amended and supplemented;

c) co-insurers - husband, wife and parents without their own income, dependents of insured persons;

d) persons whose rights are established by Decree-Law no. 118/1990 republished, with subsequent amendments, on the granting of rights to persons persecuted by the dictatorship for political reasons with effect from 6 March 1945, and those deported abroad or in prison, if they have no other income than from financial rights granted by this law;

e) persons whose rights are determined by Law no. 51/1993 as amended and supplemented, on the granting of rights that have been removed from magistrates court for political reasons during the years 1945-1989, if they have no other income than from financial rights granted by this law;

f) persons whose rights are determined by Law no. 309/2002 as amended and supplemented, on the recognition and granting of rights of persons who have performed military service in the Directorate General of Labour Service from 1950 - 1961, if they have no other income that from financial rights granted by this law;

g) persons referred to in Article 3. (1). b) Section 1 of the the Law no. 341/2004 of gratitude to the heroes, martyrs and fighters who helped Romanian Revolution of December 1989, and to the people who sacrificed their lives or have suffered from anti-labour uprising in Brasov November 1987, as amended and supplemented, if they have no other income that from financial rights granted by this law;

h) Persons with disabilities not having an income from employment, pensions or other sources, except those produced under Law no. 448/2006 on the protection and promotion of the rights of persons with disabilities, as amended and supplemented;

i) Patients with diseases included in the national health programmes established by the Ministry of Health, until the cure of that disease, if not having an income from employment, pension or other resources;

j) pregnant and lately confined women if they have no income or have incomes below the minimum wage gross national.

➤ Insured persons paying contributions from other budgetary sources, **as long as they are in one** of the following situations:

a) are in temporary disability leave granted following an accident at work or occupational disease;

b) are on leave and parental allowance until the age of 2 years and for a disabled child until the child reaches the age of 3 years or are on leave and indemnity for raising disabled children aged between 3 and 7 years;

c) are serving a sentence of imprisonment or detention in custody and those who are executing the measures referred to in art. 105, 113 and 114 of the Criminal Code, namely those who are in the period of delay or interruption of the custodial sentence if they have no income;

d) persons receiving unemployment benefits;

e) aliens in detention centers for return or expulsion, and those who are victims of human trafficking, during the procedures necessary to establish their identity and stay in specially designated centers according to the law provisions;

f) people who are part of a family who is entitled to social assistance, according to Law no. 416/2001, as amended and supplemented;

g) pensioners with pension income of less than 740 lei;

h) those Romanian citizens who are victims of human trafficking, for a period not exceeding 12 months if they have no income;

i) monastic staff of recognized religions, under the evidence of the State Secretariat for Religious Denominations, if they have no income from employment, pensions or other sources.

In Romania, the insured persons benefit of a package of basic services in case of illness or accident, from the first day of illness or the accident and until healed.

**The insured persons shall benefit, without discrimination, of the same package of basic services, irrespective of insurance (with contribution payments, those exempt from contribution payment, contribution payment from other budgetary sources).**

#### **Types of medical services:**

##### **Prophylactic medical services**

a) monitoring the progress of pregnancy and confinement, regardless of insurance status of women;

b) monitoring physical and psychomotor development of infants and children;

c) periodic checks for diseases that can have major consequences in morbidity and mortality; d) medical services within the National Immunization Programme;

e) Family planning services regardless of insurance status of women

f) preventive dental medical services

g) medical examination for diseases with major consequences on morbidity and mortality - for insured persons aged over 18 years

##### **Curative medical services**

a) emergency medical services;

- b) medical services for the sick person until diagnose his/her condition: anamnesis, clinical examination, labouratory investigations exams;
- c) medical treatment, surgery and some recovery procedures;
- d) prescribing the treatment needed for healing, including guidance on living and working and the hygienic-dietary regime.
- e) dental treatments

➤ **Support activities**

Insured persons are entitled and enjoy:

- **primary and specialty ambulatory medical assistance based on family doctor's advice**
- **dental medical care**
- **specialized care in hospitals authorized and assessed**
- emergency medical services **and medical transport;**
- medication with or without personal contribution on prescription **in outpatient treatment,** sanitary materials and medical devices;
- **medical assistance** for recovery;
- health care services at home;

Conditions for opening entitlement to benefits:

Entitlement opens when the first payment of contribution is done, without imposing the completion of any period of contribution.

Persons required to get insured and can not prove payment of the contribution shall be required to obtain the quality of insured person, as follows:

a) pay monthly statutory contribution of the last 6 months, if they did not earn a taxable income during the periods of limitation on tax liability, calculated at the minimum gross salary in effect on the date of payment, and calculating the delay increases;

b) pay the entire period of limitation for tax liabilities calculated on monthly statutory contribution of made taxable income and pay additional tax obligations provided by the Government Ordinance no. 92/2003 on the Fiscal Procedure Code, republished, as subsequently amended and supplemented, if they earned a taxable income over this period;

c) pay both the monthly statutory contribution and additional tax obligations provided in subparagraph b) for the period they earned a taxable income and monthly statutory contribution and the delay penalties under a) or, if applicable, related tax obligations for the **period in which they** made a taxable income for more than 6 months. This provision applies to situations where within the tax limitation periods are also periods when they received a taxable income and the periods in which they did not receive such income. If the period when they did not received a taxable income is less than six months, the monthly statutory contribution is paid in proportion to that period, including the delay penalties and tax duties, as appropriate.

For the above situations, the tax liability limitation periods shall begin on the date of the first request to grant the medical services, at the health insurance houses notification or at the request of the persons to acquire quality of insured, as appropriate.

The persons who do not prove the quality of insured, benefit of a minimum package of medical services, as follows:

- **medical services only for surgical emergencies**
- **medical services for diseases with endemic-epidemic potential**
- **medical services provided in the National Immunization Programme**
- **pregnant and confined women monitoring**
- **family planning**

## **B. Cash benefits for sickness and maternity**

*Legal framework:* Government Emergency Ordinance no. 158/2005 on leave and health insurance allowances and Government Emergency Ordinance no. 96/2003 on maternity protection at work. Câmp personal de aplicare:

Protected persons are **insured persons for leaves and social health insurance benefits in the social health insurance system** during their regular domicile or residence in Romania, namely:

- persons with individual labour contract or **according to a job relationship and any other dependent activities;**
- persons operating in elected or appointed positions within the executive, legislative or judicial, during the term of office;
- cooperative members of a cooperative organization of craftsmen;
- unemployed (those receiving monthly financial rights paid from the unemployment insurance budget);

**Note: these persons are compulsorily insured for leaves and social health insurance benefits, the contribution being borne by the employer, except for unemployed, their contribution is due and payable by the institution which administers the unemployment insurance budget.**

**The same rights apply to the persons who are not in one of the above situations, but they are:**

- a. associates, sleeping partners or shareholders;**
- b. members of a family association;**
- c. authorized to carry out independent activities;**
- d. persons who enters into a contract of social insurance for leaves and maternity allowances and leave and allowances for sick child care, if the contribution period started by January 1, 2006.**

Note: the contribution is due and payable by these persons

### **Types of cash benefits:**

a) sick leave and allowances for temporary disability, caused by common illnesses or accidents outside work:

- shall be granted for a maximum period of 183 days in a year, counted from the first day of illness, is higher for specific diseases.

Insured persons are entitled to compensation for temporary disability due to common illnesses or accidents outside work if they have a contribution period of one month in the previous 12 months preceding the month covered by the sick leave.

For cases of medical and surgical emergency, cancer, tuberculosis, AIDS, and for cases of infectious–contagious diseases of group A, the right to compensation is not conditional on the contribution period.

b) sick leave and allowances for illness prevention and recovery of work capacity exclusively for situations resulting from work-related accidents or occupational disease, which include:

- allowance to reduce working time to one quarter of normal working hours, shall be granted for no more than 90 days in the last 12 months preceding the first day of vacation in one or more stages.
- quarantine leave and allowance;
- spa treatment - spa treatment duration is 15 to 21 days.

Insured persons are entitled to compensation for illness prevention and recovery of capacity for work exclusively for situations resulting from work-related accidents or occupational disease, if they have a contribution period of a month in the previous 12 months preceding the month to which sick leave relates.

c) sick leave and maternity benefits that include:

- leave for pregnancy and confinement over a period of 126 calendar days, during which maternity benefit is granted.

Insured persons are entitled to maternity allowance if they have a contribution period of one month in the previous 12 months preceding the month covered by sick leave.

d) sick leave and benefits for sick child care that include:

- vacation and for allowance for sick child care aged up to 7 years, and for a disabled child, for intercurrent diseases, up to the age of 18.
- the length of the allowance shall not exceed 45 calendar days per year per child, unless the child is diagnosed with contagious infectious diseases, malignancies, is immobilized in a cast, undergoes surgery.

Insured persons are entitled to compensation for sick child care, if they have a contribution period of a month in the previous 12 months preceding the month to which sick leave relates.

e) sick leave and allowances for maternal risk:

- it is given without condition for contribution period.
- for employed mothers, pregnant women or those having recently given birth, of Romanian citizenship or from a European Union Member State and within the European Economic Area who have work relations or relations of service with an employer, or to citizens of other countries and stateless persons that have, by law, domicile or residence in Romania, and if they belong to the categories of employees referred to above.
- it may be granted in whole or fractionated, for a period not exceeding 120 days.

## **MS Contribution**

### **Article 11 - The right to health protection**

#### **Paragraph 2 - Consultation and educational services**

##### ***Encouraging individual responsibility***

Ministry of Health implements the WHO recommendations on combating tobacco consumption, included in MPOWER strategy, through the national subprogramme of combating tobacco consumption.

Thus, since 2008, supports:

- periodic monitoring of tobacco consumption through education on knowledge, attitudes and behavioral smoking related;
- protects employees' health by banning smoking at the workplace and limiting smoking in enclosed public places;
- provides psychological and medical support to those who want to quit smoking. Thus since 2007, there are counseling offices for quitting smoking in nearly all counties and in Bucharest, where smokers get free medical treatment, specific to treatment of nicotine addiction. Since 2006, as part of the subprogramme for combating tobacco consumption, there is a free phone support for those who want to quit smoking - STOP SMOKING TelVerde (08008STOPFUMAT), accessible from any telephone networks.
- Warn people about the effects of smoking, including the disadvantaged persons and those with illiteracy by health warnings on packages of tobacco products warnings accompanied by striking images;
- encourage ("Enhance ban of advertising") to limit advertising of tobacco products, especially one intended for minors. Thus, is prohibited any sponsorship action, offering free tobacco products for minors and selling toys and games related to smoking or cigarettes;
- encourage the increase ("raise") of taxes on tobacco products, including the introduction of a health contribution of total excise duties collected on tobacco products and alcohol.

In the years 2008 - 2012 were celebrated World No Tobacco Day and National No Tobacco Day through various special events in Public Health Departments in all counties. The "Marius Nasta", Institute of Pneumology designated to implement the subprogramme of combating tobacco consumption, supported these events through information materials and the provision of measurement devices for exhaled CO and "lungs age" modern tools, with impact to motivate and inform.

In 2008 a campaign was implemented nationwide (in all 41 county capitals and Bucharest) which aimed to inform the population about the existence of TelVerde Stop Smoking and encouraging visit the counseling offices for quitting smoking.

Between 2011 and 2012, due to the expansion of communication through social media, were developed the website, forum and Facebook page STOP SMOKING and outreach activities were conducted mainly on the Internet, which allowed to increase the number of those receiving the information. In addition, it was possible to transmit information to young people, in a form acceptable to them, which is very difficult by conventional means of promotion.

### **CNSMLA**

In 2008 the **National Center for Mental Health and the Fight Against Drugs (CNSMLA)** was created, a specialized public institution with legal personality, subordinate to the Ministry of Health to ensure coordination, implementation and evaluation of national mental health policy.

## **Legislative activities:**

- Promoting and supporting amendments to the Law 487/2002 on the protection of individuals with mental health and mental disorders in collaboration with the Ministry of Justice. The law was passed in June 2012.
- Promote and support the Law no. 151/2010 *on specialized integrated health, social and education services for people with autistic spectrum disorders and associated mental health disorders*, adopted on 12 July 2010 by the Parliament of Romania.
- Develop, together with the representatives of the Ministry of Health, the ministerial commission of psychiatry and pediatric psychiatry, CNAS, Ministry of Labour, Family and Social Protection, Ministry of Education, Research, Youth and Sports of the Methodological Norms for the application of Law 151/2010.
- ***National Strategy for Child and Adolescent Mental Health***

Project to develop a national policy on child and adolescent mental health as a result of the mental health reform in progress and the need for a coherent policy that integrates mental health services in health, education and social system.

Currently, the document was submitted to the Romanian Government for review.

## **Projects to promote mental health in Romania implemented by CNSMLA in collaboration with other national or international organizations:**

### ➤ ***„School Children Mental Health in Europe” PROJECT***

CNSMLA actively supported this research project carried out in the period 2008 - 2011 by *Ecole des Hautes Etudes en Santé publique* (France) and *Romanian League for Mental Health*, a project that included children aged 6-11 years who are in the I-IV grades. The project is financed by European funds and aims to 8 countries and the other partners in the project are: Sant Joan de Deu Fundacio-Spain, National Research and Development Centre for Welfare and Health STAKES - Finland, Associazione universal 'Europea del Mediterraneo - Italy, Stichting Katholieke Universiteit Nijmegen - Holland, Universität Lüneburg - Germany, Vilnius universiteto vaiku ligonines filialas Vaiko RAID CENTRAS - Lithuania, Fondacia Za Tchoveshki Otnoshenia - Bulgaria, Yeniden Health and Education Society - Turkey.

**Period: 2008 - 2011**

### **Goal and Objectives:**

The goal was to establish a set of tools in 8 European countries to collect and monitor data on children's mental health in an effective way and cost effective in each of the countries involved. There will also be determined major risk factors and the need for support services. The project involved two stages:



- **First stage** – selection, translation of work tools for three target groups (pupils, teachers and parents) and their validation clinically (100 children in each country involved in the project).
- **Second stage** – was conducted a pilot study on a sample of 1500 children between 6 and 11 years

### **Results:**

The study allowed us to obtain data on the prevalence of various disorders in primary school children and positive mental health indicators and were compared different visions of children evaluated, their parents and teachers.

Study results also allowed monitoring the health of children and to establish prophylactic interventions. The project goal was not individually detection of these children, but achieving the above mentioned monitoring system and the type and proportion of mental health problems and key determinants. Specific disorders included in the evaluation are: anxiety, depression, conduct disorders and ADHD.

### ➤ ***TWINNING PROJECT*** „Development of an integrated system for mental health services”

CNSMLA coordinated, implemented and completed together with Finnish team the twinning project "Development an integrated system of mental health services" which took place in the period 21.09.2009-21.09.2010.

### **Objectives and scope of the project**

- The overall objective of the project was to improve the health and quality of life in line with EU standards for people with severe mental health problems.
- The goal was to improve existing institutional and administrative structure in mental health care system by piloting an integrated mental health system.

### **Results:**

1. Updating the legislative framework and policy
2. Training of human resources working in mental health system
3. Development of guidelines and tools for rehabilitation services

### **The components of the project**

Component 1: Structural Development

Component 2: Human Resource Development (improving the capacity of training)

Component 3: Functional Development

### ➤ ***“Monitoring of mental health services” PROJECT***

**Period:** January 2010 – December 2010

### **Objectives :**

- Identify current state of mental health services through an analysis of organizational needs of a total of 10 hospitals included in the project;
- Discussing quality standards of mental health care;
- Analyze organizational change actions for hospitals included in the project to develop modern mental health services.

**Activities:**

- Study visits to the 10 institutions included in the project
- consultative meetings with the management teams of the 9 hospitals included in the project
- Organizational analysis of hospitals included in the project

**General results - from the perspective of the reform process:**

- Familiarization of the management teams with the organizational changes necessary to reform the psychiatric hospitals;
- Increasing cooperation between psychiatric hospitals;
- Planning of exchange of experience projects between hospitals;
- There have been laid the foundation for an association to develop mental health services that provide an administrative framework for future projects of interinstitutional collaboration.

**Specific results to the institutions involved in the project:**

Following the presentation of standards of care, in their first meeting with the management teams of psychiatric hospitals, some hospitals have started implementing organizational changes, depending on the needs at the organization level and consistent with the proposed standards.

➤ **“DEVELOPMENT DAY CENTRE FOR CHILDREN WITH DISORDERS” PROJECT**

CNSMLA monitored the implementation of the project "Development Day Center for Children with the Autism" implemented by Dr. Constantin Gorgos' Titan psychiatric hospital " in Bucharest.

**Implementers:** "Dr. Constantin Gorgos' Titan Psychiatric Hospital and Norwegian NGO Voskne for barn (Adults for Children).

**Project results:**

- A building of 1500 sqm built in accordance with the the tender specifications, ready for use and fully equipped.

**Quality / human resources and institutional capacity development:**

- was initiated the personnel structure of Day Centre approved by the Ministry of Health and recruitment procedure for 46 people;
- at least 90 professionals (psychiatrists, educators, social workers, etc.) are trained in issues related to therapy and is based on 7 guides 7 (1000 pages) of Norwegian training material to be

translated from Norwegian into English and then in Romanian; organizing consultation meetings with Norwegian partners to exchange best practices in the operation of the center .

➤ ***“Competence and Performance in Health” PROJECT***

CNSMLA implemented as a partner Structural funded project "Competence and Performance in Health".

The project contributed to the development of professional skills and workplace health insurance for medical professionals and the management of psychiatric hospitals and community mental health centers in Romania.

As a result of participation in training programmes developed within the project the medical staff and management of psychiatric hospitals and community mental health centers in Romania will have competences in: stress management at workplace, effective communication in relation doctor-patient, reconciling family and professional life; approach and innovative intervention for patients with the mental health problems, performance management at workplace.

Thus, within this project received specific professional training:

- Psychiatrists, psychologists, nurses, social workers from 30 community mental health centers;
- Psychiatrists, psychologists, nurses, social workers in 80 psychiatric hospitals or psychiatric units in general hospitals;
- Managers of the psychiatric hospitals.

**Why an investment in human resources for mental health?**

As priorities in mental health reform are not just the rehabilitation of buildings housing hospitals and mental health centers, but also the skills of medical staff.

Because psychiatrists, clinical psychologists, nurses are faced with an increasingly diverse issue of patient pathology and social stigma associated not only with mental illness but also with mental health professional.

Since early and effective interventions reduce costs in the healthcare system, they reduce the negative consequences of these problems on the family and community.

Within the project will benefit -140 free training courses - over 300 psychiatrists, psychologists, nurses, social workers from 30 community centers of mental health, 600 psychiatrists, psychologists, nurses, social workers in 80 psychiatric hospitals or psychiatric units in general hospitals and 80 psychiatric hospitals managers.

➤ ***“Mental health at the workplace” PROJECT***

CNSMLA has started its implementation in October 2010, as a partner of the "Mental Health at Workplace" project financed from structural funds, with funds from the European Social Fund - Priority Axis 3 "Increasing adaptability of workers and enterprises", Key Area of intervention 3.2. "Training and support for enterprises and employees to promote adaptability".

**PROJECT: " Recognize ADHD - attention deficit with hyperactivity disorder "**

CNSMLA initiated this project in collaboration with the Ministry of Education, Youth and Sports (public private partnership).

**Objectives and scope of the project**

- Piloting an integrated system for complex services, health and education aimed at children with ADHD and their families.
- Increase access to appropriate medical, psychological, educational treatment through collaboration of the specializations in mental health centers with teachers, parents and physicians.

**Project duration:** 2010 - 2012

**CNSMLA responsibilities within the project:**

- *Support specialists of the mental health centers to develop skills of teachers and school counselors to recognize ADHD as a mental health disorder by developing a training curriculum, developing a brochure for parents and advice to support the training of teachers and development of health services provided to children diagnosed with ADHD and their families.*
- Support multidisciplinary training of teams in the mental health centers to develop collaboration with the educational system.
- Monthly monitoring of the project in accordance with the proposed
- Monitor patients diagnosed in mental health centers and establishment of a national centralized recording.

Romania's participation as associated partner, represented by CNSMLA, in **EU Joint Action Programme of Community Action in the field of Health, Mental Health and Welfare** and prepare the work packages in which Romania is interested in participating: "Depression, Suicide and E-Mental Health", "Intersectoral cooperation policies".

**Art.11.3 "to prevent as far as possible epidemic, endemic and other diseases, and accidents"**

**Contribution of the Ministry of Health**

Were developed national programmes for communicable diseases. These include:

1. National programmes on communicable diseases:
  - 1.2 The national programme for monitoring and controlling the communicable diseases (priority communicable diseases, HIV infection, tuberculosis, sexually transmitted infections);
    - 2.1. Subprogramme of surveillance and control of communicable diseases priority
    - 2.2. Subprogramme of supervision and control of HIV;
    - 2.3. Subprogramme of tuberculosis surveillance and control;
    - 2.4. Subprogramme of supervision and control of sexually transmitted diseases,

3. The national program of surveillance and control of nosocomial infections and monitoring of antibiotic use and antibiotic resistance.

1. National immunization programme, which aims to protect human health against major diseases that can be prevented by vaccination.

2. The national programme of surveillance and control of communicable diseases (priority communicable diseases, HIV infection, tuberculosis, sexually transmitted infections) focuses on supervision and control of HIV / AIDS, tuberculosis, viral hepatitis, sexually transmitted diseases and other priority communicable diseases.

## **Contribution of the Ministry of Health (MS)**

### **Servicii medicale la domiciliu**

Home care recipients are people with acute and / or chronic diseases that have a certain level of dependency and a limited ability to go to a health facility to receive outpatient care recommended by doctors.

Home care providers licensed by the Ministry of Health may establish contracts with health insurance houses that will bear the costs of services provided according to tariffs set out in the rules for the application of the Framework Agreement on medical assistance conditions within the social health insurance system, approved by the Order of the Minister of Health and of the President of the National House of Social Health Insurance, no.1723/2011.

Organization and operation of home care and the authorization of businesses and individuals to provide these services is stipulated by the Minister of Health and Family Order no.318/2003.

List of home care is included in the rules adopted by the same law mentioned above. This list includes benefits for: the initial and stage assessment of patients, monitoring physiological parameters, immobilized patient care, medication administration, collection of biological products, artificial feeding, surgical care, palliative care, physiotherapy, speech therapy and psychological assessment and testing.

Ministry of Health authorizes the home care providers, individuals and businesses that fall under the following criteria:

- a) consistency between the objectives to be achieved by home care providers and community needs and priorities;
- b) establishing the existence of the legal status of the express terms of providing home care as object of activity;
- c) Having a team capable of supporting the activities included in the package, made up of people who hold diploma (certificate of graduation) and free practice permit obtained under the law;
- d) the existence of job descriptions sheet for each person employed, indicating the level of training, skills and competencies;
- e) an authorized registered office of the Territorial Public Health Directorate;

- f) the existence of space for storing and accessing medical records (database, medical records, archive);
- g) equipment enabling the goals achievement - appropriate furniture for dispatch operation, communication equipment, medical kits, pharmaceuticals products and the like.

## **Contribution of MECTS**

**Education for Health.** In 2009-2011, MECTS developed and implemented, the project financed by the European Structural Funds, titled "Offers for inclusive educational extra-curricular and extracurricular activities for a healthy lifestyle training and active citizenship for children from disadvantaged communities, especially rural education Education in Romania ". The general objective aimed to promote healthy lifestyles and active citizenship for children from disadvantaged communities, especially for children in rural communities, by creating specific categories of decision makers in the field of school education through curricular and extracurricular educational activities diversification.

**Road education.** In the formal education, the road education classes are held in pre-school through different activities, and in primary and secondary schools within the discipline *Counseling and guidance*, in accordance with a theme developed in partnership by MECTS-May. Complementary to formal education, projects and educational programmes aimed at the same age categories: 3-6 years, 6-10 years, 10-14 years. In the non-formal education, among the road education programmes nationwide, can be mentioned:

- ✓ National Competition "*Road Education - National Education* (annually) - conducted by MECTS in partnership with the Ministry of Interior, the General Inspectorate of the Romanian Police, Traffic Police Department, for middle school students. Since 2008, the National Competition "*Road Education - National Education* has been enhanced with a road educational project section, which has allocated space for a theme suitable for high school students: building a model to increase road safety and safe autonomy and mobility for children, teenagers, and pedestrians, company projects for advocacy for community awareness of road safety and for invest in people, creating a portfolio of promotional materials used in a campaign to prevent terebilism of young drivers;
  - ✓ campaigns subsumed under national campaigns to prevent road accidents (International Road Safety Week-2008, National Road Safety Week-2009) initiated by the Interministerial Council for Road Safety, in which MECI is a member;
  - ✓ County projects consisting in competitions appropriate to different age group, debates, campaigns.
  - ✓ Campaigns to prevent road accidents among young drivers of vehicles with two wheels, "Do not play with your life" (2009-2010) - initiated by the General Inspectorate of Romanian Police and Traffic Police Directorate in partnership with MECI and non-governmental organizations
  - ✓ AdRisk European project for youth injury prevention by road accident (2009) addressed to high school students, for which was developed a course support in order to facilitate initiation of optional subjects in the road education field.
- **Prevention of accidents caused by fires, earthquakes, disasters.**

- ✓ National competition "Friends of firemen" (held every two years), in partnership with the General Inspectorate for Emergency Situations, for students aged 11-15 years.
- ✓ Civil Protection PHARE programme (started in 2008), conducted by the Ministry of Interior in partnership with government bodies, including MECTS.

School plays an important role among institutions acting in Romanian society regarding health education.

Education activities aimed at multiple aspects: transmission of knowledge, training skills, cultivate right attitudes for creating and maintaining a state of health as good as possible within the school population and in view of the transition to adult life.

A programme designed to meet the educational needs of several health issues for children and young people and taking place for almost a decade in the Romanian educational system is the **National Programme " Education for Health in Romanian Schools"**. This national programme offers, as a whole, in terms of its implementation strategy the development of health education component, both in the curriculum and in extra-curricular activities.

By developing a school curriculum offer "**Education for Health** " as an optional subject was intended to promote knowledge on various aspects of health and the formation of attitudes and skills essential to responsible and healthy behaviour. Health education curricula (**grades I-XII**), **approved by OMECT no. 4496/2004**, can be accessed on the website [www.edu.ro](http://www.edu.ro) . Issues covered in these programmes are grouped into 9 areas (Basic knowledge on anatomy and physiology, personal hygiene, work and leisure, environmental health, mental health, health, nutrition, reproductive health and family - including STIs and HIV / AIDS, use and abuse of toxic substances - drugs, alcohol, tobacco and so on, accidents, violence, physical abuse). Themes are found in all areas developed for each class, depending on the level of psychosomatic development of students. Also, the programme was developed during the campaign "*Discover a healthy life.*" In terms of drug prevention, the project addresses this topic in school curricula, separately 1-3 hours / school year / level / class or modular and the health hazards approach to issues of HIV / AIDS and STI (sexually transmitted diseases infection - STD), in terms of injecting drugs.

Also, under this Programme in preuniversity schools and are held many extracurricular and outside school activities on various topics, activities undertaken in partnership with civil society and health professionals.

Based on the National Education Law no. 1/2011 has been developed jointly, **Order MECTS / MS no. 5298/1168/2011 (approving the methodology for examining the health of preschool children and pupils from state schools and private licensed / accredited school on free medical care to promote a healthy lifestyle)**, published in **Official Gazette no. 25/12.01.2012**, that stipulates shared tasks by MECTS, MS and local communities.

Ministry of Education, Research, Youth and Sports is a signatory to the National Antidrug Strategy, 2005 – 2012, by this document assuming a series of tasks in the fight to prevent drug use among school population. In this respect, regularly reports are submitted to the management of the National Anti-drug Agency (NAA), for the preparation of country reports on progress in achieving the assumed objectives.

In addition to the general objectives assumed by the National Anti-Drug Strategy, MECTS is involved, in partnership with NAA in two projects with international financing: "**Unplugged**" (a project to prevent alcohol, tobacco and other drugs consumption by children, based on the comprehensive model of social influence) and "**I and my child**" (part of project RO-0047 "**Family training in skills for drug prevention education**" funded by the EEA Financial Mechanism).

Since 2004 annually is organized a national competition of anti-drug projects "Together", in which teams of young people (Class XI and X) who were involved in the high schools where they come from, campaigns to prevent alcohol, tobacco and drug use among their peers.

MECTS also collaborates with numerous governmental and nongovernmental organizations in information campaigns and other preventive actions.

### **Universal, selective and indicated prevention programmes in figures and examples (school year 2010 to 2011):**

- Universal prevention programmes:
  - Number: 711
  - Direct beneficiaries: around 286.000 students, teachers and parents
  - Indirect beneficiaries: 220,000 students, teachers and parents, local community etc.
- Selective prevention programmes:
  - Number: 160
  - Direct beneficiaries: over 40.000 students, teachers and parents
  - Indirect beneficiaries: 24,000 students, teachers and parents, local community etc.
- Indirect prevention programmes:
  - Number: 5
  - Direct beneficiaries: 6700 students and parents
  - Indirect beneficiaries: 5400 students, parents, local community etc.

Examples of good practice:

#### **Universal prevention:**

- Develop, launch and free distribution in schools of the Guide "Health in ten" steps "for a longer life"
- Information and training skills campaigns: „Tobacco and alcohol: two vices - three solutions”, “ Drugs temptation can be overcome!”, „Be informed, be strong!” and „Join us!”, “Step by step antidrug”, “ Life Skills”, “ Alcohol and tobacco are not a children's game”, „Close to you”, „You too can do something!”, „I learn to protect myself”, „Start a healthy life!”, „Be fair play with your life! Say no to drugs!”, „The caravan of prevention”, „The march of Health”
- „Security marketing” – trafficking and drug use prevention in the school environment, a project initiated by Capital City Police - Analysis and Prevention Service.
- „A new beginning” – drug prevention in the school environment;
- Exchange of information on drug prevention (proximity police officers) to prevent drug use in schools;



- drug use prevention - course information for community police for drug prevention in schools
- „Take care of your health!” - project to prevent drug use
- „Be informed, be strong!”- information project by arranging monthly panels with information about drugs in schools
- „Option: Access to success” informarea și sensibilizarea în legătură cu riscurile consumului de droguri prin reprezentații de teatru
- „High School - the threshold of life” - Reducing crime and juvenile delinquency and maintaining at a low level the drug use in schools in Bucharest.
- „Alternatives” – campaign to inform young people about the existence of Drug Prevention, Evaluation and Counselling Centres
- inter-school seminar „ Fight against smoking" held at the People's University of Cluj-Napoca
- „Temptations” campaign to prevent alcohol, tobacco and drug use among adolescents in the age group 11 to 13 years, developing personal and social skills, involvement in activities of leisure;
- „Effective ways of preventing and combating alcohol and tobacco among adolescents” - debates, essay contests, PowerPoint presentations, poster competition;
- Round table: „Some plants (tobacco, opium, lime flowers) - drugs or medications?”
- „I quit "- psychological, rational emotive counseling and behavioral education
- Antidrug Clubs
- International Project „Preventing drug addiction is everybody’s problem” - Information - interactive activities, peer education, recreational activities, roundtables, volunteers training.
- „Drugs - a dangerous game” - Methodical activities with teachers, Activities with Student Councils, Activities with the Committees of parents, hours of tutoring.
- Organization of sports competitions for adoption a healthy lifestyle by students - football tournament, Skating Track contest and bicycle contest, handball, basketball.
- Regional educational project "Inter Institutional Anti-Drug Network "
- Antidrug broadcasts at clubs and radio stations in schools, National contest with the theme antidrug VIDEOART.

### **Selective prevention:**

- Project "Youth without dependence - 2008 - 2011" - workshops with students of special schools
- Watching the movie "The Inside Message " - within the placement centers
- Information sessions - in rehabilitation centers
- Information carried in the extracurricular activities organized by children's clubs
- "Developing a healthy lifestyle" - campaign addressed to student athletes
- Activities carried out under the "Parents Club"
- Information sessions, drawing competitions, formation of sports teams at schools with Roma students

- Campaigns dedicated to children with parents working abroad

### **Indirect prevention:**

This type of prevention was achieved specifically through individual, group or family counseling of children with behavioral problems or consumption high risk.

### **The contribution of Ministry of Interior and Administration to the implementation of Article 11 paragraph 2 and 3 of the Revised European Social Charter for the Period 2008-2011, outlined based on the conclusions the Council of Europe in 2009.**

#### **a) To implement Article 11 paragraph 2 – Reference period 2008-2011**

##### 1. Legislative references on drug and tobacco:

- Law no. 143/2000 as amended and supplemented, on preventing and combating illicit drug trafficking and consumption,;
- Law no.349/2002 subsequently amended and completed to prevent and combat the effects of tobacco products;
- Law no. 339/2005, subsequently amended and completed, on the legal status of plants, narcotics and psychotropic substances and preparations,;
- GD no. 282/2008 for completion of table I of the Annex to Law no. 339/2005 on the legal status of plants, narcotics and psychotropic substances and preparations;
- GD no. 358/2008 for approval of the application of GEO no. 121/2006 on the legal of drug precursors and amending GD no. 1489/2002 on the establishment of NAA;
- Order no. 1389/2008 of the Minister of Public Health, Ministry of Labour, Family and Equal Opportunities and the Minister of Interior and Administrative Reform approving the criteria and methodology for authorization of centers providing services for drug users and minimum standards for the organization and operation of centers providing services for drug users;
- The programme of national interest to prevent tobacco use, alcohol and drugs 2009-2012 approved by GD no. 1101/2008;
- National Programme of medical, psychological and social assistance of drug users 2009-2012, approved by Government Decision no. 1102/2008, with subsequent amendments;
- Action Plan for National Anti-Drug Strategy in the Period 2010-2012, approved by Government Decision no. 1.369/2010;
- Order no. 121/2011 of the Minister of Health, Minister of Interior, Minister of Public Finance, the Minister of Agriculture and Rural Development, President of the National Sanitary Veterinary and Food Safety Authority and President of the National Authority for Consumer Protection to form joint teams that will carry out checks, under legal powers, in the places and / or in environments where products are manufactured, sold, used or are consumed substances and / or products with psychoactive effects harmful to health, other than those covered;
- GD no.461/2011 H.G. no.461/2011 privind organizarea și funcționarea Agenției Naționale Antidrog;
- Law no. 194/2011 on combating operations with products likely to have psychoactive effects other than those provided by the legislation in force;
- Order no. 103/2012 of the Minister of Health, Minister of Interior and President of the National Sanitary Veterinary and Food Safety Authority approving the Procedure for approval of product operations likely to have psychoactive effects other than those provided by the legislation in force, and amount of fees for authorization and evaluation..

2. Awareness campaigns on tobacco, alcohol and drugs.

### **National projects:**

#### **Year 2008:**

- Project of universal drug prevention in schools "*My anti-drug message*", whose initiator was the National Antidrug Agency within the Ministry of Interior and the Ministry of Education Research and Youth as partner. In the school year 2007-2008, was implemented the fifth edition of this project, showing its sustainability.

The project goal was to prevent drug use by students and student involvement in extracurricular activities - cultural, artistic and sports - through which to promote a positive anti-drug message. The objectives were: awareness and knowledge of the risks posed by drug use, developing a sense of responsibility for their own decisions, skills needed for choosing a healthy lifestyle. The project had as main beneficiaries pupils of secondary education and students. In the school year 2007-2008 was implemented, the IV-th Edition, with the following sections: literary essay, anti-drug webpage, digital photography, audio-video spot, short film, music creation, environmental projects.

In the reference year, national project direct beneficiaries were about 220,000 students and about 20,000 indirect beneficiaries were teachers and other professionals in the education system. The project ended with awards at each section.

- The "High School – a threshold of life", implemented in high schools in Bucharest and in the school year 2007 - 2008 by NAA, in collaboration with the General Directorate of Bucharest Police and the School Inspectorate of Bucharest.

The project goal was to lower crime rates and juvenile delinquency and low maintenance of drug consumption at school in Bucharest. The developed activities included: establishment of prevention groups in each school, composed of experts NAA, proximity police, educational counselors, representatives of students and parents; development in each school crime, crime and drug use prevention activities through these methods: information about the risks associated with drug use, semi-guided discussions, brainstorming and role playing.

- National Education Programme for Democratic Citizenship:

In the school year 2007-2008, the support materials for classroom application of the National Education Programme for democratic citizenship have been used in tutoring classes, covering topics related to drug prevention and individual skills training of adolescents and youth skills related to increased self-esteem, selfevaluation, the friendship value, the importance of accurate and complete information in decision making and so on, aimed at reducing the causes leading to the adoption of harmful behaviors of life. Currently, the programme Education for democratic citizenship is implemented in 1500 schools both in urban and in rural areas. It was elaborated the material support "Parental education" which is available for teachers on [www.edu-media.ro](http://www.edu-media.ro), information is also disseminated during regular meetings of teachers.

- The national project "Classes without smoking" implemented by NAA in partnership with MECTS, Association „Pure air Romania”, Regional Office of the International Council for Addiction in Eastern Europe and Central Asia (ICAA) and the International Federation of

Educative Communities of Romania (FICE ). The project was aimed at preventing tobacco use among students in the age group 11 to 15 years, in Bucharest and counties: Arges, Brasov, Bihar, Caras-Severin, Covasna, Cluj, Constanta, Dâmbovița County, Galati, Iasi, Ilfov, California, the Maramures, Mehedinti, Satu-Mare, Virginia, Timis Tulcea by developing personal and social skills.

The direct beneficiaries of the project were 11,000 students in 360 classes and indirect beneficiaries were approximately 400 teachers and educational counselors.

- The "Alcohol does not make you big!" meant to prevent alcohol consumption among high school students, conducted nationwide in collaboration with the "Brewers of Romania" and the Ministry of Education, Youth and Sports.

In 2008, beneficiaries of activities carried out by analysis and crime prevention structures were approximately 145,000 students from all counties.

### **Year 2009**

Implementation and monitoring of national project "My anti-drug message" sixth edition, held on 6 sections (literary essay, website, ecological projects, sports, short films, digital photography, spots) in order to maintain a low drug use and to reduce the incidence of new consumers in the population of pre-school education (middle and secondary school) and university.

### **Year 2010**

- National project "My anti-drug message" seventh edition:

The project was organized into the following sections: literary essay, web page, visual arts (graphic design, poster, film shorts, spot, digital photography), sports (at county level). Activities were planned, organized and coordinated in each county by the Drug Prevention, Evaluation and Counseling Centers and have been implemented in schools through educational counselors with partner organizations structures. The event was attended by 180,000 students, of whom 68 received awards and honorable mentions.

- Unplugged Project is part of a European Union programme - DAP to prevent drug addiction in Europe, promoted by the International Foundation "Mentor" and funded by IKEA Social Initiative. The project was implemented in five countries: Romania, Croatia, Lithuania, Kyrgyzstan and the Russian Federation, our country with most of the beneficiaries: 1200 pupils aged 12-14 years from seven counties (Buzau Cluj, Constanta, Iasi, Timis Tulcea and Bucharest). In parallel with project implementation were applied pre-and post-implementation questionnaires. They covered the knowledge, attitudes and behavior regarding tobacco, alcohol and other drugs and were based on a study that is conducted by the Institute of Studies "Piedmont" University of Turin.

Partners: Ministry of Education, Youth and Sports and the International Police Association - Romanian Section, Region 6 Bucharest, with the support of organization "Save the Children.

### **Year 2011**

- Project „Unplugged”, an example of best practice partnership between key social actors (National Anti-drug Agency, Ministry of Education, Research, Youth and Sport, with the support of the Territorial School Inspectorate and specialists CPECA district 4), had as beneficiaries, in the second year of implementation, about 800 students, aged between 12 -13 years, 29 classes in the district 4, Bucharest.

Conclusions:

- The project has received positive feedback from students, teachers, parents and the schools management
  - Activities subsumed under this project, implementation pedagogical techniques, tools used (Student Booklet, Teacher Manual, cards attached to some lessons) correspond to age, level of perception and understanding of children aged 12-14 years, and their psychosocial profile.
  - The materials we use are attractive and suggestive for children.
  - The project was evaluated in all countries where it was implemented, being considered as a useful and effective.
- "My anti-drug message," the eighth edition:

The Eighth Edition of this project had the following sections: slogan-argumentation, webpage, visual arts (graphic design, poster) short film, spot film, digital photography, leisure projects, drug-free entertainment, sports (at county level). The project was implemented in partnership with the county school inspectorates/ in Bucharest, the county directorates of youth and sports, NGOs, local authorities.

Across the country have been informed about 20,000 students, of which 1600 students participated with papers within the above sections. Were awarded 26 individual prizes and 6 teams prizes.

Students won prizes in 18 counties, the most numerous being obtained from Braila and the City - each with 3 prizes.

- National campaign to mark the International Day against drug use and illicit drug trafficking - "The Absent”

Every year around the world, key social actors in the field of drug demand and supply reduction marks on June 26, "International Day for Combating Illicit Drug Trafficking and Consumption."

In this context, the NAA launched the first national campaign in Romania, generically called "the ABSENT", which was aimed at preventing the use of new substances with psychoactive properties ("ethnobotanical") among adolescents and young people aged between 15 and 24 years among the general population. The prevention campaign is based on the results of the General Population Survey conducted by the NAA specialists every three years (2004, 2007, 2010). Implementation period ranged from June 26 -31 December 2011, the campaign being carried out on three components:

- National media campaign;
- Pilot project for prevention through interventions of theatrical improvisation (with a component as multimedia and theater forum), addressed to a number of 1010 students from 6 high schools in Bucharest and one in Prahova County (the latter was selected because of the relatively high criminal investigation files opened for drug offenses);

- Information campaign on consumption risk implemented at the seaside by SNPP;
- The media campaign had as support promotion materials a video spot as social spot, posters and flyers. Nationally, the Anti-drug Centers for Disease Prevention and Assessment have conducted street information activities (21), information sessions [in 3 elementary schools, 2 schools (high schools, school groups, national colleges) 21 in prisons, 4 county libraries, 4 orphanages, 5 hospitals and 2 sports facilities]. Were organized 20 seminars / roundtables, two marches, 3 shows / festivals, 3 competitions in 10 parks, in two swimming pools and five camps. Also were performed 5 sports competitions (football games, basketball games, table tennis, cycling). Press conferences were organized in 27 counties, 45 articles were published in newspapers, 28 radio broadcasts and in 75 TV shows, 13 press releases were sent throughout the country. Between 8-14 July/ 18-24 August 2011, on TVR 1 and TVR 2 a video spot broadcast (30 times), in the time slot 7:00 a.m. to 5:00 p.m. (a broadcast / day). In the same time slot, TVR 3 had 30 broadcasts (2/day, from 07:00 - 24:00). Also 30 broadcasts were on news station TVR Info. The spot had 30 broadcasts on regional TV channels: TVR Craiova, TVR Cluj, TVR Iasi, TVR Timisoara and TVR Tg-Mures.

- The campaign was implemented in the period November to December 2011, a pilot intervention as multimedia interactive theater in the secondary schools in Bucharest. Were used two distinct methods, information through lessons and printed materials as educational materials and a series of multimedia interactive theater performances specifically made for the target group space, i.e schools. In total, 1010 high schools students attended in Bucharest and Vălenii de Munte 20 teachers in Bucharest and 80 parents and community representatives in Vălenii de Munte.

- The Project "Family training for education skills on the prevention of tobacco, alcohol and drug use" financed by the European Economic Area Financial Mechanism, had as direct beneficiaries 1000 parents in three counties (Ilfov, Constanta county) with children between 9-13 years. The project was implemented in partnership with the Ministry of Education - MECTS, between 2009 - 2011, through 68 school counselors – psychological educators from the resource and educational assistance centers in the three counties (CJRAE).

Results were obtained in nine activities with parents, activities lasting at least 90 minutes each, aimed at forming relationships and communication skills between parents and children, improve family environment, establishing a system of appropriate rewards and sanctions, the entourage control.

An important activity of the project, implemented in 2011, was the training of trainers, accredited by the National Centre for Adult Professional Training, coming from specialists in education - NAA education and CPECA and school counselors who implemented the project in the last school year. They will form in the counties where they operate on a "cascade training" principle, other school counselors who want to implement the project in their schools. Of accredited trainers were selected 16, which have conducted training for 120 psychological educator-councilors in 15 counties.

The results of project implementation are as follows: 68 school counselors trained in the first stage, 75 groups of parents participating in the project (about 1000 parents), 100 guidelines for school counselors, 1,000 brochures for parents, 8,000 vouchers printed and distributed to parents to motivate their participation in activities, 300 best practice guides, 3000 brochures for parents (Republished), 70 trainers of certified trainers, 120 school counselors trained in the second stage.

- „Democracy, Cities and Drugs II”:

In 2011, the NAA completed the project *Democracy, Cities and Drugs II*, whose general objective was to support European cities to develop a coordinated, participatory and targeted approach in addressing drug use by developing local partnerships based on drug policies and best practices. In Romania, the project result was the development of a **Methodology on integrated assistance of minors who use drugs**.

As part of ensuring the sustainability of Democracy Cities and Drugs II Project, the NAA signed a partnership agreement with RHRN and UNICEF representation in Romania, agreement aimed at creating a formal framework to develop tools and methods of work focused on consolidation and standardization of relevant interventions in integrated support of children drug users in Romania.

- “FRED GOES NET- Early intervention for drug users who were identified / detected for the first time”.

This project was developed and successfully evaluated in Germany between 2000-2002, with transfer in 2003-2004. Between the years 2007-2010 was implemented by 9 countries (pilot partners): Austria, Belgium, Germany, Ireland, Iceland, Latvia, Poland, Romania and Slovenia. Between 2007-2010, the project was implemented in Bucharest, with 105 pupils beneficiaries.

The main objective of the project is to develop early intervention on young people who were notified for the first time in connection with drug use (particularly the police and the school and / or employers / work) in order to reduce the risk of becoming drug addicts.

The project was launched at national and local level and aimed to strengthen local partnerships to ensure the referral system to CPECA / FRED courses, FRED Courses promotion among principals, school counselors, parents etc. and support at least 5 FRED courses locally, respecting the requirements of FRED GOES NET Manual.

In 2011, CPECA implemented 129 FRED sessions, attended by **1045 people**. The project was positively evaluated by CPECA specialists, who mentioned that it helped develop work skills and build new knowledge about the target group and drug abuse at local level (types of drugs and consumption sites, etc.) and to cover a niche area of services for drug users<sup>8</sup>.

Outreach activities, projects and campaigns conducted by the NAA were carried out at national level through Drug Prevention, Evaluation and Counselling Centres.

### **Local projects:**

#### **Year 2008:**

Locally, Drug Prevention, Evaluation and Counselling Centres, depending on resources, implemented the project "PROTEGO - family training in education skills to prevent drug dependencies" with 418 direct beneficiaries, students in the seventh grade who are at psychosocial risk and 1,526 indirect beneficiaries.

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<sup>8</sup> in the sense that very often during school prevention activities were detected drug users who did not want to access counseling services of CPECA;

Within the "Anti-Alcohol" Caravan, representatives of the Institute for Research and Prevention of Crime from the General Inspectorate of Romanian Police, Brewers Association of Romania and the Ministry of Education - MECTS, together with the promoter of the campaign, Dr. Cristian Andrei, moved in 6 counties where press conferences were organized to present the objectives and the campaign development and to participate in meetings with students and teachers.

### **Year 2009:**

The total number of projects: 67 (e.g Childhood without tobacco; Getting Ready for Life; Vacation without dust; Once ... means always; Champions do not use drugs; Active in my school; Chance at education; Tobacco and alcohol: two lives and three solutions; Teaching Centres; Live with school; Child Soul; Life Skills, Step by Step anti-drugs; I and others; We care; A new chance; The school of the 3rd millennium; I can be free,; Knowledge and faith; More informed- more powerful; No to drugs; I decide; Together we can choose; Anti-drug Clubs; Taboo topics; The decision is yours; To grow healthy, Be informed; Pay respect to health; Health without drugs, etc.).

The total number of activities: 1,500 corresponding to projects and other activities carried out under the National Anti-Drugs Strategy for the period 2005-2012.

The total number of beneficiaries: 250,000 students and young people.

Partners: the School County / District, Teaching Staff House, National Palace of Children, children's clubs, county police inspectorates, local governmental and nongovernmental organizations, County Directorates of sports, local partners.

The NAA specialists also participated in prevention activities in schools in Bucharest, at the request of various schools and NGOs (FICE Romania) and in judging the work of the National Project Contest "Together", implemented by MECTS:

- Prevention within the family was achieved by 11 local projects and 9 specific drug activities that have benefited 500 parents and educators;
- Community prevention aimed at developing 37 projects and 858 prevention activities, with over 35,000 users and 3 national campaigns.

### **Year 2010:**

The total number of projects: 34 (e.g "Taboo topics", "Between agony and ecstasy, a moment of dream - a lifetime destroyed", "Not violent or addicted. I'm Teen", "We live clean", " Anti-Drug Students" "Nights without drugs", "Drug-free vacation", "Build an attitude", "Wings of Hope", "Informed choice", "I am non-alcoholic active", "Enjoy your spring", "Alcohol destroys your chances", "World of drug - illusory world").

If at national level prevention work in schools has not recorded major developments over the previous year, in terms of projects and activities carried out at regional and local level there is a growth from 20 to a total number of 30, although for some projects is still a continuation of previous years (e.g, "Together for a better family," "Responsible parents", "Taboo topics", "Refuse drugs, choose life", "Healthy mother, healthy child "; "Informed moms", "Drugs, a dangerous game").

Like the other two areas of intervention, regarding also the prevention in the community, in 2010, there was an increase in the number of projects and activities carried out at regional and local level, their number reached 54 (about 10% more than in the previous year), of which 30 projects were



initiated in the reference year (e.g, Enjoy your spring; Anti-drug Tent; Do you think you know everything about drugs?; Soldiers trained to fight drugs; A Safe Childhood; Alcohol consumption and work; Without alcohol and drug use while driving, I decide!)

### **Year 2011:**

Prevention activity implemented by the Centers for Anti-drug Prevention, Evaluation and Counselling is governed by 76 regional and local projects, including: "Active in my school" - CPECA Covasna, "Alcohol destroys your chances" - CPECA Neamt, "For a different world" - CPECA Sibiu, "Searching for inner harmony" - CPECA Bucharest I, "Proactive" - CPECA Iasi, "How to grow healthy" - CPECA Satu Mare, "Anti-drug Club" - CPECA Constanta, "An anti-drug volunteer" - CPECA Dolj, "Partners for road safety" - CPECA Constanta, "My school night" - CPECA Timis, "Antidrug March" - CPECA Timis, "A clean life" - CPECA Dâmbovița.

Within the 76 projects were implemented over 900 activities with 12,135 direct beneficiaries, gymnasium students, 30,139 high school students and 1,660 students, and 3,287 indirect beneficiaries (teachers, drivers, priests, parents and representatives of civil society). Of the 76 prevention projects, 53 have been implemented in urban and 23 in rural areas, 21 were projects to prevent new substance use with psychoactive properties (the latter with a number of 14,490 beneficiaries).

Also in period 11 to 18 October 2011 was implemented the "STOP WEEDream" project, its purpose being to make aware the adverse effects of new substances with psychoactive effects among the young participants in the project and subsequent dissemination of knowledge among a larger group of adolescents.

### **Measures taken to prevent the actions / activities that affect health due to drug, alcohol and tobacco use:**

The NAA has conducted programmes, projects and activities in order to delay the onset of drug use, avoid the shift to high-risk consumption pattern, in the overall context of promoting a healthy lifestyle. Intervention strategies were focused on information, education and awareness of the school population, families and the community about the risks of drug use and the development of personal and social skills, being reached all three areas - school, family, community. These were subsumed to international or national funded projects and punctual campaigns, projects and activities at regional and local level.

Complementary to activities to prevent, particular attention was paid to the **medical, psychological and social assistance of drug users**, based on European standards, being developed the legal and institutional framework for the provision of integrated services for drug users. Moreover, in the The NAA were established integrated addiction care centers (CAIA) which, along with county drug prevention, evaluation and counseling centres contributed to the development of medical, psychological and social services for drug users.

3. Developed action plans to combat alcohol and drug addiction:

### **National strategi documents**

- Antidrug National Strategy 2005-2012;
- Action plan for implementing the National Anti-Drug Strategy 2010-2012;

In the Action Plan for National Anti-Drug Strategy implementation in the period 2010 - 2012, are listed the activities required to to materialize each specific objective of the National Anti-drugs Strategy, the institutions responsible for their performance and evaluation deadlines and their achieving.

The Action Plan is structured in five chapters, which are found in the Strategy, namely: Demand reduction, Supply reduction, International Cooperation, Information and Assessment, and Institutional coordination.

To **reduce drug demand** there are 84 activities meant to prevent drug use at school, family and community, to reduce risk associated with drug use, and to provide medical, psychological, social and social reintegration assistance.

Drug use prevention is found in school curricula of classes II - XII as optional subject within the programme " Education for Health in Romanian Schools" developed by the Ministry of Education, Youth and Sports.

**b) To implement article 11 paragraph 3 – reference period 2008-2011:**

1. Normative acts references:

- The Programme of national interest to prevent tobacco, alcohol and drug use 2009-2012, approved by GD. no. 1101/2008 ;
- the National Programme of medical, psychological and social assistance for drug users 2009-2012, approved by GD no.1102/2008, as subsequently ammended.
- Action Plan for National Anti-Drug Strategy 2010-2012, approved by Government Decision no. 1.369/2010.

2. Awareness campaigns on drug, alcohol and tobacco addiction (number of campaigns, results etc.):

**Year 2008**

- the national information / awareness campaign for the population aged 15-24 years concerning the risks of cannabis, ecstasy, cocaine and heroin use, "OPEN YOUR EYES !”:

In 2008, the impact of the campaign was continued by free broadcast, in social partnership regime, of the national campaign audio-video spot "Open Your Eyes". The spots of the national campaign "Open Your Eyes" (media campaign for universal prevention of alcohol, tobacco, cannabis, ecstasy, cocaine and heroin use) lasting 30 seconds, plus the spot of the indicated prevention campaign, "ALTERNATIVES" (a campaign which aimed to inform drug users and those at risk in connection with the NAA treatment services), lasting 30 seconds was broadcast 69,120 times by TRADE MARK network (advertising service through a network of street advertising media), throughout the year 2008. The broadcast of the 2 audio-video spots at intervals of 5 minutes, daily from 8.00 to 20.00 was made in 18 locations in the country: 10 in Bucharest, 2 in Piatra Neamt, 2 in Bacau and 4 in Iasi.

- The national campaign dedicated to the World No Tobacco Day (31 May).

Every year, the World Health Organisation marks World No Tobacco Day to raise awareness in connection with the negative effects of tobacco use socially and in terms of individual /public health.

The direct beneficiaries of the campaign were 5000 students in the age group mentioned, and the results, 700 individual or collective letters, of which were awarded a total of 12 letters addressed to policy makers, journalists and parents.

- The campaign for training skills with the role of protective factors in drug use "Option - Access to Success" aimed at informing and raising awareness regarding the drug phenomenon among students and their parents from 17 high schools in Bucharest and skills development with the role of protective factors in drug abuse through theater. The Campaign resulted in:

- 185 information sessions with students
- 32 performances of the show "100% drug risk"
- information guides for parents
- 32 high schools in Bucharest, as direct beneficiaries of the project
- 1600 students spectators of the play with antidrug themes
- 46 sessions of prevention
- 1190 students attended prevention classes
- 400 posters of the show distributed in schools.

➤ ANA, în parteneriat cu United Nations Office for Drugs and Crime- U.N.O.D.C, Autoritatea Națională pentru Tineret - Direcția Județeană de Tineret Constanța, Romanian Harm Reduction Network - R.H.R.N, Brigada Internațională Antidrog - B.I.A și Love Plus au organizat și implementat în Period 14 iulie - 18 august, respectiv 18 – 23 august 2008 campania de reducere a riscurilor asociate consumului de droguri Vama Veche 2008 intitulată "Deschide ochii! Fără Riscuri în plus!", a patra campanie estivală inițiată de Agenția Națională Antidrog pe Litoralul Mării Negre și prima campanie de reducere a riscurilor asociate consumului de droguri.

**Results:** 200 A3 Posters, 3000 Information Flyers on **alcohol**, 3000 leaflets on **ecstasy** consumption, 3000 Flyers on **marijuana** consumption, 3000 Flyers on **cocaine**, 3000 Flyers **heroin**-correct injecting, 3000 Flyers **overdose**, 3000 Flyers on the **NAA and NGOs promotion services** and **400 T-shirts** with the campaign logo, 3340 individual information sessions, 265 disposable syringes and distribution of 2821 condoms.

### Year 2009

➤ The national campaign to mark World No Tobacco Day on "Show the truth. Warning images save lives"- street information activities in **13** counties, information **sessions in 52 schools**, **15 scholar groups**, **57 high schools**, **3 universities**, **10 prisons**, **2 Children's Palaces**, in **3 hospitals in 8 parks** and were conducted **6 press conference**, **10 competitions**. In the press were published **20** articles and **15** TV appearances across the country.

➤ The national campaign to mark the International Day against trafficking and illicit drug use on "Do drugs control your life? In your life, in your community ... drugs do not belong "- street information activities in **30** counties, information sessions in **10 high schools**, in **7 universities**, in **11 prisons**, 6 in **Children's Palaces**, in **3 hospitals**, **5 parks**, in **5 libraries** and were conducted **4** press conferences, **15 competitions**, **11 seminars**. **63** articles published in the press and **40** TV broadcasts across the country.

➤ The national campaign to prevent alcohol consumption at the workplace "Put the cards on the table" was done through the 47 CPECA and County Employment Agencies and resulted in the

distribution of information materials (**35,400** posters and **45.000** flyers among people who visited the premises of the County Agency for Employment.

➤ Information and education campaign to reduce the risks associated with injecting drug use - Learn how to take care of yourself, initiated by the National Antidrug Agency, with financial and technical assistance from UNODC.

### **Year 2010**

National actions were structured within the campaigns to mark World No Tobacco Day - May 31, 2010 or the International Day against drug abuse and illegal drug trafficking- June 26, 2010.

The main activities in the two projects were: "**Safe Childhood**", held on May 30, 2010 in Park IOR by distributing informative materials, the NAA partners were the Institute for Crime Prevention, Traffic Police Brigade, Service Public Order, Crime Prevention Department - DGPMB respectively placement of information points (distributing flyers, shirts, beach balls imprinted with the campaign logo) in Cicloteque center of bicycle rental (Faculty of Law, Park Tineretului and Herastrau).

Significant to note is that the National Antidrug Agency through the 47 Drug Prevention, Evaluation and Counseling centers in partnership with the Institute for Prevention and Psychosociology and Public Order Directorate of the General Inspectorate of Romanian Police carried out between 3 May to 15 June 2010 the **National Project Addicted to freedom** in response to the rise of the phenomenon of consumption of new substances with psychoactive properties available in the purestate or in combination or, as commonly known, ethnobotanicals. The project aimed to inform secondary school students, their families and the community about the harmful effects of consumption of these substances, by using all channels of communication to change the false perception promoted by the retailers of these product categories. The project, carried out at national level included interactive information sessions in 95 schools, 157 high schools, sending awareness letters to parents (about 11,098 letters) and local and national media promotion (66 TV and radio broadcasts, 55 briefings to the media and 67 articles published).

Also, within missions of public order and safety "SEASIDE 2010", from July 10 to August 22, 2010, the NAA has implemented *Seaside 2010* Campaign under the slogan "**Get involved! In your community drugs have no place!**" organized by the Center for Antidrug Prevention, Evaluation and Counselling in Constanta, with the support of Gendarmerie Mobile Brigade in Constanta, the Foundation "Close to You" Romania (ADV) Constanta Center, **CENTRAS** Regional Assistance Center for the NGOs and Radio-Constanta. During the campaign, were held community outreach activities at the Romanian seaside in general and of young tourists, especially in the resorts: Mamaia and Vama Veche Costinești.

### **Year 2011**

The Agency initiated in 2011, four national campaigns that constituted the starting point for the **591 campaigns** (information, education, awareness, drug related risks reduction, increase protective factors and decrease risk factors, promote services assistance) implemented by CRPECA at territorial level.

- The national campaign to mark 'World No Tobacco Day '(May 31, 2011)

In order to attract attention to the impact that smoking has on human health, in 1987, the World Health Organization declared this day as "World No Tobacco Day" that is marked around the world every year on **May 31**.

the National Antidrug Agency through Drug Prevention, Evaluation and Counselling Centres, uses this opportunity to launch information and awareness campaign on the risks of tobacco use. For this year, the **target** established by the World Health Organization has been promoting the "Framework Convention on Tobacco Control", adopted on 21 May 2003 in Geneva, signed by Romania in New York on 25 June 2004 and adopted by Law no. 332/2005 on the ratification of the WHO Framework Convention on Tobacco Control (published in the Official Gazette no. 1088 of 2 December 2005).

- The national campaign to mark the International Day for Combating Illicit Drug Trafficking and Consumption – “THE ABSENT”

Every year around the world, key social actors in drug demand and supply reduction marks on **26 June "International Day for Combating Illicit Drug Trafficking and Consumption."** In this context, the National Antidrug Agency launched its first national campaign in Romania, generically called "**The Absent**", which was aimed at preventing the use of new substances with psychoactive properties (improperly called "ethnobotanicals") among adolescents and young people aged 15 to 24 years and the general population.

- National Campaign "ALTERNATIVES - in your community, drugs have no place" (2-7 May 2011) - was implemented through a series of public events intended to convey, nationally, to general population and especially young people, a positive message based on involvement, skills development, strengthening protective factors against drug consumption and providing a healthy life alternatives to drug consumption.

- National Campaign "National No Tobacco Day" - is marked each year on the third Thursday of November (17/11/2011) through an initiative to raise awareness of the impact that smoking has on health. The NAA used this opportunity to launch an information and awareness campaign about the risks of tobacco use and promote the provisions of the Framework Convention on Tobacco generic campaign called "Make every day No Tobacco Day". **The campaign was launch** at the National College "Virgil Madgearu", Bucharest, where took part as NAA volunteers, cultural and artistic and sports personalities.

- “ OPEN YOUR EYES! NO FURTHER RISKS”

Carried out between August 1 to September 12, 2011, in Vama Veche, with technical and financial support from UNODC Office in Romania. The campaign was developed in partnership with key NGOs working to reduce the risks associated with drug use - RHRN, ALIAT, ARAS, Integration and Carousel and was sponsored by Population Services International (Love Plus). The campaign's purpose was to reduce the risks associated with drug use and promote the NAA and NGOs services. Results of the campaign were materialized in:

- 6465 young people benefited from direct intervention of specialist information and advice about the risks associated with drug;

- 37 psychological counseling sessions, 58 social counseling sessions and 23 confidential medical consultations;
- 2086 people who received general information sessions face to face from team members;
- around 15,000 people informed about the activities of this campaign.

The campaign was distributed 45,000 leaflets, 200 posters, 9,000 condoms, 217 syringes, 206 cleansing swabs and 40 vials with distilled water.

3. Measures taken (awareness campaigns, information, action plans, methodologies, etc..) to reduce the number of accidents resulting in injuries or deaths:

### **Year 2008:**

Road Directorate in partnership with the Institute for Research and Prevention of Crime from the General Inspectorate of Romanian Police has implemented The Project "**STOP ACCIDENT - LIFE HAS PRIORITY! - 2008**", in which several projects were undertaken, including the campaign "**Reality changes when you drive drunk.**" It was conducted between February to August 2008 and materialized by broadcasting a thematic video clip in a series of television channels under a social campaign.

Also between April 30-May 4, 2008, in ten key cities of the country (Bucharest, Pitesti, Bacau, Cluj, Iasi, Turnu Severin, Slobozia, Giurgiu, Neamt, Ploiesti Sibiu) was organized a media event to popularize the campaign. Ten intersections were arranged, one in each city, with specific winter holiday ornaments accompanied by the campaign logo. The traffic police officers gave the drivers who have circulated on those crossroads, flyers containing the same preventive message and in the first week of May 2008 were organized nationally, specific actions to combat driving under the influence of alcohol.

Also was conducted in collaboration with SC SCOOTER FUN LLC the Project "**Scooter Fun**" activities taking place in the period September-November 2008, February to May 2009, consisting in:

- Develop a brochure which, on the one hand, provided information on traffic rules applicable to scooter drivers, their rights and obligations, and, on the other hand, tried to raise awareness of vehicles drivers on this growing phenomenon ;
- Workshops in high schools in Bucharest, Brasov, Iasi, Suceava Targu-Mures, Cluj (2008) and Constanta, Galati, Ploiesti, Craiova, Timisoara, Bucharest (2009);
- Organization of caravans in the cities mentioned above, demonstrations of correct scooter driving, and presentation of scooter minimum protective equipment.

### **Year 2009:**

Road education activities focused towards increasing the awareness of road traffic rules, and awareness of dangers posed to those who violate traffic rules, efforts geared towards attracting civil society in preventive and educational activities that promote discipline in traffic on public roads.

Based on the conclusions drawn from analyzes of this phenomenon developments in previous years, and traffic risk forecasts for 2009, it was considered necessary to address traffic education among

preschool and school age children and young people aged between 18 and 22 years, but also discipline the drivers of vehicles for road public transport of goods and people.

In view of the above should be highlighted the preventive campaigns carried out by traffic police in collaboration with local and psychosociology prevention structures among drivers of two-wheeled vehicles (mopeds and motorcycles) "**Do not play with your life**" (conducted between April to May 2009), or among children under the title "**I'm learning to walk properly, help me!**" (carried out between May to June 2009).

At the same time, on **Children's Day** was organized a national action in which gifts were given to children (who were victims of road accidents) in hospitals "Budimex" and "Grigore Alexandrescu" in Bucharest and hospitals in Prahova, Brasov, Iasi, Arges, Mures, Constanta, Cluj and Timisoara.

Should also be mentioned development in Neamt county, the national phase of the competition, "**Traffic Education - Education for Life**", and the re-establishment of **school traffic patrols**, in Bucharest and in all county municipalities, both meant to improve road theoretical and practical education of schoolchildren.

**During 2010, was developed a Strategic Programme on road educational activities for 2010 to 2012**, aimed at diversifying and improving preventive and educational activities in order to reduce the population victimized by accidents.

Thus, in order to increase awareness and observance of traffic regulations on public roads as well as awareness of the dangers posed to those who violate traffic rules, in the analyzed period efforts were aimed at attracting media and civil society in preventive and educational activities that promote discipline in traffic on public roads.

Road safety is an important issue in our contemporary society, therefore reducing population victimization by traffic accidents is a major objective of the traffic police, who proposed the adoption and implementation of an ambitious programme of action, focusing on two main pillars, **preventive and educational activities and law enforcement actions**.

To reduce victimization by traffic accidents, the aim is to systematically combat the causes of accidents, by firm enforcement of road legislation, while developing education activities based on strategic partnership with the civil society within the **national campaign of education road "CHOOSE LIFE"**, launched in 2010, which succeeded in raising awareness of road risk to a significant number of road users, reflected directly in reducing traffic accidents and consequences in the last period of time. Thus, in the course of 2011 the evolution of the main indicators of serious traffic accidents dynamics, confirmed for the third consecutive year, **a constant decline of registered road risks at national level**, compared to 2008 (the peak year in terms of number and consequences of such events) reductions of 13% in total serious injuries, 34.2% deceased persons, 7.15% serious injuries and 4.4% resulted in slightly injured in serious accidents.

Year	Severe accidents	Deceased persons	Seriously injured
2008	10645	3065	9403

2009	9992	2729	8903
2010	9253	2377	8509
2011	9260	2015	8730

### Year 2011:

Preventive activities of the Road Department were conducted under the aegis of national campaign of road education "**CHOOSE LIFE**", which aims to improve the knowledge and compliance with the road rules and awareness of the dangers posed to those who violate traffic rules.

Thus, in collaboration with Alexandrion Group Romania was launched the application "Do not drink and drive", which is specifically aimed at young drivers, it is actually a video game that aims to raising awareness of the risks and implications of driving a vehicle under the influence of alcohol, an application with over 23,400 views by the end of 2011.

On the other hand, in collaboration with Ursus Breweries Romania and www.desprealcool.ro site was launched the application "Zero to one thousand", which is available both on mobile phones via SMS or obtained from mobile intelligent, via internet, is actually a programme to estimate alcohol content, reminding users that in Romania tolerance for driving under the influence of alcohol is zero.

During this period were made road-themed videoclips, "**Do not let you driven by alcohol** ", "**Casting moto**", "**Street is not a competition runway**" and "**Safety belt**", to raise awareness of road users of the risks to be involved in accidents. These videoclips were distributed to be broadcast by televisions with national coverage and by local television channels, through local road structures. At the same time, these clips were submitted to the Autonomous road Transportation in Bucharest, SC Monopoly and SC Cocor SA, for their broadcast in the public transport means, metro stations, on the media screens in supermarkets and on the facade of store Cocor.

With the support of Unilever Romania was conducted in the period 19.09-21.10.2011 the Campaign "Stop to road eccentricities", during which meetings were held with high school students within the Capital area and actions in traffic distributing promotional materials to young participants in road traffic, for their awareness of the risks of adopting a reckless and aggressive behaviour in traffic.

With the support of the **Romanian Brewers Association**, in November 2011 efforts were made to start the project "**Leave to another the steering wheel when you drink!**" to determine the drivers to not get behind the steering wheel after consuming alcohol, a project that was conducted in December , 2011.

Also, to prevent drug use among drivers (selective prevention with an indicated component) 7 rapid test activities were conducted to identify the presence of drugs at drivers (86 tests performed) in collaboration with the Traffic Police Brigade, Bucharest and Brigade of Organized Crime, Bucharest. These activities are part of a comprehensive initial training process on drugs, for the road policemen, accompanied by an essential component of specific training in drug testing of drivers.

#### 4. Regarding the prevention of accidents caused by fires, earthquakes, disasters:

General Inspectorate for Emergency Situations of the Ministry of Interior and Administration has conducted two awareness campaigns: the campaign "Be prepared – because we are" conducted in



2008 as part of a programme financed by PHARE "Contribution to the establishment of an administration for disaster management, at regional and local level" and the national prevention campaign "A safe house - a life plus":

a) The campaign „'A safe house - a life plus " was launched by IGSU, through the Prevention inspection, in late 2008, has started with the project "Housing and households fire prevention ". Later, in 2010 and 2011 were conducted in parallel with the first, another two projects: "The behaviour in case of earthquake" and "The behavior in case of floods."

In this regard, the representatives of the preventive component of ISUJ / Bucharest, planned and conducted over 6,700 actions aimed at raising population awareness of the risks existing in the community in which they live and the measures and behaviour in specific emergency situations to be followed before, during and after the event. Openness of the direct beneficiaries of the project, adults and children, has made more than 740,000 people to participate in educational and preventive activities organized.

During the reporting period, nationally were held 23,644 informational and educational activities, which were attended by 2,250,000 people, of whom more than 1,261,000 children. The average number of actions taken / county is 563, and the participants 53.848/county.

To support these activities were conducted 542 preventive information materials a print run of 37,310 posters (6% less than in 2010), 126,295 leaflets (15% more than in 2010) and 84,162 booklets (with 277% more than in the same similar period of 2010).

c) The Campaign "Be prepared - we are!" was held in September 2008 and aimed at public awareness about flood risk and how to behave in such situations. Campaign was implemented by the General Inspectorate for Emergency Situations, supported by THW (Federal Agency for Disaster Technical Support - Germany), Ministry of Education, Youth and Sport and the Romanian Rugby Federation.

The target group of the campaign consisted of adolescents aged between 14 and 17 years (grades IX - XI) and was implemented in eight schools in four regions selected for the campaign: Bacau, Bucharest / Ilfov, Cluj and Dolj. In the eight schools over 3800 students have been trained in this campaign.

Also, the main day of campaign implementation (September 22, 2008) in all high schools in the country were carried out by IGSU employees and teachers prepared in advance training activities for adolescents.

Statistics for reference period 2008 – 2011 on the number of people killed or injured as a result of fires caused by smoking.

No.	Year	Number of fires that had smoking as a cause	Casualties resulting from fire	
			Deceased	Wounded

			Children	Adults	Children	Adults
1	2008	2245	0	55	5	42
2	2009	2079	1	24	2	38
3	2010	1392	1	24	10	23
4	2011	1985	0	21	0	37

**In 2009**, the Information and Public Relations Directorate of the Ministry of Interior and Administration initiated and carried out the first edition of the Campaign "Safe Holidays" - a population information and prevention action at the seaside in summer aimed mainly to increase information and prevention of tourists in resorts on the Black Sea about antisocial actions which could affect peace and security during the holiday season. The activity was very successful, so the campaign is now at its third edition.

The campaign addresses both children and adults, (through promotional information materials - poster, flyer, spot video, audio spot), to inform and advice those present on the seaside about what to take into account to not fall victim to various types of offenses, road accidents on the way to or from the sea etc.

For information and prevention support of these messages, was made a campaign website [www.infolitoral.mai.gov.ro](http://www.infolitoral.mai.gov.ro) , which provides useful information for those who are on the seacoast, on missions the MAI workers carry out to ensure a climate of peace and security during the holiday season, phone numbers they can use in case of emergency to contact police units on the Black Sea resorts, recommendations to avoid unpleasant situations that may arise during the stay (theft of goods from units of accommodation, beaches, of / from cars and so on) and information on how to act if they become victims of any crime.

Multimedia center, a structure under DIRP subordination, contributed to make road users (pedestrians, cyclists, drivers, etc.) aware about the importance of respecting legislation to reduce accidents by organizing - in the period 2008-2011 - several editions of the broadcast "**MAI closer to you**" (broadcasted in 2009 on TVR 1channel) and the programme "**SED LEX**" (broadcasted on N24 PLUS channel) on the preventive measures to be observed during summer and winter holidays, and and on the dissemination of legislative provisions on road traffic.

At the same time, for efficient dissemination of thematic messages, between summer and winter holidays, DIRP carried out daily radio interventions at Radio Romania News on preventing accidents.

In the reference period, the **Multimedia Center** has consistently supported the Film Department of the General Inspectorate of Romanian Police by video materials used to popularize preventive measures in this field.

The Magazine "**Pentru Patrie**" *For the Motherland* – a specialized publication of MAI which since 2011 has an online version ([www.revistapentrupatrie.ro](http://www.revistapentrupatrie.ro) ) - included, between 2008-2011, a significant number of articles that have been publicized in public opinion and among MAI staff, information on causes leading to car accidents, how to avoid road incidents, hazards posed to pedestrians traveling on public roads or roadway crossing by unauthorized places etc.

Also, in "**Pentru Patrie**" magazine were published materials about the running campaigns initiated by the IGPR - Traffic Police Department, such as: "Life takes precedence" or "Blackheads in the network of public roads in Romania".

## **The contribution of the Ministry of Agriculture and Rural Development**

In the period 2008-2011 the Ministry of Agriculture and Rural Development (MARD) adopted the following programs:

- The Programme "Milk in Schools" is mainly focused on increasing consumption of dairy products by children in the beneficiary schools having both nutritional and educational character and contributing to the fight against obesity and to providing essential elements for the children growth and health.

### Legal framework:

- COMMISSION REGULATION (EC) NO. 1234/2007 of 22 October 2007 *establishing a common organization of agricultural markets and on specific provisions for certain agricultural products* ("Single CMO Regulation");
- COMMISSION REGULATION (EU) NO. 445/2010 of 21 May 2010 *on the division between 'deliveries' and 'direct sales' of national milk quotas* established for the period 2009-2010 in Annex IX to Regulation (EC) no. 1234/2007 of the Council;
- COMMISSION REGULATION (EC) NO. 595/2004 of 30 March 2004 *laying down detailed rules for implementing Regulation (EC) no. 1788/2003 establishing a levy in the the milk and milk products*;
  - Minister of Agriculture and Rural Development Order no. 695 of 4 November 2008 *on the approval conditions of cow milk buyers and application form for approval and registration in the Register of buyers*;
  - GD no. 852 of 28 June 2006 *approving the management methodology of cow milk quotas in Romania*;
  - Minister of Agriculture and Rural Development Order no. 83 of 24 February 2009 *laying down the conditions for granting individual milk quota from the national reserve*;
  - Regulation (EC) no. 416/2009 of 20 May 2009 *on the division between deliveries and direct sales of national milk quotas established for 2008/2009 in Annex IX to Regulation (EC) no. 1234/2007 of the Council*.

- The Programme "*Fruits in Schools*" has as main objective to encourage the consumption of fruit in schools, forming healthy eating habits and prevent various health disorders, by promoting the nutritional and physiological benefits of vitamins and minerals intake by eating fresh fruit.

### Legal framework:

- GD no. 889 of 7 September 2011 *on the establishment of fruit distributed, distribution period and frequency, the daily limit value / student and distribution of fruit accompanying measures, their budget, and the way of effective implementation and management in public administration, within the programme of encouraging the consumption of fresh fruit in schools in the school year 2011-2012*.
  - Minister of Agriculture and Rural Development Order no. 155 of 23 June 2011 *amending the Annex to the Minister of Agriculture and Rural Development Order no. 85/2010 regarding the approval of Technical Specification for the procedures for the award of contracts for fruit supply in schools*.
  - COMMISSION REGULATION (EC) NO. 288/2009 of 7 April 2009 *laying down detailed rules for implementing Regulation (EC) no. 1234/2007 of the Council as regards Community aid for supplying educational establishments with fruit and vegetables, processed fruit and vegetables and banana products to children within the program of encouraging the consumption of fruit in schools*;
  - COMMISSION REGULATION (EU) NO. 34/2011 of 18 January 2011 *amending Regulation (EC) no. 288/2009 laying down detailed rules for implementing Regulation (EC) no. 1234/2007 of the Council as regards Community aid for supplying educational establishments with fruit and vegetables, processed fruit and vegetables and banana products to children within the program of encouraging the consumption of fruit in schools*;

- COMMISSION DECISION of 04.29.2010 on the definitive allocation of EU aid among Member States under programme of encouraging the consumption of fruit in schools, for the period from 1 August 2010 and 31 July 2011;
- GEO no. 24/2010 on the implementation of encouraging the program of consumption of fruit in schools;
- GD no. 905/2010 on the establishment of fruit distributed, period and frequency of distribution, the daily limit value / student and accompanying measures of fruit distribution, their budget, and the management in the public administration, within the Programme to encourage the consumption of fruit in schools in the school year 2010-2011.
- Providing food for the most deprived persons in the Community (PEAD).

Recipients of food aid **established by law**, are the following categories: families and single persons entitled to a guaranteed minimum income, some unemployed, pensioners in public pension system whose rights derived from the pension or, where appropriate, cumulative pension, is below a certain threshold, people with severe and accentuated, adults and children, not institutionalized.d.

#### Legal framework:

- REGULATION (EU) NO. 807/2010 of 14 September 2010 laying down *implementing rules for the supply of food from intervention stocks for the most deprived persons in the European Union*;
- COMMISSION REGULATION (EU) NO. 945/2010 of 21 October 2010 *adopting the plan allocating to the Member States resources attributable to the 2011 budget year for the supply of food from intervention stocks for the most deprived persons in the EU and derogating from certain provisions of Regulation (EU) no. 807/2010*;
- GD no. 600 of 05/13/2009 *establishing food aid beneficiaries from EU intervention stocks for the most disadvantaged categories of persons from Romania and responsibilities of institutions involved in the European plan*.

To good governance and fiscal management, the Agency for Payments and Intervention in Agriculture (institution under MARD subordination) is involved in the implementation of programmes / measures listed above.

In order to attain its objectives and implicitly efficiency of measures stipulated in programmes, implementation is based on partnerships between different institutions (e.g: Ministry of Labour, Family and Social Protection, Ministry of Health, Ministry of Education, Youth and Sports, Ministry of Interior and Administration, county councils, etc.). Involvement in partnerships aimed at promoting a healthy lifestyle and eating habits that contribute to **increased social and health benefits**.

### **Contribution of the Ministry of Environment and Forests**

#### **“Air Quality”**

Changes in environmental acquis for the "Air Quality", with the adoption by the European Parliament and EU Council of Directive 2008/50/EC *on ambient air quality and cleaner air for Europe*, were taken in the national legislation being replaced some regulations issued in 2000-2007. For the "Air Quality" normative acts to date are:

- Law no.104/2011 on ambient air quality, transposing into national legislation the provisions of Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe and Directive 2004/2004/107/CE of the

European Parliament and of the Council of 15 December 2004 relating to arsenic , cadmium, mercury, nickel, polycyclic aromatic hydrocarbons in ambient air.

- Order of the Minister of Environment and Water no.35/2007 on approving the *Methodology of development and implementation of plans and programs for air quality management*.
- Order no. 1095/2007 of the Minister of Environment and Sustainable Development for approving the Norms regarding the establishment of air quality indicators to facilitate public information.

In order to evaluate the air quality monitoring was created the National Network for Air Quality Monitoring. RNMCA shall monitor ambient air quality through the **142 stations** located at fixed points of measurement, equipped with instruments to extract suspended particles of which are subsequently measured concentrations of PM 10, PM 2.5 and concentrations of heavy metals (lead, arsenic, cadmium, nickel), as well as instruments to measure concentrations of sulfur dioxide (SO<sub>2</sub>), nitrogen dioxide (NO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), carbon monoxide (CO), benzene (C<sub>6</sub>H<sub>6</sub>) and ozone (O<sub>3</sub>).

RNMCA has also laboratory facilities and equipment necessary for the collection, processing, transmitting data and public information on ambient air quality.

Public information is made through notice boards located in each county in high traffic areas and by accessing the internet website: [www.calitateair.ro](http://www.calitateair.ro).

At national level operates a reference laboratory for Air Quality and Air Quality Evaluation Centre, which examines and certifies monitoring data..

In the event of exceedances of information and / or alert thresholds, limit values respectively and / or target values recorded at air quality monitoring stations within RNMCA, where appropriate, regional environmental authorities, local authorities and business owners develop and implement air quality plans setting out measures for compliance with the levels established by legislation.

## “Noise”

Directive 2002/49/EC on the assessment and management of environmental noise, whose main task is to create a common basis for managing urban environmental noise is transposed into national legislation by:

- Government Decision no.321 of 14 April 2005 on the assessment and management of environmental noise) - Republished.
- Order no.678/1344/915/1397 dated 30 June 2006 of the Minister of Environment and Water Management, Minister of Transport, Constructions and Tourism, the Minister of Public Health and the Minister of Interior and Administration for approval Interim Guidance on methods of calculating noise indicators for noise from industrial activities in the areas of traffic road, rail and air around the airport.
- Order no.720/2007 amending the Order of the Minister of Transport, Constructions and Tourism no.1.258 to establish units responsible for developing noise maps for railways, roads and airports under their management, strategic noise maps and their action plans in own domain and limits of responsibility.

- Order no.1830/2007 of the Minister of Environment and Sustainable Development for approval Guidelines of implementation, analysis and evaluation of strategic noise maps.
- Order no.831/1461 of 16 July 2008 of the Minister of Environment and Sustainable Development and the Minister of Public Health on establishment of regional technical committees to verify the criteria used to develop action plans and analysis, as well as approving the composition and rules of their organization and operation.
- Order no.152/558/1119/532-2008 of the Minister of Environment and Sustainable Development, the Minister of Transport, Ministry of Public Health and the Minister of Interior and Administrative Reform for approval Guidelines on limit values adoption and how to apply them when developing action plans, for day and night indicators, for road traffic noise and agglomerations on major roads, major railways, rail traffic and agglomerations, air traffic at large and / or urban airports, and noise congestion in areas where there are industrial activities listed in Annex no .1 to Government Emergency Ordinance no.152/2005 on integrated pollution prevention and control, approved with amendments by Law no.84/2006.

Measures to reduce ambient noise are the responsibility of:

- Municipalities managing agglomerations with population of more than 100,000 inhabitants;
- CFR SA managing major railways with traffic more than 30,000 train passages per year.

CNADNR managing major roads with traffic of more than 3 million vehicle passages a year;

- airport administrations managing traffic airports more than 50,000 aircraft movements per year and City airports within agglomerations with population of more than 100,000 inhabitants.

Regarding the "Asbestos", as an EU member state, Romania applies the provisions of European regulations and directives (REACH).

### ***“Water quality”***

Community acquis in the field of water quality is fully transposed into national legislation by the following acts:

- Water Law no.107/1996 with subsequently amended and completed;
- Law no.458/2002 on potable water, subsequently amended and completed;
- GD no.974/2004 approving the rules of supervision, health inspection and monitoring of drinking water quality and health authorization procedure for the use and storage of potable water;
- Government Decision no. 100/2002 for approving the quality standards to be met by surface water used for the drinking and Norms regarding the methods of measurement and frequencies of sampling and analysis of samples of surface water for drinking water production, with subsequent amendments and completions;
- GD no.188/2002 for approval of norms regarding the discharge of sewage into the aquatic environment and GD no.352/2005 amending and completing Government Decision 188/2002 for approving the rules on the conditions for discharge of wastewater into the aquatic environment;
- GD no.351/2005 on the approval of the discharges phasing out, emissions and losses of priority hazardous substances, with subsequent amendments and completions;

- Government Emergency Ordinance no.12 of 28 February 2007 amending and supplementing certain acts transposing the acquis on environmental protection;
- Law no. 161 of 6 June 2007 approving Government Emergency Ordinance no.12/2007 for the amendment of some laws transposing the acquis on environmental protection, Official Gazette no.395 of 12 June 2007;
- Government Decision no. 210 of 28 February 2007 amending and supplementing certain acts transposing the acquis on environmental protection;
- Government Decision no. 201/2002 approving the technical norms on the water quality for the shellfish with subsequent amendments and completions;
- Government Decision no. 202/2002 for the approval of technical rules on the quality of surface waters needing protection or improvement in order to support fish life, with subsequent amendments and completions ;
- GD no.80/2011 for the National Management Plan approval for the international portion of the Danube River basin which is included in the territory of Romania.
- Government Decision 53/2009 for approving the National Plan for the protection of groundwater against pollution and deterioration;
- Government Decision no.1079 of 28 October 2010 for representation in the bodies created under bilateral treaties on the border waters management;
- GD no.964/2000 approving the Action Plan for the protection of waters against pollution caused by nitrates from agricultural sources and the establishment of the Commission and the Support Group for the implementation of the Action Plan for the protection of waters against pollution caused by nitrates from agricultural sources.
- By Law no.228/2000 for approving GEO no.95/2000 ratifying the Protocol on Water and Health, adopted in London on 17 June 1999, Romania conducted a series of activities for the the implementation of this Protocol at national level.

Water quality in Romania is assessed at national level, through the National System of Water Quality Monitoring within the National Administration "Apele Române - Romanian Waters". Also, National Administration "Romanian Waters" is the institution responsible for implementing legislation on water quality.

The main instrument for the implementation of European legislation on the water quality and water quality protection policy, pollution reduction and prevention is the watershed management plan. Within it were established quality objectives for all water bodies and implicitly by developing programmes of measures to achieve these objectives.

Within the Basin Management Plans (for the 11 river basins of Romania) developed by the National Administration "Romanian Waters" in accordance with the requirements of the Framework Directive on Water, were also determined and assessed costs of basic measures and additional measures for significant sources of pollution. These measures ensure achievement of good water status, in the implementation of European legislation on water, which will lead to reduced pollution of surface waters

## **Article 12: Right to social security ANOFM Contribution**

### **Regarding Article 12, paragraph 1, Question 1**

In the reference period 1 January 2008 - 31 December 2011, the legal framework in force concerning the unemployment insurance system and employment stimulation is represented by Law no.76/2002 on the unemployment insurance system and employment stimulation, amended and supplemented, and the regulations issued in applying this law.

The mentioned legislative act is governed by measures to increase employment opportunities for persons seeking employment and stimulate employers to hire the unemployed and creating new jobs,



mainly through: information and professional advice, employment mediation, professional training, advice and assistance for starting an independent activity or starting a business, financial support to enroll the unemployed persons in works of community interest, encouraging employers to create jobs and employment of the most disadvantaged unemployed,

encouraging labour mobility by providing financial incentives (installation bonuses) providing the unemployed persons who find jobs in other places than where they reside and, as a result, change their domicile or at a greater distance from home (premiums employment), stimulation of employment of graduates of educational institutions and special school graduates, aged 16 or over, registered at the employment agencies by providing financial incentives (employment bonuses), reimbursement of 50% of employers costs for their own employees training.

To create new jobs through the establishment or development of SMEs, cooperative units, family associations and independent activities carried out by authorized persons, shall be granted advantageous conditions loans from the unemployment insurance budget under the said normative act.

Measures provided by law no.76/2002, with subsequent amendments and completions, aimed at market following objectives on the labour:

- a) preventing unemployment and combating its social effects
- b) employment or the rehiring of persons seeking employment;
- c) support the employment of persons belonging to disadvantaged groups of the population;
- d) ensuring equal opportunities on the labour market;
- e) stimulating the unemployed for employment a job;
- f) stimulate employers to hire persons seeking employment;
- g) improve the structure of employment by economic sectors and geographical areas;
- h) increasing labour mobility in terms of structural changes occurring in the national economy;
- i) protection of persons in the unemployment insurance system

In applying the provisions of this law shall be excluded any discrimination on political, racial, national, ethnic origin, language, religion, social status, belief, sex and age.

Also, measures and special rights granted by the mentioned law to categories of persons disadvantaged do not constitute discrimination in the meaning of its provisions..

Beneficiaries of Law no.76/2002, as amended and supplemented, are people looking for a job in one of the following situations:

- a) have become unemployed within the meaning of the law invoked;
- b) could not get a job after graduating from an educational institution;
- c) takes a job and, for various reasons, want to change it;
- d) have obtained refugee status or another form of international protection under the law;
- e) are foreign nationals or stateless persons who were employed or received income in Romania, according to law;
- f) could not get a job after repatriation or release from prison.

In the unemployment insurance system in Romania are insured under this act, individuals, named insured persons, which can be:

- a) Romanian citizens who are employed or receive income in Romania, under the law, except those who are retired;
- b) Romanian citizens working abroad, according to the law;
- c) foreign nationals or stateless persons who are employed or earns revenue for the duration they domicile or have the residence in Romania under the law.

The insured must pay unemployment insurance contributions and are entitled to receive unemployment benefits under the law invoked..

In the unemployment insurance system in Romania are compulsory insured by law:

- d) d) persons engaged in individual labour contract or temporary employment contract, under the law, except those who are retired;
- e) civil servants and other persons engaged in activities according to an appointment act;
- f) persons operating in elected or appointed positions within the executive, legislative or judicial authorities, during their term;
- g) soldiers and volunteers;
- h) persons who have an employment relationship as cooperative member;
- i) other persons whose income from legal activities and do not fall under any of the categories mentioned above. a)-e).

Can be optionally insured within the unemployment insurance system in Romania, according to the Law no.76/2002, as amended and supplemented, the following persons:

- a) sole shareholder, associates;
- b) administrators who have concluded contracts by law;
- c) persons authorized to carry out independent activities;
- d) members of family associations;
- e) Romanian citizens working abroad, according to law;
- f) other persons who receive income from legal activities which do not fall under any of the categories mentioned above. a)-e).

People who can be insured under the unemployment insurance system in Romania may conclude an unemployment insurance contract with the employment agency in whose jurisdiction they reside or, if appropriate, domicile, if they have at least 18 years of age and are insured in the public pension system and health insurance system. Monthly income for these persons shall insured can not be less than the minimum gross salary guaranteed payment established by law, and more than the equivalent of 5 times the average gross salary established by law in force in the month for which the unemployment insurance contribution is paid.

Unemployment insurance budget includes revenues and expenditures for the unemployment insurance system.

Unemployment insurance revenues consist of:

- a) contributions of employers and legal entities where the insured persons work, assimilated to the employer under this law;
- b) individual contributions of compulsory insured persons by law;
- c) the contributions payable by persons entering into unemployment insurance contract;
- d) income from other sources, including external funding.

Unemployment benefits granted under conditions provided by law no.76/2002, as amended and supplemented, is a partial compensation of insured person income due to job loss or the income of graduates of educational institutions which could not engage in work.

In order to establish the right to unemployment benefits, the unemployed are those that can be found in one of the following situations:

- a) have ceased their employment reasons not imputable to them;
- b) have ceased their work for reasons imputable to them;
- c) their mandate for which they were appointed or elected has ceased, if not previously employed or resuming activity is no longer possible because the employer definitive cessation of activities;
- d) soldiers contract duration expired or contract terminates for reasons not imputable to them;
- e) employment relationship as a cooperative member, has ceased for reasons not imputable of them;
- f) concluded an agreement for unemployment insurance and have no income or have and income from legal activities less than the minimum gross salary guaranteed payment as they would have been entitled under the law
- g) have stopped working due to disability retirement and then regained the ability to work and failed to find a job;

- h) have ceased employment or job for reasons not imputable to them, during the suspension period, under the law ;
- i) reintegration in work, ordered by a final judgment, it is no longer possible to units at which they have previously been employed because of definitive cessation of activities, or at units that have taken their patrimony.
- j) they stopped work carried out exclusively on civil convention

Are assimilated to unemployed persons who could not get a job after graduating from an educational institution or after military service if they meet the following conditions:

- a) are graduates of education institutions, aged 16 years, who, within 60 days of graduation, failed to get employed according to their professional training;
- b) are graduates of special schools for the disabled persons aged 16 years who failed to be employed according to their professional training;

Unemployed receive unemployment benefits if they meet the following conditions:

- a) have a minimum contribution period of 12 months during the 24 months preceding the date of application registration;
- b) have no income or have income from legal activities, but lower than the reference social indicator in force;
- c) do not qualify for retirement according to law;
- d) are registered at employment agencies in whose jurisdiction they domicile or, if appropriate, have residence, if their last job or income was earned in that locality.

People who are treated as unemployed receive unemployment benefits if they meet the following conditions:

- a) are registered at employment agencies in whose jurisdiction they domicile;
- b) have no income or have income from legal activities, but lower than the reference social indicator in force;
- c) do not qualify for retirement according to law.

Do not receive unemployment benefits persons who, at the time when they asked for this right, refuses a job according to their training or education, or refuses participation in services stimulating employment and training offered by employment agencies.

Also, do not receive unemployment benefits graduates at the time when they asked for this right, follows a form of education.

The unemployed or assimilated unemployed persons, receive unemployment allowance, on request, as appropriate, from the date of :

- a) termination of work relationship;
- b) termination of the mandate for which they were appointed or elected;
- c) expiry or termination of the contract of military employed under contract;
- d) termination of cooperative membership;
- e) termination of unemployment insurance contract;
- f) termination of the reason for which they were retired;
- g) termination of the reason for which the employment or job relationships were suspended;
- h) a judgment becomes final;
- i) cessation of activity based solely on civil convention;
- j) the expiry of 60 days from graduation, for the graduates of education institutions, aged 16 years, who were unable to find a job according to their professional training;
- k) graduation by graduates of special schools for disabled people aged 16 or over, who were unable to find a job according to their professional training;

Unemployment benefits are granted as of the dates specified, if the application is registered by the Employment agency within 10 days after these dates.

If the application is registered after the expiry of 10 days but not later than 12 months after the dates mentioned, unemployment benefit is granted from the date of application registration.

Period of maximum 12 months period is period of revoking the rights.

Unemployed receive unemployment allowance, depending on the periods established based on length of service, as follows:

- a) 6 months for persons with a contribution period of at least one year;
- b) 9 months for persons with a contribution period of at least 5 years;
- c) 12 months for persons with a contribution period of at least 10 years.

Unemployment benefit is granted to persons assimilated unemployed for a period of 6 months

Persons receiving unemployment benefits have the following obligations:

- a) come monthly, based on schedule or whenever requested, at the Employment agency at which are registered to receive support for employment;
- b) notify within three days the Employment Agency at which are registered any change in the conditions that led to the granting of rights;
- c) to participate in services organized to stimulate employment and training offered by Employment Agency at which are registered;
- d) actively seek work;
- e) promptly notify the Employment Agency at which are registered the occurrence of temporary disability status and identification data, respectively prescriber name and unit where the doctor operates, within 24 hours from the date of medical leave.

44 Termination of payment of unemployment benefits to beneficiaries takes place, according to article of Law no.76/2002, as amended and supplemented as follows:

- a) the date of employment by law for more than 12 months;
- b) the date when he/she received from legal activities, a monthly income higher than the reference social indicator in force;
- c) 90 days after the date of issuance of the operating license for the self-employment or certificate of registration under the law, if the monthly income is higher than the reference social indicator in force
- d) on the date of unjustified refusal to get a job according to training or education level;
- e) on the date of his/her unjustified refusal to participate in services to stimulate employment and training or on the date of their interruption for reasons attributable to the person;
- f) if disability retirement period exceeds 12 months;
- g) on the date of fulfilment the conditions for old-age pension, from the date of application for early retirement pension or on the date the disability pension becomes unrevised;
- h) at beneficiary's departure abroad for more than 3 months;
- i) on the date of commencement of a sentence of imprisonment for a period greater than 12 months;
- j) in case of death of the beneficiary;
- k) at time limits mentioned at Article 45 para. (2) and (3) of the law;
- l) at time limits mentioned at Article 45 para. (2) and (3) of the law;
- m) on the date of admission in a form of education for persons treated as unemployed.

As said, people receiving unemployment benefits are required to report monthly on schedule or whenever requested, at the Employment agency at which are registered, to receive support for employment and to participate in services to stimulate employment and training offered by the Employment agency at which are registered.

According to Law no.76/2002, as amended and supplemented, for the unemployed receiving unemployment benefits, as provided by this law, participation in mediation services at the request of the employment agencies at which are registered is mandatory.

Labour mediation is one of the measures to stimulate employment through which employment opportunities for people seeking work can increase, As materialized in linking employers with people looking for a job in order to establish working relationships or job.

According Procedure for receiving and processing requests for job or unemployment benefits approved by Order no.85/2002 of the president of National Agency for Employment, as amended and supplemented, if local employment agency or place of business can offer, following mediation process, a job appropriate to training and education level, the hiring decision shall be issued.

Hiring decision is issued for the person looking for a job, recorded in the Agency for the Employment in the county or Bucharest, can come to the employer to participate in the selection held by him under the law, to fill a vacancy.

Given the those mentioned above and taking into account the provisions of Article 25 of the Methodological Norms for applying Law no.76/2002, approved by Government Decision no.174/2002, as amended and supplemented, we have to mention that when the beneficiary of allowance unemployment does not accept employment solutions it is about an unjustified refusal as defined in Article 44 d) of the Law no.76/2002, as amended and supplemented.

Training programmes for persons seeking employment should ensure the growth and diversification of professional skills in order to achieve mobility and their reintegration into the labour market.

According to Article 27 paragraph (3) of procedures for access to measures to stimulate employment, financing and implementation instructions, approved by Government Decision no.377/2002, as amended and supplemented, recipients of unemployment benefits are required to attend training programmes offered and organized by employment agencies and to pass the final examination and, where appropriate, and re-examination.

The persons mentioned have access to free training programmes, if they were included in the information services and professional advice or mediation services and have a recommendation to attend a professional training programme.

To training programmes may be admitted persons who fulfill the attendance conditions specified for that programme.

Persons undergoing training programmes funded from the unemployment insurance budget may withdraw from these programmes without incurring expenses for training services, to get a job, to start an economic activity under the law or where health does not allow them to continue the programme, if they prove that they are in one of these situations by presenting the employment contract, operating certificate or certificate of registration or medical documents.

Therefore, in situations other than those mentioned, interruption of participation in service to boost employment, is imputable to person, as stipulated by Article 44 e) of the Law no.76/2002, as amended and supplemented.

Also, failure in final examination or re-examination of persons participating in free training programmes for reasons other than those referred to in Article 37 para. (3) of the Methodological Norms for applying Law no.76/2002, approved by Government Decision no.174/2002, as amended and supplemented, constitute unjustified refusal for the purposes of Article 25 of the same methodological norms and, as appropriate, means the cessation of unemployment allowance payment under Article 44 e) of the Law invoked .

According to Article 37 para. (3) of mentioned norms shall be considered reasons not imputable to the person, the following situations:

- a) the birth of a child;
- b) marriage;
- c) illness;
- d) death of spouse or relatives up to the second degree inclusive;
- e) force majeure.

In addition to the above and taking into account the provisions of Article 25 of the Methodological Norms for applying Law no.76/2002, approved by Government Decision no.174/2002, as amended and

supplemented, we mention that other situations or reasons than those covered by the law invoked are attributable to the beneficiary of unemployment benefits, as a person participating in stimulating employment services and professional training, being considered an unjustified refuse, according to provisions stipulated in Article 44 e) of the Law no.76 / 2002, as amended and supplemented.

Suspension of payment of unemployment benefits to beneficiaries takes place, according to Article 45 para. (1) of Law no.76/2002, as amended and supplemented as follows:

- a) the date on which they have not fulfilled their obligation to report monthly on schedule or whenever requested, at the employment agency at which are registered to receive support for employment;
- b) during military obligations;
- c) on employment, according to the law, for a period not exceeding 12 months.;
- d) on leaving the country for more than three months, at the request of the person;
- e) the duration of preventive arrest or executing a custodial sentence of up to 12 months;
- f) at date of retirement for the disability;
- g) the period of granting temporary disability allowance, maternity allowance and child allowance until the age of 2 years and 3 years for disabled children;
- h) the period of temporary disability of more than three days due to accidents occurring during the training, retraining, professional training course or, where appropriate, other forms of training, during and because of professional practice.
- i) during the compensatory payments under the law.

Payment reinstatement after suspension under Article 45 para. (1) a) of the Act invoked is the beneficiary date of application, but no later than 60 calendar days from the date of suspension.

Payment reinstatement after suspension under par. (1) b) I) thereof, is made from date of application of the beneficiary, but not later than 30 calendar days from the date of cessation of the situation which led to the suspension..

Period of suspension referred to in Article 45 para. (1) a) of the Act is part of the period for granting unemployment benefits.

Besides unemployment benefits, as social protection measure of passive character, Law no.76/2002, with subsequent amendments and completions, governs a series of measures to stimulate employment by increasing employment opportunities for persons seeking employment.

Increase employment opportunities for people seeking work is done according to the law invoked, by the National Agency for Employment by through the for county and Bucharest employment agencies, mainly through: information and professional advice, labour mediation, professional training, advice and assistance for starting an independent activity or starting a business and other incentives that address people receiving unemployment benefits, under the law or to graduates of educational institutions.

Information and counseling is a set of services provided free of charge to persons seeking employment, aimed at:

- a) providing information on labour market and occupations evolution;
- b) personality assessment and self-assessment to vocational guidance;
- c) develop the ability and self confidence of people looking for a job in order to enable them to decide on their career;
- d) training in methods and techniques to find a job.

Information and vocational guidance is done by specialized centers organized under county and Bucharest employment Agencies, as well as other centers and service providers whether public or private, accredited, concluding contracts with mentioned agencies, under the law.

Labour market information, professional route planning, evaluation and self-evaluation is done by self-information, by providing individual and group counseling services, upon request, to persons seeking employment or by job clubs organized in the county and Bucharest employment agencies.

Professional counseling and training in methods and techniques to find a job and presentation at interviews for employment is performed by career guidance counselors in the information centers and career counseling or on request in other organized forms of training.

Labour mediation activity is carried by bringing together employers and people looking for a job in order to establish working relationships or a job.

Counties and Bucharest employment agencies are required to identify job vacancies from employers and make them known to people looking for a job.

Mediation services for individuals looking for a job are granted free by employment agencies and consist of:

- a) informații privind locurile de muncă vacante și condițiile de angajare ale acestora prin publicarea, afisarea, organizarea de târguri de locuri de muncă;
- b) mediere electronică, care să asigure corespondența automată și cererile de locuri de muncă prin intermediul calculatoarelor;
- c) candidates shortlisting according to employment requirements and in compliance with the education, skills, experience and interests.

In order to achieve measures to stimulate employment, county and Bucharest employment agencies, were required to prepare for each person seeking a job, the individual mediation plan.

Unemployed not receiving unemployment benefits must submit an application to employment agencies to be considered in the mediation and if non employed, to renew the request every 6 months.

Individuals seeking employment can participate in training programmes to ensure their professional growth and diversification of skills to ensure mobility and reintegration on the labour market.

Training programmes provide, by law, initiation, training, retraining, improvement and specialization of persons seeking employment.

Training of persons seeking employment shall take into account the now and future requirements of the labour market and in accordance with the options and abilities of the individuals concerned.

Forms which ensure the training of persons seeking work are: courses, internships and specialization, and other forms as provided by law.

Access to training programmes is through information and vocational counseling or mediation activities.

According to Law no.76/2002, as amended and supplemented, persons referred to in Article 16 a), b), d), e) and f) of the Act and those operating in rural areas and do not earn monthly income or monthly income is lower than the reference social indicator and are registered at county and Bucharest employment agencies, benefit of free of charge professional training service.

Under the law invoked, advice and assistance for starting an independent activity or starting a business are granted, upon request, to persons seeking employment in the form of legal, marketing, financial, management methods and effective techniques and other consulting services.

Services are provided free to persons referred to in Article 16 of the same law, once for each period that is looking for a job.

Under Law no.76/2002, as amended and supplemented, the unemployed and those treated as unemployed that could not find a job and were entitled to unemployment benefits established by law and find a job full time, under the law in force, and because of employment, paying unemployment benefits ceases and shall enjoy, since employment until the end of the period for which they were entitled to receive unemployment benefits for a monthly amount granted from the unemployment insurance budget, representing 30% of the unemployment benefit established and, where necessary, updated by law.

The persons mentioned enjoy of this amount also if in the period for which they are entitled at unemployment benefits, terminate the employment relationship or service at the first employer and is employed by another employer. The amount shall be granted by the end of the period for which the person was entitled to receive unemployment benefits.

Do not benefit from that measure individuals working at employers with whom had employment relationship or job in the last two years, and those for which unemployment benefit payment was suspended as a result of employment, under the law, for a period not exceeding 12 months, and thereafter as a result of changing individual labour contract duration (longer than 12 months) unemployment benefit payments cease.

According to Law no.76/2002, as amended and supplemented, graduates of educational institutions and special schools graduates, aged 16 or over, registered at employment agencies, when engaging in

normal working hours for a period exceeding 12 months, benefit from the unemployment insurance budget, of a premium equal to the reference social indicator in force.

Also, graduates who have been established the right to unemployment benefits and work, in period for granting such benefits, with normal working hours for a period exceeding 12 months, benefit from the unemployment insurance budget, of an amount equal the unemployment benefits at which they were entitled, under the law, until the expiration of its grant if they would not be hired.

These rights are granted to graduates who retain employment or service relationship for a period of 12 months from the date of employment.

Gross minimum wage in the country, guaranteed payment, considered at calculating unemployment benefits at which these graduates would be entitled, under the law, if they had been employed, is the minimum gross wage guaranteed in pay, effective on the date of employment.

Do not benefit from the provisions of these measures:

- a) graduates who had graduation the date of employment or service relationships;
- b) graduates who work at employers with whom were in employment or service relationship in the past 2 years;
- c) graduates that when they requested the right are attending a form of education;
- d) graduates of education institutions that employers are required by law to hire them at work;
- e) graduates for whom the unemployment benefit payment was suspended as a result of employment, by law, for a period of 12 months and thereafter as a result of changing individual labour contract duration (lasting more than 12 months ) paying of unemployment benefits ceases.

According to the Law no.76/2002, as amended and supplemented, in persons who during the period they receive unemployment benefits work, under the law, in a locality situated at a distance of 50 km from the town in which they have residence enjoys an employment premium, from the unemployment insurance budget, equal to two minimum gross basic salary of guaranteed payment in effect on the date of grant.

Also, persons who, during the period of receiving unemployment benefits work, under the law, in another city and as a result, change their domicile, receive a first installation bonus from the unemployment insurance budget equal to 7 national gross minimum wages, in force at the date of installation.

## **Regarding the Article 12**

According to the Law no.76/2002, as amended and supplemented, the amount of unemployment benefits enjoyed by the unemployed is a monthly amount paid differently depending on length of service, as follows:

- a) 75% of the reference social indicator in force at the time of allowance determination for persons with a contribution period of at least one year;
- b) the amount referred to at a) plus an amount calculated by applying the monthly average gross base salary for the last 12 months of contribution period, a percentage rate differentiated by length of employment

The percentage mentioned is differentiated according to length of employment, as follows:

- a) 3% for persons with a contribution period of at least 3 years;
- b) 5% for persons with a contribution period of at least 5 years;
- c) 7% for persons with a contribution period of at least 10 years;
- d) 10% for persons with a contribution period of at least 20 years.

For those who were insured under a contract of insurance against unemployment, in determining the amount calculated by applying a percentage depending on the length of employment, it is envisaged declared monthly income in the unemployment insurance contract.

Unemployment benefits paid to persons who are treated unemployed is a fixed monthly amount, which amount represents 50% of the reference social indicator in force at the time of its determination.



According to law no.76/2002 on the unemployment insurance system and employment stimulation, as amended and supplemented, reference social indicator is expressed in lei to which relates the cash benefits paid from the unemployment insurance budget, given both for the protection of individuals in unemployment insurance system and to stimulate certain categories of people to be employed, and employers to employ persons seeking employment. Reference social indicator value is 500 RON. This value can be changed by Government decision, depending on the rate of consumer price increase projected in the previous year.

We mention that by regulating unemployment benefits granting based on length of employment and contributions paid at the unemployment insurance budget was intended to ensure adequate social protection of people faced with this risk and determine at the same time those people to actively seek a job appropriate to their professional training and employment options.

In this regard, persons who have completed contribution stages over 20 years in the unemployment insurance system, that generally find hard work on the labour market, benefit from adequate social protection when faced with risk of unemployment, which is reflected in the amount and duration unemployment benefit is granted.

Thus, besides the amount of 75% of the reference social indicator, these people benefit from an amount calculated by applying a percentage rate of 10% on the monthly average gross base salary for the last 12 months of contribution period.

Regarding the amount of unemployment benefits to people who have made a contribution period between 1 and 3 years, to note that this is an amount representing 75% of the social reference index in effect on the date the allowance.

The amount mentioned, related to the period for granting unemployment benefits, provide adequate social protection to these people, encouraging them at the same time, to take steps to find a job appropriate to their vocational training and options.

Regarding the share of unemployed not receiving unemployment benefits (unpaid) in total unemployment, see below the statistics during the reference period 1 January 2008 - 31 December 2011:

Year	Total average number of unemployed	Of which women	Total average number of unemployed paid	Total average number of unemployed unpaid	Percentage of total unemployed unpaid of total unemployed (%)
2008	362.429	167.124	108.632	253.797	70,03
2009	572.974	250.321	299.614	273.360	47,71
2010	693.407	291.174	384.446	308.961	44,56
2011	484.192	209.961	194.821	289.371	59,76

## Article 12 par. 2

### CNPP Contribution

The public pension system is the basic protection in the elderly population, its purpose being to maintain a certain degree of redistribution and necessary solidarity by providing adequate income to this age group, thus eliminating the risks they face. It was intended primarily to provide adequate income to the growing number of elderly population in the global population aging, so that they can cope with the risks of loss of income during old age.

Începând cu luna iunie 2009 a fost introdusă pensia socială minimă garantată, fapt de natură a îmbunătăți sistemul de protecție socială a populației vârstnice, prin asigurarea unui venit minim de subzistență.

In the the same reference period (2008 - 2011), i.e from 1 January 2011, entered into force a new law on pensions which aimed to solve the major problems faced by the public pension system to date: situation of special pensions, an alarming increase in the number of disability and early retirement.

Thus, this new legal framework was developed based on objectives such as sustainability of the pension system in the medium and long term, in the context of population aging, the economic crisis and the decline in the number of taxpayers. Thus, it was intended to increase the number of contributors to the public pension system by including new categories of persons within the scope of this law.

During the reporting period 1 January 2008 to 31 December 2010 was in force Law no.19/2000 on the the public pension system and other social insurance rights that undergone some changes and additions, through which was ensured measures to adapt the public pension system at continuous evolution of Romanian society. This regulation has undergone a **comprehensive process of amending and completing** focussing mainly on:

- introduction of **more permissive conditions** in the public pension insurance system, in order to broaden the base of taxpayers;
- introducing the concept of the pension point value used in calculating the amount of pension;
- introduction of a new pension formulas based on points accumulated throughout the period of contribution;
- social security contribution rate set annually by the state social insurance budget law;
- introduction of **clearer boundaries and restrictions** to be eligible for higher classification in a group work (special and particular conditions)
  - **gradual increase in the retirement age**, of complete contribution and the minimum contribution period;
  - identify **control measures on payment obligations** to the state social insurance budget;
  - regulation of early retirement for those who had more than 5 years before the standard retirement age without penalty, in case the complete contribution period is in excess of 10 years and with penalties, depending on the number of years of early retirement (partial early retirement, if complete contribution period exceeded more than 10 years);
  - **reconsideration of eligibility** for early retirement pensions and tightening conditions for granting disability pensions to discourage early retirement and disability retirement for old age;

Promoted policies on pensions aimed at creating a **Romanian pensioners status comparable to that of the European area, the sustainability of the public pension system and an appropriate level of benefits in the public pension system.**

Pension legislation in the period 1 January 2008 - 31.12.2010 was complemented by:

- Government Emergency Ordinance no.100/2008 to supplement Law no.19/2000 on the public pension system and other social insurance rights which provided that insured persons who have engaged in jobs classified in Group I and / or Group II of work, under legislation in force before 1 April 2001, enjoyed an additional number of points

This ordinance was implemented in stages from October 2008 - October 2009;

- Law No.218/2008 amending and supplementing the Law no.19/2000 on the the public pension system and other social insurance rights which contained provisions on increasing scores made by insured persons and pensioners in the public pension system that developed activities in higher labour groups, as to the laws in force prior to April 1, 2001, and for those who performed activities in jobs assigned to special conditions or special laws in force after that date. The provisions of this law were taken by Law no. 263/2010 on the unitary public pension system, with effect from January 1, 2011:
- Government Emergency Ordinance no. 6/2009 which established minimum guaranteed social pension. By Law no. 118/2010, the minimum guaranteed social pension was renamed social allowance for pensioners.

On 1 January 2011, entered into force the Law no. 263/2010 on the unitary public pension system and by Government Decision no. 257/2011 have been approved rules for the application of Law no. 263/2010 on the the unitary public pension system, published in Official Gazette of Romania, Part I, no. 214, of March 28, 2011.

The objectives pursued by the entry into force of Law no. 263/2010 were: creating a unified pension system, ensuring its sustainability and eliminating inequities arising between different categories of pensioners.

The public pension system is organized and operates with the following basic principles:

a) *uniqueness principle*, according to which the state organizes and ensures the public pension system based on the same rules for all participants in the system;

b) *mandatory principle*, according to which natural and legal persons are, by law, required to participate in the public pension system, social security rights are correlative with the fulfillment of the obligations;

c) *contributiveness principle*, according to which social security funds are based on contributions from individuals and legal persons participating in the public pension system, social security benefits are due pursuant to the social security contributions paid;

d) *principle of equality*, that ensures all participants in the public pension system, taxpayers and beneficiaries, non-discriminatory treatment between persons in the same legal position in regard to rights and obligations under the law;

e) *principle of distribution*, under which social security funds are redistributed for the payment of obligations of public pension according to the law;

f) *principle of social solidarity*, according to which public pension system participants assume mutual obligations and enjoy rights to prevent, restrict or remove statutory insured risks;

g) *principle of autonomy*, based on independent administration of the public pension system, according to the law;

h) *imprescriptible principle*, that the right to pension is not prescribed;

i) *inalienability principle*, according to which pension rights may not be transferred in whole or in part.

Law no. 263/2010 on the the unitary public pension system aimed primarily at:

- **Expanding the scope of compulsory insurance** – by integrating into the unified public pension system the persons belonging to specific systems (military pensions) and individuals whose income come from liberal professions;
- **Improve the financial sustainability of the pension system** – by entering of more stringent requirements on access to partial early retirement and invalidity pension;
- **Ensuring fair treatment of insured persons**, future retirees - by regulating the way of establishing pension directly correlated with income levels that were insured for social security contributions paid;
- **Discourage early retirements** – by increasing the pension penalty coefficient;
- **Increase the retirement age** due to increased life expectancy of the population and the gradual equalization - by 2030 - of complete contribution of men and women.

**Through these programmatic objectives of the framework law on pensions, it is intended to limit the possibilities of discretionary increase of pensions and gradual adjustment of retirement ages, review the conditions for granting early and invalidity pensions.**

This normative act brought a series of elements in the public pension system by:

1. Increasing the standard retirement age for women.
2. Increasing the retirement age for staff in national defense, public order and national security (military personnel and civil servants with special status in the national defense, public order and

national security that retired, pending the entry into force of the new law at the age of 55 years, both women and men, and from the entry into force of the unitary public pension system, the persons who would retire at age established by special laws, will benefit of pension at the retirement age set by the timing of increase in age for men and women who apply to insured persons of unitary public pension system).

Reassessment of standard retirement age for people, in the judiciary, diplomacy, auxiliary court personnel, public officials parliamentarians, who are integrated into the unified pension system, etc.

3. Integration of persons belonging to special pension systems in unitary public pension system.
4. Pension point value from the entry into force of this Law and by 2020, will increase annually by 100% inflation rate, plus 50% of real gross wage growth made in the previous year.
5. Recalculation of pensions established by special laws in payment the date of introduction unitary public pension system.
6. Increasing the number of contributors to the unified public pension system to include those whose income derives solely from liberal profession: managers, family associations, copyrights etc.
7. Discourage early partial retirements (tightening was considered for granting this type of pension through the following provisions: increase of 0.75% penalty for each month of early retirement as to the normal retirement age, early retirement can not exceed 60 months (5 years) than the standard retirement age, the maximum penalty increased to 45%, as compared to 30% before the entry into force of the new law and throughout the early retirement period, the person can not cumulate the partial early retirement pension with an income from salary (with exception of sole associate, limited partners or shareholders, at the standard retirement age, the penalty disappears).
8. **Discourage abusive invalidity retirement, medically unjustified** (by introducing additional rules which add clear procedures with deadlines and penalties, **to the procedure of medical expertise**, increase liability of insurance **physician**, rechecking medical records suspected by concluding agreements between houses of **pensions and hospitals, laboratories, clinics**, verify the degree of disability within 5 years **after entry into force of this law**, **of all invalidity pensioners in the records of the National House of Public Pensions through the National Institute of Medical Expertise and Work Capacity Recovery**).

#### **10. Financing of attendant allowance for the disabled pensioners first degree of invalidity, from the state budget.**

#### **Risks covered, financing and personal field of application**

In the public pension system are insured compulsorily by effect of law:

- a. persons performing activities on individual employment contract, including soldiers and military volunteers;
- b. civil servants;
- c. active military personnel, soldiers and military volunteers, policemen and civil servants with special status in the the prison system, national defense, public order and national security;
- d. individuals who obtain professional income other than salaries of copyright and related rights as defined under Art. Article 7. (1) Section 13 1 of Law no. 571/2003 regarding the Fiscal Code, as amended and supplemented and from contracts / agreements concluded under the Civil Code.

II. People operating in elected or appointed positions within the executive, legislative or judicial authority, during their term and cooperative members of an organization of handicraft cooperatives, whose rights and obligations are assimilated to those of the persons referred to in section I, in accordance with this law.

III. Persons receiving monthly pecuniary rights, which come from unemployment insurance budget, under the law, hereafter referred to as unemployed;

IV. Individuals who obtain exclusively, gross income per calendar year equivalent to at least 4 times the average gross salary used to substantiate the state social insurance budget and is in one of the following situations:

- a) administrators and managers who have concluded administration or management contract;
- b) members of individual enterprise and family business;
- c) natural persons authorized to do business;
- d) persons employed in international institutions if they are not their insured persons;
- e) other persons who receive income from professional activities.

V. Retired military personnel, policemen and civil servants with special status in the the prison system whose service relationship ceased, of the national defense, public order and national security, receiving monthly benefits that are provided from the state budget, according to the law.

**In the public pension system can be insured lawyers, clergy and assimilated personnel within legally recognized religions who are not integrated in the public system and any person wishing to get insured or supplement his income based on a social insurance contract, under this law.**

For the period 1 January to 30 November 2008, social security contribution rates were set as follows:

- a) 29 % for the normal working conditions;
- b) 34 % for the difficult working conditions;
- c) 39% for the special working conditions.

As of December 1, 2008, these rates have changed as follows:

- a) 27,5 % for the normal working conditions;
- b) 32,5 % for the particular working conditions;
- c) 37,5% for the special working conditions.

Individual social security contribution share was 9.5%, regardless of working conditions. In this share is included and the 2% related to private pension funds.

Starting February 1, 2009, social security contribution rates have been:

- a) 31,3% for the normal working conditions;
- b) 36,3% for the particular working conditions;
- c) 41,3% for the special working conditions.

Individual social security contribution share was 10.5%, regardless of working conditions. In this rate was included and the 2% related to privately managed pension funds.

For the years 2010 and 2011, social security contribution rates were set as follows:

- a) 31,3% for normal working conditions, payable by employer and employees, of which 10,5% payable by employees and 20,8% due by employers;
- b) 36,3% for the particular working conditions, due by the employer and employees, of which 10,5% payable by employees and 25,8% due by employers;
- c) 41,3% for special working conditions, payable by employees and employer, of which 10,5% payable by employees and 30,8% due by employers.

Payment of social security contributions was done as follows:

- Employer – 20.8%
- Employee – 10.5% (in case of the staff of national defense, public order and national security, the rate of 5% which is paid to the state budget to state security)

budget, which will add a percentage of 5.5%. The 5.5% increase in the contribution will be achieved by increasing the gross salary so that net income is not affected).

The new framework law establishes that the financing of attendant allowance granted to pensioners 1st degree of invalidity is from the state budget and not from the state social insurance budget, because:

- attendant allowance is not an insurance benefit of contributory nature, but a social assistance one;
- attendant allowance is wage income paid to take care of a 1st degree disabled person;
- is an indemnity identical to that paid from the state budget for people with disabilities of 1st degree.

These benefits are still paid through retirement houses.

#### **Deficit of the state social insurance budget between 2008 - 2011 has evolved as follows:**

- 2008 - 2911 million lei (0, 58% of GDP)
- 2009 – 6459 million lei (1, 31 of GDP)
- 2010 – 2, 13 % of GDP
- 2011 – 2,01 % of GDP

#### **Results of the application of Law no. 263/2010 on the unitary public pension system:**

- **Increased** average effective retirement age, on the whole system as follows: for men: from 57.8 years in 2010 to 58.3 years in 2011 and for women: from 56.1 years in 2010 to 56.3 years in 2011;
- At the end of December 2011, the total number of pensioners was 5,383,000, a decrease of 96,800 from the corresponding period of 2010, and of 19,100 people as to the end of September 2011. Of the total number of pensioners, 17% were in the pension on grounds of disability, and 68.5% enjoyed retirement age. Also, the average score achieved by the registered pension in 2011 was 0.934 points;
- Has decreased the number of people have registered for partial early retirement from 42,911 in 2010 to 24,797 in 2011; A decreased number of people who enrolled in disability pension from 61,905 in 2010 to 29,799 in 2011. Thus, the number of retired on account of disability in 2011 decreased by half compared to 2010 and almost two-thirds compared to 2008 and 2009.
- A decreased number of persons who have registered for pension, approx. 34%, from 307,282 in 2010 to 202,287 in 2011 and the average pension value was reduced from lei 728 in 2010 to 697 lei in 2011.
- Following further verification of pensioners enrollment in degrees of disability, according to Law 119/2010 regarding some measures in pensions szstem, in parallel with the periodic review under the framework law (Law no. 19/2000 - until 31.12.2010, namely Law no. 263/2010 - after this date), between 01.01.2010-31.12.2011 an amount of approx. 71.5 million lei was saved.

#### **ARTICLE 12 PAR. 3**

#### **Ensuring equal treatment of all beneficiaries of the public pension system in Romania**

The new legal framework governing pensions was taken to ensure *equal treatment, preserve the acquired rights and uniqueness of applicable law* for public pensions by applying the same formula to calculate the pension.

**This was done** by integrating in the unified public pension system, persons belonging to specific systems (military pensions) and individuals whose income come from liberal professions, a settlement on **an equitable basis of all pension existing in the system so that all pensions are determined by the same law principles.**

Were integrated into the unitary public pension system all persons currently working in areas using laws / special retirement provisions, in areas such as defense, public order and national security and not contributing to state social security budget. Establishing pensions for these people, will be made by multiplying the average number of points the person would have done throughout the activity duration if they have paid social security contributions, with the value of a pension point established by law. At the time of recalculation we take into account all income earned from work.

**It was also envisaged, to protect pensioners with low pensions by entering "minimum guaranteed social pension" starting with June 2009. According to Art. 7 of Law no. 118/2010 on measures necessary to restore budgetary balance, the name of this benefit has been superseded by "social allowance for pensioners'.**

*Beneficiaries of this benefit* are pensioners in the public pension system living in Romania, regardless of retirement enrollment date.

***Requirements for obtaining social benefits for pensioners:***

- be resident in Romania;
- the amount of pension in payment or due is below the minimum guaranteed social pension.

People who enjoy concurrently, both one or more pension rights in the public retirement system, and rights deriving from systems non-integrated to the public system, determined and paid by from the public pension system under special laws, when providing the allowance social for pensioners are taken into account the aggregated amounts of all income.

Since 2010, the social allowance for pensioners is set annually by fiscal laws, and may be amended in relation to macroeconomic indicators and financial resources. The amount of social allowance for pensioners was set at 350 lei, in 2009, 2010 and 2011.

Social allowance for pensioners is determined ex officio by territorial pension houses and the difference between the pensions and social allowances for the pensioners is covered from the state budget through the Ministry of Labour, Family and Social Protection.

In the Period 2008-2011, the **pension point** value has evolved as follows:

- january 2008 - 581, 3 lei
- from 1 October 2008 – 697,5 lei
- from 1 April 2009 – 718, 4 lei
- from 1 January 2010, the pension point value was set at 732, 8 lei.

Net pension has evolved as follows:

2008 – 593 lei  
2009 - 711 lei  
2010 – 739 lei  
2011 – 775 lei

**Statistics on the period 2008-2011**

**Retired persons paid from social insurance budget (thousands):**

- i. 2008: 4665.8 and 45.3% - replacement rate calculated with reference to average net wage.
- ii. 2009: 4719.3 and 52.2% - replacement rate calculated with reference to average net wage .
- iii. 2010: 4768.1 and 52.5% - replacement rate calculated with reference to average net wage.
- iv. 2011 - 4745.0 (replacement rate is not available)

**Old-age retired persons:**

- i. 2008: 3067.1 si 52.8 % - replacement rate calculated with reference to average net wage
- ii. 2009: 3116.2 si 60.8 % - replacement rate calculated with reference to average net wage
- iii. 2010: 3184.8 si 61.0 % - replacement rate calculated with reference to average net wage
- iv. 2011: 3227.0 (replacement rate is not available)

**Retired persons of invalidity:**

- i. 2008: 886.2 si 34.9% - replacement rate calculated with reference to average net wage
- ii. 2009: 903.1 si 39.7% - replacement rate calculated with reference to average net wage
- iii. 2010: 880.9 si 39.4 % - replacement rate calculated with reference to average net wage
- iv.2011: 828.2 (replacement rate is not available)

**Beneficiaries of survivor pension:**

- i. 2008: 587.5 si 22.3% - replacement rate calculated with reference to average net wage
- ii. 2009: 577.1 si 25.8 % - replacement rate calculated with reference to average net wage
- iii. 2010: 568 si 25.9 % - replacement rate calculated with reference to average net wage
- iv. 2011: 554.9 (replacement rate is not available)

**Beneficiari de pensie anticipată:**

- i. 2008: 10,1 si 61.7% - replacement rate calculated with reference to average net wage
- ii. 2009: 9,3 si 69.9 % - replacement rate calculated with reference to average net wage
- iii. 2010: 9.3 si 69.4 % - replacement rate calculated with reference to average net wage
- iv. 2011: 9.3 (replacement rate is not available)

**Partial early retirement pension beneficiaries:**

- i. 2008: 112,7 si 42.9% - replacement rate calculated with reference to average net wage



- ii. 2009: 111.9 si 49.2 % - replacement rate calculated with reference to average net wage
- iii. 2010: 123.6 si 49.5% - replacement rate calculated with reference to average net wage
- iv. 2011: 124.5 (replacement rate is not available)

**Pension expenditure in GDP (%):**

2008 – 6,7 %  
2009- 8, 2 %  
2010 – 8.3 %  
2011 – 8,2 %

**Dependency rate development between 2008 – 2010:**

2008 – 0,97  
2009 – 1,03  
2010 - 1, 01

**Evolution of replacement rate (calculated at the average net wage) (%):**

2008 – 45.3 %  
2009 – 52.2 %  
2010 – 52.5 %

- **FAMILY BENEFITS**

Entitlement to social assistance is guaranteed for all Romanian citizens residing or having domicile in Romania, without any discrimination. Framework Law no.47/2006 and subsequent laws provide that the right to social assistance measures both for Romanian citizens domiciled or resident in Romania and citizens of other countries and stateless persons and any other person who has acquired a form of protection and has domicile or residence in Romania. Social assistance system, in accordance with the laws in Romania, is a component of the social protection system, and includes, according to Law no. 47/2006, social services and social benefits, based on the principle of non-contribution.

Between 2008-2011 were introduced a number of changes to the social assistance system that defined reform in this area.

**Thus, on 20 December 2011 was published in the Official Gazette, Law no.292/2011, Social Assistance Law** which repealed Law no.47/2006 on the national social assistance.

**The law's scope** is to create a unified and coordinated legal and institutional setting out principles and general rules for granting social assistance measures and criteria for the organization and operation of the system to ensure adequate conditions for the development and implementation of sectoral public policies in the social assistance area. **The new law emphasizes and reinforces basic principles** that define the social assistance system in Romania, namely that the responsibility for developing the capacity for social integration and resolution of the difficulties lies with each individual and family, and the state intervenes by creating equal opportunities and, in the alternative, by providing adequate social services benefits as to

the actual situation of the person / family. **The social assistance system is complementary to the social security schemes** and social assistance measures contribute to recipients insertion on the labour market and is granted in order to prevent and limit any form of dependence on state aid or community. Benefits and social services constitute a package of services linked and complementary, social services take precedence over social benefits if the effect on beneficiaries is similar.

**The main elements of novelty contained in the law refers to:**

- I. **Correlation** of national social assistance system with existing models in other EU countries.
- II. **Reducing and limiting dependence on the state aid** through active participation of the person / family in individualized intervention programmes;
- III. Establishment and provision of social assistance benefits and social services in a **coordinated and complementary package**;
- IV. **Determining the level of social benefits based on the reference social indicator used in determining unemployment rights (ISR)**;
- V. **Focus social assistance benefits towards the social groups most at risk of poverty and social exclusion**, structuring them into 4 categories that include nine types of allowances, indemnities and compensations.
- VI. **Ensuring the development of the social services network** and development of joint social services market by **creating the possibility of contracting the provision of social services with private and public providers**.
- VII. **Improving evaluation system for people with special needs by unifying criteria for determining the degree of disability, invalidity, addiction**.

**In the the period 2008-2011, were granted the following benefits administered by the Ministry of Labour, Family and Social Protection:**

- **Programme granting state allowance for children**, covered by Law no.61/1993, republished with subsequent modifications and completions, a programme that is open to all children aged up to 18 years and young people aged over 18 years until the completion of high school or vocational courses organized under the law. For children who are enrolled in a degree of disability, including disabled children HIV / AIDS type, the amount of the allowance is increased by 100%. **This allowance shall be paid in different amounts, to all children regardless of their family income, as follows:**
  - in the amount of **200 lei per month** for all children aged up to 2 years or 3 years in case of a disabled child;
  - in the amount of **42 lei per month**, for children aged 2 years until the age of 18, and young people over 18 years, until the completion of high school or vocational courses organized under the law;
  - in the amount of **84 lei per month**, for children with disabilities after the age of 3 years.
- **Programme granting a monthly foster care allowance** is granted in support of families or private authorized body in which foster care was placed the child, according to Law no.272/2004, in the amount of **97 lei**, monthly allowance. This is granted from the state budget for each child in this situation. At the same time, the child for whom guardianship was established received allowance. For children with disabilities, including children with disabilities HIV / AIDS type, foster care allowance is granted in the amount increased by 50%. Thus, stimulated foster families

to receive abandoned children, giving them family harmonious environment much needed for their growth and development.

➤ **Complementary family allowance and support allowance for single parent families** is granted differentiated by family structure and considering revenue. The allowance is given to families consisting of husband, wife and children aged up to 18 years under their care, who live together. Families whose members are Romanian citizens living in Romania and foreign citizens or stateless persons who reside or, if applicable, domicile in Romania can benefit of allowance. And adopted children who are in foster care or custody or for whom guardianship has been established by law are considered part of the family.

For families receiving social assistance, the complementary family allowance amount is increased by 25%. These allowances are granted to families with children who had net monthly income per family member up to the minimum net wage in the economy, namely 470 lei. Amounts of these allocations varied by household type and number of children:

○ **complementary family allowance:**

- a) **50 lei** for the family with one child;
- b) **60 lei** for the family with two children;
- c) **65 lei** for the family with three children;
- d) **70 lei** for the family with 4 or more children.

○ **support allowance:**

- a) **70 lei** for the family with one child;
- b) **80 lei** for the family with two children;
- c) **85 lei** for the family with three children;
- d) **90 lei** for the family with 4 or more children.

Families who had in care children of school age benefited from additional family allowance, an allowance for single parents support, while the children were attending a form of organized education, as to law.

➤ **As of January 1, 2011, was set up family support allowance, based on Law no.277/2010.** This allowance is strengthening and adjusting the two aforementioned benefits. This allowance, as the previous ones, is based on means and family income evaluation and is granted to families with children who have net monthly income per family member up to 370 lei, as follows:

- **For families whose average monthly net income per family member is up to 200 lei are granted the following amounts:**
  - **30 lei** for the family with one child;
  - **60 lei** for the family with two children;
  - **90 lei** for the family with three children;
  - **120 lei** for the family with 4 or more children.
- **For families whose average monthly net income per family member is between 201 lei and 370 lei are granted the following amounts:**
  - **25 lei** for the family with one child;
  - **50 lei** for the family with two children;
  - **75 lei** for the family with three children;
  - **100 lei** for the family with 4 or more children.

- **For single person who has dependent children and whose net monthly income per family member is up to 200 lei are granted the following amounts:**
  - 50 lei for the family with one child;
  - 100 lei for the family with two children;
  - 150 lei for the family with three children;
  - 200 lei for the family with 4 or more children.
- **For single person who has dependent children and whose net monthly income per family member is between 201 lei and 370 lei are granted the following amounts:**
  - 45 lei for the family with one child;
  - 90 lei for the family with two children;
  - 135 lei for the family with three children;
  - 180 lei for the family with 4 or more children.

The programme is directed to ensure better financial conditions for growth, care and education and to stimulate school attendance of school-age children in the families beneficiaries of this allowance. In 2011, on average, 325,120 families received such monthly allowance.

**During 2008 - 2011, Programme granting the parental allowance was regulated by Emergency Ordinance no Guven. 148/2005 on family support for raising children, as amended and supplemented, which applies to births occurring before 31 December 2010.**

According to the law mentioned, persons who, in the year prior to childbirth, earned for 12 months income from wages, income from self-employment, income from agricultural activities, subject to income tax under the provisions of the Tax Code, **benefit from parental leave for children aged up to 2 years and 3 years in case of disabled children and a monthly allowance.**

Persons who are entitled to receive child allowance and return to work, receive a **monthly incentive**. Optionally, can receive allowance, or incentive either natural parents of the child and the person who adopted the child, was entrusted the child for adoption or foster care and the person who was appointed guardian. The two social assistance benefits were granted for the first 3 births.

**In the the GEO no. 148/2005 parents had the the following rights:**

- **Parental leave for children under the age of 2 years and its** corresponding monthly allowance amounting to 75% of net income made in the last 12 months, which may not be less than 600 lei and not more than lei 3,400;
- **Monthly incentive** granted until the child reaches the age of 2 years, in the monthly amount of 100 lei, if the parent returns to work.

**For children born after 1 January 2011, leave and parental allowance granting is made as to the GEO no. 111/2010, with essentially the same eligibility conditions as those provided by GEO no.148/2005, parents can choose 2 options for granting parental allowance as follows:**

**Option I: Leave and child allowance until the age of 1 year.**

- **monthly allowance**, amounting to 75% of net income made in the last 12 months, which may not be less than 600 lei and not more than lei 3,400;
- **employability incentive** until the child reaches the age of 2 years, in the monthly amount of 500 lei, if the parent returns to work before the child reaches the age of 1 year.

- **unpaid leave for child care** for children aged 1 year and 2 years granted if the parent does not return on the labour market.

**Option II: Leave and child allowance until the age of 2 year.**

- **monthly allowance**, amounting to 75% of net income made in the last 12 months, which may not be less than 600 lei and not more than lei 1.200;
- **insertion incentive** is not granted for this option.

In 2011, 196,680 people received parental allowance.

In 2011, people returned to work before the end of the parental leave, received monthly incentive and were in number 10,288.

For the beneficiaries of child allowance are paid health insurance contributions, the amount spent for this purpose in 2011 was lei 121,139,975.

For **disabled child**, the parent who meets the eligibility conditions prescribed by law, will receive **parental leave** until the **child reaches the age of 3 years** and the related allowance will be paid in the amount of 75% of net revenue made during the last 12 months and not **less than 600 lei and not more than lei 3400**. In case of a disabled child incentive award is granted **any time until the child reaches the age of 3 years**.

**For a disabled child who has reached the age of 3 years, either natural parents receive child care leave until the child is 7 years**, following previously granted leave on and during this period is entitled to a monthly allowance of **450 lei at** .

The person with serious disabilities or that does not receive any other income beyond social assistance benefits for people with disabilities and takes care of a child with disability receive a monthly support in the amount of **450 lei** granted until the child reaches the age of 3 years or **300 lei** for children aged 3 to 7 years;

The person who does not qualify under the law for granting parental leave and related monthly allowance, and having care of a child with disability receive monthly support in the amount of **300 lei** granted until the child reaches the age of 3 years respectively **150 lei** for children aged between 3 and 7 years.

Person with severe and profound disability who has care of a child without a disability, and that does not qualify under the law for granting parental leave and the related monthly allowance receive a monthly support amounting to **450 lei** until the child reaches age of 2 years and lei **150** for children aged 2 to 7 years.

In order to protect **persons with disabilities** reporting period was characterized by the existence of a social benefits package. Since January 1, 2007, legislation for special protection of people with disabilities has been amended, and **social benefits for people with disabilities** as provided under

Law no. 448/2006 on the protection and promotion of disabled persons rights. Under this law, an adult with disabilities benefit under this law, of the following social assistance benefits:

- a) **monthly allowance**, regardless of income, in the amount of:
  - **202 lei**, for adults with severe disabilities;
  - **166 lei**, for adults with accentuated disabilities;
- b) **monthly complementary personal budget**, regardless of income, in the amount of:
  - **91 lei**, for adults with severe disabilities;
  - **68 lei**, for adults with accentuated disabilities;
  - **33,5 lei**, for the adults with medium disabilities.

Receive social benefits referred to under b) also the family or guardian of the child with serious, accentuated or medium disabilities, as long as the child is under his/her care and supervision.

The person in charge of care, supervision and support of a **disabled child benefits** under the law of the following rights:

- parental leave and allowance for the child aged up to 3 years;
- leave and allowance for children aged 3 to 7 years;
- monthly supplementary budget regardless of income, differentiated by the degree of disability of the child.

Parent can return on the labour market before the age of 3 years of the child or seven years, giving up the right to compensation.

Person / disabled parent who has care of a disabled child and have no income other than those arising from legislation on the protection of individuals with disabilities receive:

- monthly allowance for disabled child until he reaches the age of 3 years;
- monthly allowance for child aged 3 to 7 years;
- monthly supplementary budget regardless of income, differentiated by the degree of disability of the child;
- monthly allowance depending on the degree of disability, regardless of income.

Person / parent who does not qualify for the grant provided by GEO no.148/2005 on family support for raising children, approved with amendments and completions by Law no.7/2007, as amended and supplemented, receive:

- monthly allowance for disabled child, amounting to 300 lei until the child reaches the age of 3 years and for children aged 3 to 7 years of monthly support in the the amount of 150 lei;
- monthly supplementary budget regardless of income, differentiated by the degree of disability of the child.

Parent / person having care of children with severe and profound disabilities benefits from reduced working hours to 4 hours, until the child reaches the age of 18. The parent also benefits of medical leave, granted by law, to take care of a disabled child requiring hospitalization, outpatient or home treatment for intercurrent diseases, and for recovery / rehabilitation until the child reaches of age of 18 year.

**Social Aid Programme**, In accordance with the terms and amounts provided for by Law no.416/2001 on the minimum wage, as amended and supplemented, calculated as the difference between net monthly income of the family or single person and the monthly minimum income required by law. Monthly guaranteed minimum income level was:

- a) **125 lei** for the single person;
- b) **225 lei** for families of 2 persons;
- c) **313 lei** for families of 3 persons;
- d) **390 lei** for families of 4 persons;
- e) **462 lei** for families of 5 persons ;
- f) **31 lei** for each person over the number of 5 persons belonging to the family, according to this law.

In terms of promoting social inclusion, it is the best targeted programme, including work incentives (increase by 15% the amount of eligible persons who have a job) and promoting the principles of accountability and active participation of beneficiaries by involving them in work and actions of community interest. As of January 1, 2011, payment of social support was provided by the National Agency for Social Benefits through the regional agencies for social services, and the necessary funds for payment of this aid came from the state budget, according to Law no. 276/2010 amending and supplementing Law no. 416/2001 on the minimum guaranteed wage.

**Programme on granting aid for house heating** - Aid for house heating represents benefits that were granted based on individual income testing under **Government Emergency Ordinance no.5/2003** on home heating aid, and certain public facilities for payment of heating. Are entitled to benefits for house heating, families or single persons using centralized system for house heating, hot water or people using gas, wood, coal or fuel oil for house heating.

By Government Decision no.1197/2007 on the correction of income limits for house heating aid and its levels in the the cold season **November 2007 - March 2008**, aid for natural gas for heating has increased by **10.7%**, an increase that do to not cover the **14.6% increase** in the price of natural gas to final consumers, imposing emergency measures by giving in the period **February-March 2008 and November-December 2008** of **additional aid** for people with low income using heating gas.

Therefore, the Government passed the **GEO no.121/2008** to create the **Social Fund**, made up of donations and sponsorships of domestic producers and distributors of natural gas to grant additional support, depending on family or single person income in maximum amount of 100 lei per month. The average number of beneficiaries of additional aid in the period February-March 2008 was about **745,000**, and payments **72.4** million. For the period **November-December 2008** the number of beneficiaries was about **610,000**, and payments of around lei **53.5** million.

**In September 2010**, was approved **Government Emergency Ordinance no.86/2010** amending and supplementing Government Emergency Ordinance no. 5/2003 on the aid for house heating, and public facilities for payment of heating.

GEO no.86/2010 settled that the granting of aid for house heating in the 3 heating systems namely the centralized heating, gas or wood, coal, petroleum fuels, in determining family or individual income are to be

taken into account all income of its members in the previous month of request submission, including those from the state social insurance rights, unemployment insurance, legal maintenance obligations, benefits, allowances and permanent benefits and other legal receivables, except scholarships and social grants and financial support granted to students under the National Programme for Social Protection "Money for college".

Also, it further provides that, if the family or single person owns movable and immovable property liable to provide home maintenance expenses and maintain a decent standard of living, heating aid will no longer be paid, the aid is thus directed towards preventing the risk of poverty in the families and single persons with incomes insufficient to cover the real need of their support. It was also provided the Major and public service responsibility in terms of social assistance obligations, to conduct social surveys, at random, to check the veracity of data given by the applicant / recipient of aid.

**Regarding the amounts of aid for house heating, they were maintained at the values of 2009, throughout this period.**

Also in September 2010, was approved the **Government Decision no.996/2010** to change the Methodological Norms for the application of Government Emergency Ordinance no. 5/2003 on the aid for house heating, and public facilities for payment of heating, with subsequent amendments, approved by Government Decision no. 1.350/2006

In 2011, it was eliminated the compensation from the state budget which would lead to a significant increase in the price of thermal energy supplied to the population and thus a higher expense in the family budget.

This required to take actions to protect vulnerable population within the shortest time possible to perform all administrative steps prior to the winter season November 1, 2011 - March 31, 2012, by the adoption of GEO no.70/2011 that provides **increased income limits for aid for house heating with centralized heat**, for single person from 615 lei to 1082 lei and for families from 615 lei/person to 786 lei /person, and other compensation percentage for heating bill price.

The new normative act allows local **subsidies from local budgets to compensate for Gas price or additional aid also from local budgets.**

According to Government Emergency Ordinance no. 70/2011 on the social protection measures during the cold season, families benefit from these measures for house heating using thermal energy supplied by centralized system, gas or wood, coal, petroleum fuels. Amounts for house heating aid granted under EO no.70/2011 are as follows:

- in the the case of **aid for house heating with natural gas, is granted a fixed amount** between **19 lei** for beneficiaries with income per person of **615 lei and 262 lei** for beneficiaries whose income per person are up to **155 lei**.
- in the the case of **aid for house heating with wood, coal, petroleum fuels**, is granted a fixed amount of between 16 lei for beneficiaries with income per person of **615 lei and 54 lei** for beneficiaries whose income per person are up to **155 lei** except those receiving social assistance under the Law no.416/2001 on guaranteed minimum income for which the aid is set at 58 lei;



- As regards aid **for house heating with thermal energy in centralized system**, the amount is variable, set by percentage compensation applied to the value of heat consumed per month, average monthly consumption limit set for families and singles, on the type of apartment, depending of region the temperature.
- Percentage Compensation paid from the state budget ranges from 100% to families receiving social assistance for single persons with incomes up to 155 lei and 5% for families whose income per person is lei 786. Single persons receive compensation under the same conditions as families, but increased by 10% compared to that given to the families.
- Single persons who have incomes between lei 786 and lei 1082 will receive a compensation of 10%. Depending on the average net monthly income per family member, families or single persons using thermal energy for house heating and can benefit of percentage compensation applied to the value of thermal energy consumed per month, paid from the local budget.

**- YEAR 2011 -**

	<b>FAMILY BENEFITS</b>	<b>Number of beneficiaries</b>	<b>Amounts paid - LEI -</b>
<b>1.</b>	State allowance for children	3,870,184	2,834,784,038
<b>2.</b>	Allowance for family support	325,120	223,287,221
<b>3.</b>	Child allowance	196,680	2,176,419,025
<b>4.</b>	Monthly incentive	10,250	20198058
<b>5.</b>	Special allowances for handicapped child (3-7 years)	6,718	30601744
<b>6.</b>	Foster care allowance	42,697	53300776
<b>7.</b>	Social aid	186,704	390,394,482
<b>8.</b>	Aid for house heating	1,431,897	443,245,035
<b>TOTAL</b>			<b>6.172.230.379</b>

**ARTICLE 12 PAR. 4**

ANOFM Contribution

**Regarding Article 12, paragraph 4, questions 1 and 3**

Policies of the Romanian state guarantees the right to work and the right to adequate social security, as prohibits any form of discrimination, directly or indirect related to employment based on gender, sexual orientation, genetic characteristics, age, nationality, race, color, ethnicity, religion, political opinion, social origin, disability, family situation or family responsibility, trade union membership or activity.

Under the Law no.76/2002, as amended and supplemented, beneficiaries of its provisions may be foreign nationals or stateless persons who were employed or received income in Romania, according to the law.

We mention that in order to provide unemployment benefits, it is necessary that requesting people to fulfill several conditions, including that on the minimum contribution made in the the unemployment insurance system in Romania of 12 months in the the last 24 months preceding the date registration of the application.

According to the Law no.76/2002, as amended and supplemented, represents contribution period the periods during which employees, as appropriate, employers paid unemployment insurance contributions to unemployment insurance system in the Romania and other countries, as stipulated by international agreements and conventions to which Romania is a party.

As required by the same law, rights within the unemployment insurance system in Romania may be transferred to countries where insured persons establish their domicile or residence, in that country's currency or in another currency agreed upon, under the conditions governed by international agreements and conventions to which Romania is a party.

Upon accession to the European Union, Regulation (EEC) no.1408/1971 on the application of social security schemes to employed persons, self-employed persons and members of their families moving within the Community and Regulation (EEC) no.574/1972 setting arrangements for implementing Regulation (EEC) no.1408/71 became directly applicable to Romania. As of May 1, 2010, the above-mentioned regulations were replaced by Regulation (EC) 883/2004 and (EC) 987/2009.

In addition to the above, we mention that in case of job loss risk occurrence, citizens of States Parties to the European Social Charter and Revised European Social Charter that had a job or received an income in Romania, as to the law, are socially protected, by granting unemployment benefit for a period up to 12 months as well as free access to all services promoted by the National Agency for Employment, as provided by law no.76/2002, as amended and supplemented, for their reintegration into the labour market under the same conditions as Romanian citizens.

### **Regarding Article 12, paragraph 1, 2 and 3, questions 2 and 3**

For 2008, the National Agency for Employment, through the national programme of employment, estimated employment of 400,000 people, as follows:

- **262,565** people through the mediation programme of which:
  - 207,240 by mediating employment in vacancies for an indefinite period;
  - 55,325 by mediating employment in fixed-term jobs;
- **19,375** people by providing information and professional counseling services;
- **15,720** people by organizing professional training courses;
- **20,300** people by providing benefits for unemployed finding work before the expiration of unemployment;
- **17,455** persons by hiring unemployed people over 45 years or unique supporters of single parent families or single, by subsidizing employment, of which 16,290 unemployed over 45 years and 1,165 single parent of single parent families;
- **535** people who have 3 years to retirement;
- **2,705** people by encouraging labour mobility of which:
  - 1,378 through employment in a village at a distance of 50 km from home,
  - 1,327 through employment in another town with change of domicile;
- **14,195** people by employing graduates of educational institutions by subsidizing the workplace;
- **5,985** graduates beneficiaries of first employment;
- **245** disabled persons by subsidizing the workplace;
- 1,550 by providing loans to small and medium enterprises to create new jobs;
- **720** by providing advisory services and assistance for starting an independent activity or starting a new business;

- **36,965** people by subsidizing employment for temporary employment in the activities of local community development;
- **1,445** people by concluding solidarity contracts, according to Law no. 116/2002.

Following the implementation of the National Employment Agency Employment Programme for 2008, approved by the Administrative Board and by MMFES, at the end of 2008, a **number of 412,922 people was employed.**

As can be seen, the planned number of employed persons in 2008 was exceeded by 3.2 pp. This was mainly due to economic growth that took place nationally last year, and this against a reduced pool of labour force available, in 2008 became unemployed 920,026 persons (13.25% lower than in 2007).

The 412,922 people were employed as a result of granting the following measures under the law in force:

- 320.544 people – labour mediation,
- 66.265 people – information and professional counseling,
- 19.561 people – organizing professional training courses,
- 18.782 people – providing benefits before the expiry of unemployment period,
- 18.356 people – subsidies for hiring unemployed aged over 45 years or single parent families,
- 350 people – subsidies for employment the unemployed persons who have three years until retirement
- 2.636 people – stimulate geographical mobility of labour force,
- 10.809 people – education subsidies for employing graduates,
- 285 persoane – subsidies for employment of persons with disabilities,
- 447 people – credits for creating new work places,
- 593 people – providing advisory services and assistance for starting an independent activity,
- 35.321 people – grants for temporary employment in the local community,
- 1.229 people – subsidies to conclude solidarity contracts under Law no.116/2002 on preventing and combating of social marginalization,
- 584 people – other active measures for using funds other than the unemployment insurance budget (BIRD, PHARE, etc.).

Measures of labour mediation and vocational information and guidance as basic measures of public service employment, have an important contribution to employ the job seekers recorded. For job placement, persons registered with the NEA received customized packages of active measures that were included in one or more measures to boost employment. (E.g a person has received mediation measure and was sent to assessment and counseling and was included in a professional training course)

As a result of **the mediation measure 320,544 people** were employed, of which **244,995** persons by mediating employment on the vacancies for an indefinite period and **75,549** people by mediating employment on the vacancies on a fixed period.

Results of the labour mediation activity is largely due to ongoing collaboration the regional employment agencies have with local businesses. For a better understanding of the needs of employers in the terms of satisfying their vacancies supply, employment agencies conducted not less than 85,073 visits to employers. Thus, specific conditions were identified for vacancies employment, such as: other conditions beyond those of education and work experience, financial or material benefits other than salary etc.

The activity of job mediation was supported obviously by organization of job fairs.

2008 was the third year that was ensured this measure flexibilization, meaning only two general scholarships organized at national level (for all persons seeking employment and for education graduates) and scholarships on the request of labour at the local level. During 2008, in addition to general jobs fairs have been organized special jobs fairs for young Roma and for children who have left the child protection system.

At the request of the labour market, 29 jobs fairs were organized in 14 counties, for different target groups (women, retirees, graduates, students, etc.) and for various trades and industries who have experienced shortage of labour force (construction, textile, trade, tourism).

Through jobs fairs 17,328 people were employed, as follows:

- **8,514 people**, prin **Bursa generală** din primăvară, organizată pentru toate persoanele în căutarea unui loc de muncă,

- **3,662 people**, by *jobs fair for education graduates in September*,

- **5,152 people**, by jobs fair: for various professions and industry (3398 people), for Roma (1044 people), for different target groups (573 people) and for young people leaving social care system (137 people).

It is relevant that the number of job offers from organized jobs stock (146,958) exceeded the number of participants (103,052 persons), except jobs stocks for target groups.

To be closer to service users in the category of Roma people and people from rural areas, the Agency continued to provide and offer specific services directly to communities *through employment caravans*, action initiated in 2005

Results recorded in late 2008 as a result of these actions are as follows:

31,234 people participated in the actions undertaken by local agencies in **Roma communities**, of which 13,581 Roma women. The number of people counseled was 19,669, of which 8,182 women.

Were entered into the database 10,170 individuals of which women: 4198 and a number of 2259 people were employed, of which 832 are women.

In 2008, the action **Employment Caravan** in rural areas, showed the following results: 3939 visits were made, some localities subject of several trips. Number of participants to the caravan was 55,978, and the number of newly registered in the database was 24,154. Number of people counseled was 35,811 and the number of persons employed was 8,458, of which 3,058 are women.

At the national level, as a result of granting information and professional **counseling services and recommendations for participation in various incentives** actions, was succeeded the employment of 66,265 people.

Information and professional counseling services, especially focused on categories of people with serious labour market integration, such as:

- Young people (aged 25-35) – **32.064** people,
- People aged 35-45 years – **18.880**;
- Long-term unemployed – **3.476** people
- Roma – **3.009** people.

**By organizing training courses have been employed 19,561 people.** Of all persons employed by this active measure, 55.84% are women and 42.89% are from rural areas.

Age structure of people employed following organizing professional training courses is relatively balanced. Thus age groups 25-35 years and 35-45 years represents **27.1%** and **33.36%** of those employed by this measure, and the group of people who represents aged over 50 years **7.02%** in the total number of employees.

In order to prevent long-term unemployment and to stimulate unemployed into employment before the expiry of indemnity period, allowances were granted to a total of **18,782** unemployed (percentage of achievement 92.52% against the planned one), of which 9,432 are women.

**Age structure of the unemployed who receive benefits for employment before the expiry of indemnity period is as follows:**

- **1013** people older than 25 years;
- **3,479** people aged 25-35 years;
- **6,687** people aged 35-45 years;
- **7,603** people aged over 45 years.

This measure proved to be more effective in people age groups 35-45 years and over 45 years, which shows that older people are more interested to get a job quickly, a phenomenon recorded throughout the year 2007.

Unemployment among people aged over 45 or sole breadwinner of single parent families continues to be one of the most important issues of the labour market.

By subsidizing employment of the employers hiring unemployed over 45 years of single parent families or single, were employed 18,356 people, of which **17,844 unemployed over 45 years and 512 unemployed of single parent families**.

By subsidizing employment of unemployed who have 3 years to retirement, 350 persons were employed (percentage of achievement **65.42%** against the scheduled one).

**Stimulation geographical mobility of labour**, which is not a very attractive measure contributed to the employment of **2636 people** (percentage of 97.45% compared to the scheduled one), of which 1098 people employed in a village at a distance greater than 50 km from home (people employed for the first time) and 1,538 people employed in another locality by changing residence (people have benefited from the employment bonus).

In terms of age, the measure had almost the same effect, active beneficiaries of this measure are grouped as follows:

- 627 people aged 25 years;
- 765 people aged between 25 and 35 years;
- 615 people aged between 35 and 45 years;
- 629 people aged over 45 years.

By subsidizing employers who employ **graduates of educational institutions** was 10,809 people were employed (percentage of 76.15% compared to the planned one), and the **number of graduates employed for the first time** was **5,669** (94 percent of achievement, against the scheduled).

Of the **10,809 graduates** employed by subsidizing employment, 1071 are graduates of vocational education, **4139** graduates are of secondary schools, **509** are graduates of post-secondary education and are **5025** graduates of high school.

By subsidizing **employment for disabled people employment**, **285 persons** have been employed (percentage of 116.33% compared to the schedule).

Difficulties of integrating disabled persons are particularly varied, which is mainly related to: facilities the community and employers have to provide, workplace adaptations by employers, attitudes about the integration of these people into work.

By providing loans for creating new jobs, through SMEs was carried employment of **447 persons** (**28.84%** achievement percentage than that scheduled), indicating that this result is the effect of loans in 2007, since the 2008 auction for credits through a commercial bank could not end with conclusion of a contract.

Most jobs occupied after granting loans have been recorded in the counties: Bistrița (72), Gorj (69), Bacău (47), Giurgiu (33), Teleorman (29).

Following **provision of consultancy and assistance services for starting an independent activity or starting a business**, **593 people have initiated such independent activities** (**82,36** % achievement percentage than that scheduled).

Counties that managed to start an activity or own business as a result of consulting and assistance for starting an independent activity or starting a business were: Iasi - 101 people, Suceava - 81 people, Vrancea - 80 people-59 people Harghita Hunedoara - 51, Mures - 27 people, Buzau - 25 people, Cluj - 23 people.

By subsidizing **Programme of temporary employment in development activities of local community** 35,321 people were employed (**95,55** % achievement percentage than that scheduled), of which 8,707 persons employed for at least 6 months.

By this measure, most jobs were occupied in the counties of Iași (2789), Buzau (2331), Hunedoara (1973), Vaslui (1925), Valcea (1854), Cluj (1673).

Of the total number of persons employed by labour force temporary employment Programmes 16.9%, respectively **5,971** people, belong to categories of people with real difficulties of reintegration into the labour market, as follows: 2,281 are long-term unemployed, **3,660** are Roma, **25** are disabled people, **5** are people who have been released from prison, and a person is a foreigner.

Through **the contracts of solidarity**, based on Law no. 116/2002, 1,229 people were employed (**85 %** achievement percentage than that scheduled).

Through the other active measures undertaken at the county level was achieved the employment of **584 people**, funds used to support these active measures being other than the BAS (IBRD loan, PHARE funds).

*Structure on focus groups, the situation of the 412,922 people employed is as follows:*

- 14,661 long-term unemployed adults;
- 4631 long-term unemployed young people;
- 13,130 Roma people;
- 1061 disabled;
- 192 young people who have left the child protection system;
- 61 foreigners;
- 41 persons released from detention;
- 6 persons repatriated;
- 3 people refugees;
- 1 immigrant.

Out of **41,922** people employed, **228,278 are from urban areas**, and a number of **18,644 from rural areas**, the percentage being of 41.05% and 58.95% respectively.

The number *of women employed is 169,468 and 243,454 men*, the share being of 41.05% and 58.95%.

Structure by *age group of the 412,922* people employed was as follows:

- - 92,829 people under the age of 25 years,
  - - 106,865 people aged 25-35 years
  - - 109,385 people aged 35-45 years,
  - - 103,843 people aged over 45, of which 55,092 are people aged over 50 years,
- and structure depending on **the level of training** is as follows:

- - 60,711 people with primary education,
- 110,842 people with secondary education,
- 107,542 people with vocational education,
- 94,488 people with secondary education,
- 8,956 people with post-secondary education,
- 30,383 people with university education.

At the national level, most jobs were occupied in the following counties: Neamt - 24,363 people, Hunedoara - 22 444 people, Timis - 20,185 people, Prahova - 19,116 people, Bucharest - 17,800 people, Buzau - 16 050 people, Olt - 15343 people, Cluj - 13,968 people, Iasi - 13,850 people.

In 2008, *number of people who received active measures was 854,741*, the age structure of these persons were as follows: 177,630 people (20.78%) were younger than 25 years, 206,148 people (24.11%) were aged between 25-35 years, 227,210 people (26.58%) were aged 35-45 years and 243,753 people (28.52%) were older than 45 years. In 2008, *share of total employed persons benefiting from active measures was 48.31%* and the highest number of persons benefiting from active measures fall within the age between 35-45 years (227,210 people) and people over 45 years (243 753 people), because these people are part of the workforce with a greater capacity to adapt to technical requirements of job and salary packages offered by employers for job vacancies.

For 2008, to increase employment of people from rural area or people from urban areas from having problems of reintegration following economic restructuring, NEA has included an employment Programme of work for 2008: **Programme 140, especially for 140 urban localities and, Programme 25 especially for 25 urban localities**. Criteria that were the basis of these localities choosing were: large

share of the total active population unemployed and low level of economic development. By implementing these Programmes was estimated a total of **15,620 people employed, 6,340** in rural areas and **9,280** in urban areas.

Also for reintegration of Roma people in the Programme of Employment for 2008 was also included the **Programme 150, especially for communities with large numbers of Roma people**, by which was estimated to employ a total of **4,525 people** approx. 41% of the total number of Roma people proposed to be employed in 2008 at national level.

In these special Programmes, the focus was on customized actions, especially on labour mediation and temporary employment in local development works.

To establish early links between education and the labour market and familiarize young people with the work and getting income from paid and formal employment, based on Law no. 72/2007 on stimulating employment of pupils and students, NEA has included the employment Programme of work for 2008 a **special Programme for students**. Through this Programme was proposed employment of **3835 pupils** and **2010 students** during vacations.

Following the implementation of the above special Programmes, at the end of 2008, the following results were obtained:

Through the **Programme 25** specifically for **urban settlements** were employed **19,114** people, and by **Programme 140** specifically for **rural settlements** were employed 10,020 people.

Through the **Programme 150, specifically for communities with large numbers of Roma people** **5,352 people were employed, achieving a rate of 118.27% from the initial schedule (4525 people)**.

Through the **Programme specifically for pupils and students**, The following results were obtained: 1009 conventions were concluded under which 2,498 pupils and 576 students were employed. Of the 2498 pupils employed, 2,229 are full-time and 269 are part-time working. Of the 576 students employed, 554 were employed full time and 22 part-time work.

In 2009, the National Agency for Employment, through the Employment Programme was estimated employment of **400,000 people**, as follows:

- **304.100 people through mediation programme**, of which:
  - 237.920 by mediating employment vacancies for an indefinite period,
  - 66.180 by mediating employment in fixed-term jobs,
- **45.000 persons by providing information and counseling services;**
- **12.930 people by organizing professional training courses;**
- **4.000 persons by providing benefits for unemployed finding work before the expiration of unemployment period;**
- **5.120 people by hiring unemployed over 45 years of sole breadwinner of single parent families**, by subsidizing employment, of which:
  - 4.830 unemployed over 45 years,
  - 290 sole breadwinner of single parent families,
- **150 people having 3 years to retirement;**
- **1.500 people by encouraging labour mobility**, of which:
  - 661 with employment in a village at a distance greater than 50 km from home,
  - 839 employment in another town with change of residence,
- **6,580 people through employment of graduates of educational institutions**, by subsidizing employment, of which:
  - 886 graduates of junior high schools or of arts and crafts schools,
  - 2.601 graduates of upper secondary or post-secondary education,
  - 3.093 higher education graduates,
- **5.000 graduates beneficiaries of employment bonus;**
- **100 persons by employment of persons with disabilities**, by subsidizing employment;
- **1,030 by loans to small and medium enterprises to create jobs;**
- **1,420 by providing advisory services and assistance for starting an independent activity or starting a business;**
- **13,100 persons by temporary employment in public works of community interest;**
- **950 people by concluding solidarity contracts, under Law no. 116/2002.**

Following the implementation of the **Employment Programme for 2009**, approved by the Management Board and the Ministry of Labour, Family and Social Protection, on **30.09.2009**, **304,588 people** were employed, achieving a rate of **76.15%** of annual planning, as follows:

- ✚ By **providing mediation services 239,958 people were employed (78.91% achievement percentage)** of which:
  - **169,712** persons by mediating employment on vacancies for an indefinite period,
  - **70,246** persons by mediating employment on vacancies for fixed-term

Labour mediation work was supported clearly by organizing job fairs.

**According to Managerial Performance Contract for 2009** were held two job fairs at national level :

- ✓ **General Job Fair on April 24, 2009,**
- ✓ **Job Fair for graduates on September 25, 2009.**

*General Job Fair on April 24, 2009* had the following results (evaluation after one month) :

- **15,874 economic agents** were contacted, of which **140 insertion employers;**
- **2,167 economic agents participated,** of which **42 insertion employers;**
- have been **offered** a number of **26,259 jobs,** of which **176** were job offers **under Law no.116/2002;**
- in this job fair participated a number of **47,830 people** looking for jobs;
- were selected for hiring **20,121 people,** of which **107 socially marginalized** persons fulfilling the provisions of **Law no.116/2002;**
- **7,013 people were employed,** of which **45 persons employed under Law no.116/2002;**
- Of the **7,013 people employed, 288** were with higher education and **6725** were high school.

*Job fair for graduates* was organized on 25 September and had the following results (evaluation at one month):

- **14,539 economic agents** were contacted;
- **1,865 economic agents** participated;
- have been **offered** a number of **17,889 jobs;**
- participated in this job fair a number of **35,189 persons looking for jobs,** of which **27,252 graduates;**
- of total number of persons participating, **326** were **persons who meet the requirements of Law 116/2002, and 36** were **persons with disabilities;**
- were selected for **employment 12,939 graduates;**
- were **employed 2,603 graduates;**
- of the **2603** graduates employed, **491** were higher education, **one graduate was hired among disabled people and 10** graduates fulfill the conditions of **Law no.116/2002.**

At the request of the labour market have been also organized **70 jobs fair in 24** counties, as follows:

- ✓ for crafts or industries (trade, insurance, textiles);
- ✓ target groups (women, pupils, university graduates, pensioners etc).

To organize jobs fairs for crafts or industries were contacted **3,106 companies,** of which **886** participated in and offered **9,145** jobs. The number of people participating in crafts job fairs was 18,112 persons, of which were selected for employment **7420** people.

Final results indicate employment of **2770 persons (2596 people without higher education and 174 people with higher education).**

Most of the employed people come from counties:

- Hunedoara – **1.432** persons;



- Iași – **278** persons;
- Vâlcea – **239** persons.

For job fairs dedicated to different target groups were contacted **884 companies**, of which **266** agents actually participated, they offer a number of **2545** jobs. At these job fairs took part **3385** people, of which 1115 people were selected, and after these selections were employed **598 people (514 without higher education and 84 with higher education)**.

Analyzing the labour market requirements and to provide support to disadvantaged categories to occupy a job, it was considered useful to organize nationally, job fairs for Roma people in towns with population belonging to this ethnic group mostly.

**Results from the monitoring of job fairs held for Roma people, as to 31 December 2009, summarizes as follows:**

- job fair for Roma people was conducted in **11** villages of 8 counties;
- total number of economic agents contacted: **666** economic agents;
- total number of participating economic agents: **101** economic agents;
- total number of jobs offered: **930** jobs, of which for Roma people : **914** jobs;
- total number of participating people: **812**, of which **792** for Roma people;
- total number of selected for employment: **177**, of which **173** for Roma people;
- total number of persons employed on the spot: **113**, of which **113** for Roma people;
- the main branches of activity for jobs in which they were placed people without higher education are:
  - ✓ clothing manufacturing – **37** for Roma people;
  - ✓ public administration and defense - **26** for Roma people;
  - ✓ tanning and leather finishing - **22** for Roma people;
  - ✓ building construction - **8** for Roma people.

Through job fairs organized in 2009, **13,124** people were employed as follows:

- **7,013 people at the general job fair of April 24, 2009** – evaluare la o lună,
- **2.603 people at job fair for graduates on 25/09/2009** – evaluation after one month,
- **27 persons employed following the job fair organization for young people who have left the child protection system** – evaluation on that day,
- **598 people at the job fairs organized for disadvantaged target groups,**
- **2.770 people were employed at the job fairs organized for trades or different branches of activity,**
- **113 people through the job fairs organized for Roma.**

In 2009, the number of people employed through job fairs represented 5.47% of total employment by labour mediation.

In order to come closer to service users in the category of Roma people and people from rural areas, the National Agency for Employment continued provision and offering specific services directly to communities through *employment caravans*.

Currently, this action takes place according to specific local needs.

Outcomes in 2009, as a result of these actions is as follows:

At the actions undertaken by local agencies in *Roma communities*, participated **19,412** people of which 7920 Roma women. The number of people counselled was 13,207, of which **5,274** women.

Were included **5211** people in the database, of which **2030 women** and a number of 953 people were employed, of which **326 are women**.

The Action *Employment Caravan in rural areas* showed the following results: 2779 localities were visited 2,779 of the total of **2851** rural localities in the official statistics, some localities were subject of several visits. The number of people **participating in the caravan was 37,484**, of which 14,971 are women, and the number of newly registered in the database was **13,469**, of which **5,158** are women. Number of people counseled was 24,645 and the number of people employed was 3766, of which **1,172** are women.

✚ At national level, in 2009, following the monitoring of the employment Programme as a result of **information and counseling services** it was possible to get employed a number of **53,677** people, percentage of achievement **119.28 %**.

Information and counseling services, especially focused on categories of persons with serious labour market integration, such as:

- people aged 25-35 years – **14,944** people,
- people aged 35-45 years – **15,769** people,
- people over 45 years – **11,942** people, of which over 50 years old: **6,212** people,
- unpaid unemployed – **33,450** people,
- long-term unemployed – **2,335** people, din care femei: **1,020**,
- Roma – **1,274** people.

In 2009, have received professional counseling and were employed a number of **162** persons with disabilities, representing 27.84% of the total number of persons belonging to the target group (**582** people with disabilities employed at national level).

✚ By **organizing professional training courses** were employed **15,222** people (percentage of achievement **117.73 %**).

Professional training is an active measure defining professional profiling of any person looking for employment, it is known that by growth and diversification of the professional skills of unemployed persons are achieved simultaneously, two specific objectives: to satisfy immediate demand of the labour market and increase employment opportunities for the unemployed.

Up to 31.12.2009, of the total employed persons by this active measure (**15,222**), **59,30 %** are **women (9,027)**, **55.13 %** are from **urban area (8,392)**, and **44.87%** are from **rural area (6,830)**.

✚ In order to prevent long-term unemployment and to stimulate unemployed persons into employment before the expiry of indemnity period, **allowances were granted** to a total of 21,036 unemployed, representing **525.90%** of all persons employed by Employment Programme and **10,383** are women.

Unemployment among people aged over 45 or unemployed sole breadwinner of single parent families continues to be one of the most important issues of the labour market.

✚ Following **hiring unemployed over 45 years or unemployed sole breadwinner of single parent families**, by subsidizing job **4,740** people were employed (percentage of achievement **92.58 %**), of which:

- 4,591 unemployed over 45 years;
- 149 unemployed who are sole breadwinner of single parent families.

✚ Through the measure of **subsidization of the unemployed who have 3 years until retirement**, was achieved employment of 58 persons (percentage of achievement **38.67 %**).

✚ **Stimulation of geographical mobility of labour force** contributed to employment of 2233 persons (percentage of achievement **148.87 %**), of which:

- 949 people by employment in a village at a distance greater than 50 km from home (people received an employment bonus);
- 1.284 people by employment in another town with change of residence (people received an employment bonus).

In terms of age, the measure had nearly the same effect for all age groups, beneficiaries of this active measure are grouped as follows:

- 556 people aged under 25 years;
- 693 people aged between 25 and 35 years;
- 510 people au vârsta cuprinsă între 35 și 45 ani;
- 474 people aged over 45 years, of which 268 are people over 50 years.

✚ By subsidizing employers who hire **graduates of educational institutions** was achieved employment of **3605 people** (percentage of achievement **54.79 %**), and the number of graduates who receive employment bonus was (percentage of achievement **59.80 %**).

✚ By **employing persons with disabilities**, by subsidizing employment, **94 persons were employed** (percentage of achievement **94 %**).

Difficulties of integration of disabled persons are particularly varied, which is mainly related to:

- ✓ Facilities the community and employers have to provide;
- ✓ adjustments of the workplace by employers;
- ✓ mentalities about the use of these people in work.

✚ By **granting of loans for creating new jobs by crediting SMEs**, have been **employed 10 people** (percentage of achievement **0.97 %**), with the mention that this result is the effect of those loans in 2007 (in 2008 and 2009 have not been concluded contracts with commercial banks to carry out loan contracts).

✚ Following consulting and assistance services for starting an independent activity or initiate a business **869 people** have initiated or started an independent activities (procent de realizare **61,20 %**).

Services provided have been materialized in the provision of legal information, methods and effective management techniques, advice, given by specialized persons within the county agencies or Bucharest or by service providers contracted under the law.

✚ By temporary **employment of the workforce in the activities for development** of local communities, **21,982 people were employed** (percentage of achievement **167.80 %**), of which **5568 people by employment for a period of at least 6 months**.

Of the the number of persons employed by temporary employment Programmes **19.48%** namely **4283 people** belong to the categories of people with real difficulties of reintegration into the labour market, as follows:

- 2.322 Roma people;
- 1.950 long-term unemployed;
- 10 disabled persons;
- 1 person released from detention.

✚ By **concluding solidarity contracts, unde Law no. 116/2002**, **710 persons** were employed (percentage of achievement **74.74 %**).

The **710 people** employed come especially from **rural areas**, (**500 people**), are young people under the age of 25 years (**605 people**), mainly men (**429 people**), with low professional training (**secondary and vocational education**) – **236**, respectively **237 people** and are **mostly unpaid unemployed (660 people)**.

An important contribution to the employment of persons subject to social exclusion and had the job fair for youth leaving the the child protection system, scheduled to take place according to market demands. This job fair was held until 31.12.2009 only in counties Constanța, Buzau, Arad and Mehedinti.

**363** economic agents were contacted, were present **78** economic agents that offered **744** jobs. Number of participants was 931 persons, 72 of them were selected for employment, and 27 young people who have left the the child protection system were employed. By **other active measures** undertaken at the county level was achieved employment of **668** persons, the funds used to support these active measures being other than of the BAS (PHARE, ESF funds)

Achievement of employment programme implementation by target groups for 2009, provides **employment of:**

- **18,510 long-term unemployed**, of which:
  - ✓ 5,157 are below 25 years,
  - ✓ 13,353 long-term unemployed aged over 25 years,
- **10,544 Roma people;**
- **761 disabled persons;**
- **55 persons released from detention;**
- **282 young people who have left the the child protection system;**
- **10 victims of human trafficking;**
- **33 foreigners;**
- **3 immigrants;**
- **1 refugee;**
- **7 repatriated persons.**

The **304,588** people employed in the year, belong to the following target groups:

- **3,791** long-term unemployed young people;
- **9,045** long-term unemployed adults;
- **7,734** Roma people;
- **582** disabled persons;
- **97** young people who have left the the child protection system;
- **59** foreigners;
- **16** persons released from detention;
- **4** refugees;
- **9** repatriated persons;
- **1** victimă a traficului de people.

Out of **304,588 employed persons:**

- **176,019 people from urban areas,**
- **128,569 people from rural areas.**

Share of employed persons by place of origin is as follows: **57.79 %** of persons employed come from urban areas, and **42.21 %** from rural areas.

The number of **employed women is 128,711 and men 175,877**, percentage being of **42.26 %** respectively **57.74 %**.

Age structure of the **304,588 people employed** is as follows:

- **59,805** people aged under 25 years;
- **81,507** people aged 25-35 years;
- **86,128** people aged 35-45 years;
- **77,148** people aged over 45, of which **42,075** are people aged over 50 years.

and structure by **level of training** is as follows:

- **39,321** people - primary education;
- **75,674** people - secondary education;
- **83,357** people – professional education;
- **72,790** people - high school education;
- **6,539** people - post secondary education;
- **26,907** people - university education.

In 2009, the number of people who received assistance for registration as a people in search of employment, to ensure their social protection for unemployment allowance or enrollment in active measures was **1,080,326** (persons entered into active measures to stimulate employment).

The **1,080,326** people have received the following types of measures:

- **1,066,185** people entered the mediation services of vacancies;
- **14,340** people entered the consulting and assistance services for starting an independent activity or initiate a business;
- **845** people included in the system established by Law 116/2002 on preventing and combating social exclusion.

Structure by age categories of the **1,080,326** persons benefiting from active measures is as follows:

- **200.901** people (**18.59 %**) are younger than 25 years;
- **259.023** people (**23.97 %**) are aged between 25-35 years;
- **303.269** people (**28.07 %**) are aged between 35-45 years;
- **317.133** people (**29.36 %**) are over 45 years.

In 2009, the share of persons employed in all people beneficiaries of active measures was **28.19%** and the highest percentage of persons employed in all persons beneficiaries, is held by people:

- aged between 25-35 years (**81.507** people) – **7,54 %**;
- aged between 35-45 years (**86.128** people) – **7,97 %**;
- age over 45 years (**77.148** people) – **7,14 %**.

This is because these individuals are part of the workforce with a greater capacity to adapt to technical requirements of job and salary packages offered by employers for job vacancies are more attractive.

The largest share of total persons benefiting from active measures mentioned above, is held by people with the **following categories of training level** :

- **lower secondary education (25.83 % - 279,100 people);**
- **vocational education / arts and handicrafts (23.93 % - 258,514 people);**
- **high school education (21.84 % - 235,952 people).**

At the national level, most jobs were occupied in the following counties (over 10,000 people employed):

- ✓ București – **18,528** people;
- ✓ Hunedoara – **16,161** people;
- ✓ Neamț – **14,899** people;
- ✓ Prahova – **14,649** people;
- ✓ Timiș – **12,922** people;
- ✓ Mureș – **12,504** people;
- ✓ Cluj – **11,961** people;
- ✓ Bacău – **11,540** people.

The fewer jobs were occupied in Ilfov County (**833** people).

In 2009, in order to increase employment of people from rural areas or urban localities people who have problems of social reintegration as a result of economic restructuring, the National Agency for Employment included in the **Employment Programme** for 2009:

- ✓ **Programme 145, specifically for 145 rural localities;**
- ✓ **Programme 25, specifically for 25 urban localities.**

Criteria that were the basis for these localities establishing were:

- ✓ *large share of unemployed persons in the total active population;*
- ✓ *low level of economic development.*

By implementing these programmes was estimated occupying a total of 8,760 people, respectively **4,300** in rural and **4,460** in urban areas.

In 2009, through the implementation of **Programme 25** specifically for urban localities, were employed **9659 people**, representing a rate of 216.57% compared to the original programming, as follows:

- **mediation services – 7,077 people (229.03 %)**, of which:
  - ✓ 4.738 people for an indefinite period;

- ✓ 2.339 people for determined period;
- **information and counseling services** – 521 people (189.45 %);
- **organizing professional training courses** - 431 people (507.06 %);
- **providing benefits for unemployed who find a job before the end of unemployment period** – 335 people (372.22 %);
- **hiring unemployed over 45 years or sole breadwinner of single parent families**– 72 people (80.00 %);
- **hiring unemployed who have 3 years to retirement** – 1 person;
- **employment by encouraging labour mobility** – 103 people (343.33 %), of which:
  - ✓ 30 people by employment in a locality at a distance greater than 50 km from home (people have received employment bonus);
  - ✓ 73 people by employment in another town with change of residence;
- **employment of graduates of educational institutions by subsidizing employment** – 33 people (23.57 %);
- **graduates receiving employment bonus** – 26 people (40.0 %);
- **employment by providing advisory and assistance services for starting an independent activity or initiate a business** - 3 people (60,0 %);
- **temporary employment in public work actions of community interest** – 1,042 people (186,07 %);
- **concluding solidarity contracts, under Law no. 116/2002** – 15 people (50.0%).

Through the *Programme 145 specifically for rural were employed by the end of 2009*, 7,546 people, representing a percentage of 175.49 % compared to the initial programming.

Most people were employed through the following active measures:

- **mediation services** – 5.490 people (220.04 %), of which:
  - ✓ 3,684 people for undetermined period;
  - ✓ 1,806 people for determined period;
- **information and counseling services** – 458 people (199.13 %);
- **organizing professional training courses** - 171 people (190.00 %);
- **providing benefits for unemployed who find a job before the end of unemployment period** – 68 people (194.29 %);
- **hiring unemployed over 45 years or sole breadwinner of single parent families** – 58 people (72.50 %);
- **hiring unemployed who have 3 years to retirement** – 7 people (140.00 %);
- **employment by encouraging labour mobility** – 14 people (140.00 %), of which:
  - ✓ 4 by employment in a locality at a distance greater than 50 km from home (people have received employment bonus);
  - ✓ 10 people by employment in another town with change of residence;
- **employment of graduates of educational institutions by subsidizing employment** – 6 people (12.00 %);
- **graduates receiving employment bonus** – 13 people (130.00 %);
- **employment of disabled people by subsidizing job** – 15 people;
- **employment through granting credits to SMEs** – 45 people;
- **employment by providing advisory and assistance services for starting an independent activity or initiate a business** - 24 people;
- **temporary employment in public work actions of community interest** – 1,111 people (92,97 %);
- **concluding solidarity contracts, under Law no. 116/2002** – 66 people (66.00 %).

Also for professional reintegration of Roma people, the Employment Programme for 2009 included the **Programme 150, specifically for communities with large numbers of Roma population**, is estimated that a total of 3,540 people approx. 34% of the total number of Roma people scheduled to be employed in 2009.

In these special programmes, the emphasis is on customized actions, especially on labour mediation and temporary employment in local development works.

By the *Programme 150, especially designed for communities with a high number of Roma ethnics it has been realized the employment of 3.777 persons*, achieving by this a percentage of *106,69 %* in comparison with the initial forecast (*3.540 persons*), as follows:

- **Mediation services – 2.559 persons (122,21 %)**, out of which:
  - ✓ 1.481 persons with individual labor contract on unlimited period;
  - ✓ 1.078 persons with individual labor contract on limited period;
    - **Services of information and counseling - 395 persons (125,80 %)**;
    - **Organization of professional training courses - 29 persons (36,25 %)**;
    - **Granting unemployment allowance for the unemployed persons that get a job before paid unemployment period expiry - 18 persons (360 %)**;
    - **The hiring of unemployed persons over 45 years or single bread-winners of monoparental families – 18 persons (150,0 %)**;
    - **The temporary employment of people in public works of community interest – 725 persons (71,78 %)**;
    - **Concluding contracts of solidarity, based on the Law no. 116/2002 – 32 persons (128,00 %)**.

In order to establish early links between the education and the employment and the familiarization of young people with the working environment and the obtaining of incomes from remunerated and formal work, based on the Law no. 72/2007 related to the incentive of pupils and students employment, the National Agency for Employment included in the **Programme of employment** for the year 2009 a Special *Programme for pupils and students*. Through this programme it has been envisaged the employment during holidays of **3.085 pupils and 1.450 students**.

Following the implementation of the *Special Programme for pupils and students*, by the end of 2009 the following results were obtained:

- ✓ A number of **177 agreements** were concluded based on the Law no.72/2007;
- ✓ A total number of **816 pupils and students** were employed, out of which:
  - 610 pupils;
  - 206 students;

Out of the **816 employed pupils and students, 575 pupils** are employed **full time**, **35 pupils** are employed **part time**, and **205 students** are employed with **individual labor contract on limited period**. Taking into account the environment of origin, **516 pupils** are coming from **urban environment** and **159 students** are coming also from **urban environment**.

The structure on sex shows that the number of employed pupils and students is almost equal: **446 are women**, and **370 are men**.

For the year 2010, the National Agency for Employment, by the *Programme of Employment*, estimated **the employment of 338.000 persons**, at national level.

The Programme has been approved by the Board of Directors on 19.01.2010 and it has been sent to the Ministry of Labor, Family and Social Protection for approval, in conformity with the **G.D. 11/2009 related to the organization and functioning of the Ministry of Labor, Family and Social Protection**, modified and completed.

The **338.000 persons** that are going to be employed and the types of measures directly financed from the unemployment benefits budget, are as follows:

- **248.160 persons by the Programme of mediation**, out of which:
  - 182.935 by mediation of employment to vacancies for unlimited period,
  - 65.225 by mediation of employment for contracts on limited period,
- **36.315 persons by providing them information and professional counseling services;**
- **14.030 persons by organizing training courses;**
  - **15.585 persons by granting unemployment allowance for the unemployed people that get a job before the paid unemployment period expiry;**

- **12.735 persons by the employment of unemployed persons over 45 years or single bread-winners of monoparental families**, by subsidizing the workplace, out of which:
  - 11.955 unemployed people over 45 years,
  - 780 parents single bread-winners of monoparental families,
- **350 persons that have 3 more years until the retirement;**
- **2.445 persons by stimulation of the workforce mobility**, out of which:
  - 1.200 by employment in a locality which is more than 50 km from the residence,
  - 1.245 by employment in a locality with the change of residence,
    - **10.670 persons by employment of graduates**, by subsidizing the workplace, out of which:
      - 1.525 graduates of the inferior cycle of high school or of vocational schools,
      - 4.350 graduates of the secondary high schools or after graduation from a secondary school education,
      - 4.795 graduates of universities,
        - **4.800 graduates beneficiaries of employment allowance;**
        - **210 persons by employing people with disabilities**, by subsidizing the job;
        - **370 by granting credits to small and medium businesses for the creation of new jobs;**
        - **910 by granting consultancy and assistance for starting an independent activity or for initiating a business;**
        - **23.765 persons by temporary employment in public works of community interest;**
        - **1.170 persons by concluding contracts of solidarity, based on the Law no. 116/2002;**
        - **110 by other active measures.**

Following the implementation of the *Programme of Employment* for the year 2010, **by the end of that year a number of 377.772 persons were employed**, which represents **111,77 %** of the objective set for the year 2010.

About **34,53 %** of the persons from the active measures of employment stimulation (**1.093.999**) were employed by this programme.

By **providing mediation services** a number of **305.179 persons** were employed, **122,98 %** of the objective set for the year 2010, out of which:

- ✓ **207.984 persons** by mediation of the employment to vacancies for unlimited period;
- ✓ **97.195 persons** by of the employment to vacancies for limited period;

Out of the **1.074.746 persons covered by the vacancies mediation services**, **28,40 %** were employed by this measure.

One of the active measures of unemployment fighting, which was always promoted by the National Agency for Unemployment, were the Job Fairs, active measure which has as objective the matching between the work offer and demand.

For the year 2010 the organization of fairs was approved as follows:

- **The General Jobs Fair**, on **23.04.2010**,
- **The Graduates Jobs Fair**, on **24.09.2010**,
- **Job Fairs organized on the request of the labor market:**
  - For Roma persons,
  - For young people that go out from the children protection system,



- For any other target groups except the two groups above mentioned, as well as for various trades or activity sectors, taking into account the evolution of the local labor market.

*The General Jobs Fair* organized on 23<sup>rd</sup> of April 2010, had the following results (follow up after one month):

- A number of **20.323 economic agents were contacted**, out of which **256 insertion employers**;
- A number of **2.639 economic agents participated**, out of which **44 insertion agents**;
- A number of **30.145 jobs were offered**, out of which **109** were jobs offered according to the provisions of the **Law no. 116/2002**;
- To this Fair **participated 59.155 persons looking for a job**;
- A number of **25.988 persons were selected for employment**, out of which **127 persons socially excluded** which fulfill the conditions of the **Law no. 116/2002**;
- A number of **10.065 persons were employed**, out of which **36 persons were employed according to the Law no. 116/2002**;
- Out of the **10.065 employed persons**, **628** were **University graduates**, and **9.437** were **high school education graduates**.

*The Graduates Jobs Fair* was organized on 24<sup>th</sup> of September 2010 in 86 local agencies and working points and had the following results (follow up after one month):

- **A number of 35.272 economic agents were contacted**;
- **A number of 1.993 economic agents have participated**;
- A Number of **21.096 jobs were offered**;
- To this Fair have **participated 33.708 persons looking for a job, out of which 26.033 graduates**;
- A number of **14.902 persons were selected for employment**;
- A number of **3.152 persons were employed**, out of which: **496 university graduates and 2.656 persons graduates of high school education**;

Also, on the request of the **labor market**, **33 fairs were organized** in a number of **16** counties. These fairs were:

- ✓ For trades or activity sectors (manufacturing of clothes, manufacturing of textiles and public administration and defense);
- ✓ For target groups (women, pupils, students and persons over 45 years etc.).

In view of organizing the fairs for trades or sectors of activity a number of **1.988** economic agents were contacted, out of which a number of **594** participated, which offered **6.266** jobs. The number of participants to the Trade Fairs was of **11.887** persons, out of which were selected for employment **3.657** persons.

The final results indicate the hiring of **2.041 persons (1.635 persons without university education and 106 persons university graduates)**.

The highest number of employed persons was in the counties:

- Hunedoara – **1.331** persons;
- Dâmbovița – **204** persons;
- Vâlcea – **87** persons.

For the Fairs dedicated to target groups, a number of **637** economic agents were contacted, out of which a number of **160** agents participated, these offering **1.702** jobs. To these Fairs participated a number of **2.641** persons, out of which were selected **1.333** persons, and following this selection, **343 persons were employed (315 without University education and 28 University graduates)**.

Analyzing the requests of the labor market and in order to grant support to disadvantaged categories in view to get a job; it has been considered useful the organization at national level of the Jobs Fair for the Roma persons in the localities with population pertaining mainly to this community.

**The results obtained following the follow up** of the Job Fairs organized for the Roma community persons are, **mainly, as follows:**

- The Jobs Fairs for Roma community persons were organized in **7** localities from **4** counties;
- The total number of contacted economic agents: **346** economic agents;
- The total number of participating economic agents: **45** economic agents;
- The total number of offered jobs: **262** jobs;
- The total number of participants: **385**, out of which **313** Roma persons;
- The total number of persons selected for employment: **140**, out of which **117** Roma persons;
- The total number of employed persons: **18**, out of which **12** Roma persons;
- The main sectors of activity of the jobs obtained by the 12 Roma persons are:
  - ✓ Food industry – **6** persons from Roma community;
  - ✓ Special building works – **3** persons from Roma community;
  - ✓ The wholesale trade, except cars and motorcycles – **2** persons from Roma community;
  - ✓ Manufacturing of clothes - **1** person from Roma community;

By means of Jobs Fairs organized in 2010, a number of **15.619** persons were employed, as follows:

- **10.065** persons at the **General Jobs Fair** from 23.04.2010 – follow up after one month,
- **3.152** persons at the **Graduates Jobs Fair** from 24<sup>th</sup> of September 2010 – follow up after one month;
- **343** persons at **Jobs Fairs for disadvantaged target groups**,
- **2.041** persons were employed at **Jobs Fairs for trades or various sectors of activity**,
- **18** persons for **Jobs Fairs for Roma community**.

In the year 2010, the number of the employed persons through Job Fairs represented **5,12 %** of the total of employed persons by labor mediation.

- ✚ Following the provision of **information and counseling services**, a number of **64.784** persons were employed, representing **178,39 %** of the objective for 2010.

The information and professional counseling have an essential role in the activity developed by the public employment services, their quality being the determinant for the results of the application of the other types of services of employment stimulation, especially professional training.

Out of the **947.560** persons covered by the **information, professional counseling and orientation services**, **6,84 %** were employed through this measure by the end of the year 2010.

The information and professional services, envisaged mainly the categories of persons with serious problems of integration on the labor market, such as:

- Persons of age 25-35 years – **17.081** persons,
- Persons of age 35-45 years – **19.861** persons;
- Persons over 45 years – **15.292** persons, out of which over 50 years: **8.353** persons;
- Unemployed persons without unemployment benefits – **35.452** persons;
- Long term unemployed persons – **4.123** persons, out of which women **1.724**;
- Roma population – **1.240** persons.

During the year 2010, a number of **149** persons with disabilities benefited of professional counseling and were employed, which is representing **20,75 %** of the total number of persons pertaining to this target group (**718** persons with disabilities employed at national level).

- ✚ By the **organization of professional training courses** a number of **16.818** persons were employed, which represents **119,87 %** of the objective for 2010.

- ✚ In order to combat the long term unemployment and to stimulate the unemployed persons to get a job before the expiry of the unemployment benefits payment, the **allowances were granted** for a number of **29.019** unemployed persons (**186,20 %** din proof the scheduled for 2010), out of which **13.198** for women.

- ✚ By **subsidizing the unemployed people employment with age over 45 years or single bread-winners of monoparental families**, it has been realized the employment of **14.229 persons** (**111,73 %** of the scheduled for 2010), out of which:
  - ✓ **13.843** unemployed people over 45 years;
  - ✓ **386** unemployed people single bread-winners of monoparental families.
- ✚ By the measure of **subsidizing the employers in order to hire unemployed that have 3 more years until retirement**, it has been achieved the employment of **207 persons** (**59,14 %** of the scheduled for 2010).
- ✚ **The stimulation of geographical mobility of the workforce** contributed to the employment of **3.410 persons** (**139,47 %** of the scheduled for 2010), out of which:
  - ✓ **1.557** persons by employment in another locality situated at a distance of more than 50 km to the residence (these persons benefited of the employment allowance);
  - ✓ **1.853** persons by employment in other localities with change of residence (the persons benefited of installation allowance).
- ✚ By subsidizing the employers that **employ graduates of the education institutions**, it was achieved the employment of **5.568 persons** (**52,18 %** of the scheduled for 2010), and the number of the *graduates benefiting of employment allowance* was of **3.685 persons** (of the total of number of graduates with and without jobs subsidizing).
- ✚ By **employing persons with disabilities**, through the job subsidizing, it was achieved the employment of **218 persons** (**103,81 %** from the objective for 2010).
  - ✚ By **granting credits for the creation of new jobs to the small and medium enterprises** it was realized the employment of **45 persons** (**12,16 %** of the scheduled for 2010), with the mention that this result is the effect of the credits granted in the previous years.
  - ✚ Following **the provision of consultancy and assistance services for starting an independent activity or for the initiation of a business**, **507 persons** initiated such independent activities (**55,71 %** of the scheduled for 2010).

Out of the **18.620 persons covered by the consultancy and assistance services in order to start an independent activity or to initiate a business**, **2,72 %** were employed through this measure.

- ✚ By **concluding contracts of solidarity, based on Law no. 116/2002**, it was achieved the employment of **825 persons** (**70,51 %** of the scheduled for 2010).

Out of the **943 persons covered by the system mentioned by the Law 116/2002 related to fighting and combating the social exclusion**, **87,49 %** were employed by this measure by the end of 2010.

The **825 employed persons** are coming especially from the **rural environment (578 persons)**, are **young persons with age under 25 years (705 persons)**, are mainly **women (432 persons)**, with low educational level (**secondary education and vocational**) – **271** respectively **232 persons** and are in the greatest majority **unemployed people without unemployment benefits (746 persons)**.

- ✚ By other active measures undertaken at county level, it was achieved the employment of **423 persons**, and the funds used for supporting these active measures are coming from other sources than from the Budget of Unemployment Benefits (PHARE funds, structural funds).

The fulfillment of the employment programme implementation by target groups for the year 2010, foreseen the employment of:

- **12.688** long term unemployed persons, out of which:
  - ✓ **3.592** are young people with age under 25 years,
  - ✓ **9.096** are long term unemployed people with more than 25 years,
    - **7.479** persons of Roma population;
    - **689** persons with disabilities;
    - **283** young people that got out of the children protection system;
    - **42** persons released from imprisonment;
    - **19** foreign citizens;
    - **4** victims of trafficking in human beings.

The **377.772** persons employed by the end of 2010, are coming from the following target groups:

- **19.577** long term unemployed adults, out of which women: **8.247**;
- **6.435** long term unemployed young people, out of which women: **2.884**;
- **6.696** persons of Roma community;
- **718** persons with disabilities;
- **72** young people that got out of the children protection system;
- **31** foreign citizens;
- **6** refugee persons;
- **13** persons released from imprisonment;
- **4** repatriated persons.

Out of the **377.772 employed persons**:

- **225.741 persons are coming from urban environment**,
- **152.031 persons are coming from rural environment**.

The weight of the employment taking into account the residence environment is the following: **59,76 %** of the employed persons are coming from urban environment, and **40,24 %** are coming from rural environment.

The number of **employed women is of 157.607, and of the men of 220.165**, the weight being of **41,72 %** respectively **58,28 %**.

The structure on **groups of age of the 377.772** employed persons is the following:

- **68.899** persons with age under 25 years;
- **96.692** persons with age 25-35 years;
- **111.153** persons with age 35-45 years;
- **101.028** persons with age over 45 years, out of which **56.483** are persons over 50 years,

And the structure on **types of education** is the following:

- **42.387** persons from elementary education;
- **86.769** persons from secondary education;
- **104.097** persons from vocational education;
- **96.420** persons from high school education;
- **8.925** persons with education after high school;
- **39.174** persons coming from university education.

In the year 2010, the number of persons that benefited of assistance related to the registration as persons looking for a job, in view of ensuring social protection for granting unemployment benefit or the inclusion in active measures, it was of **1.093.999** (persons covered by the active measures of employment stimulation).

The **1.093.999** persons benefited of the following types of measures:

- **1.074.746** persons covered by the vacant jobs mediation services;
- **18.620** persons covered by the consultancy and assistance for starting an independent activity or initiating a business;
- **943** persons covered by the system stipulated by the Law 116/2002 regarding the fighting and combating of social exclusion.

For the year 2010, in order to increase the employment degree of the persons from the rural environment or of the persons from urban localities that have problems of social reintegration following the economic restructuring, the National Agency for Employment included in **The Programme of employment** for the year 2010 the following special programmes:

- ✓ **The Programme 155, especially designed for 155 localities from rural area;**
- ✓ **The Programme 25, especially designed for 25 urban localities.**

The criteria that were used in establishing these localities were:

- ✓ *The high weight of unemployed in the total of active population;*
- ✓ *The reduced degree of economic development.*

By implementing these programmes, it was estimated for 2010, the hiring of a total number of **8.800 persons**, respectively **4.000** in the **rural localities** and **4.800** in the **urban ones**.

In 2010, by the implementation of the *Programme 25 especially designed for localities from urban area* they were employed **18.316 persons**, representing a percentage of **381,58 %** in comparison to the initial objective, as follows:

- **Mediation services – 15.351 persons (560,26 %)**, out of which:
  - ✓ 11.771 persons with labor contract on unlimited period;
  - ✓ 3.580 persons with labor contract on limited period;
- **Information and counseling services – 923 persons (201,97 %)**;
- **The organization of professional training courses - 282 persons (148,42 %)**;
- **Granting benefits for the unemployed which get a job before unemployment expiry – 474 persons (138,60 %)**;
- **Employing unemployed over 45 years or single bread-winners of monoparental families – 555 persons (370,00 %)**;
- **The hiring of unemployed that have 3 more years until retirement – 12 persons (171,43 %)**;
- **The employment by the stimulation of workforce mobility – 118 persons (126,88 %)**, out of which:
  - ✓ 27 persons by getting a job in a locality situated at a distance of more than 50 km to the residence (these persons benefited of employment allowance);
  - ✓ 91 persons by employment in another locality with change of residence;
    - **The employment of graduates from education institutions, by subsidizing the job – 59 persons (45,74 %)**;
    - **The graduates that benefit of the employment allowance – 49 persons (79,03 %)**;
    - **The employment of people with disabilities, by subsidizing the job – 1 person**;
    - **The employment by providing consultancy and assistance services in order to start an independent activity or to initiate a business - 14 persons (280,0 %)**;
- **The temporary employment of the workforce in public works of community interest– 449 persons (75,46 %)**;
- **The conclusion of contracts of solidarity based on the Law no. 116/2002 – 29 persons (96,67 %)**.

By the *Programme 155 especially designed for localities from rural environment* a number of **9.730 persons were employed in 2010**, representing a percentage of **243,25 %** in comparison to the initial objective.

The most persons were employed by the following active measures:

- **Mediation services – 7.522 persons (319,54 %)**, out of which:
  - ✓ 5.207 persons with labor contracts on unlimited period;
  - ✓ 2.315 persons with labor contracts on limited period;
- **Services of information and counseling – 792 persons (309,38 %)**;
- **The organization of professional training courses - 69 persons (116,95 %)**;
- **The granting of benefits for the unemployed that get hired before unemployment period expiry – 104 persons (212,24 %)**;
- **The employment of persons over 45 years of single bread-winners of monoparental families – 302 persons (479,37 %)**;
- **The employment of unemployed that have 3 years more until retirement – 3 persons**;
- **The employment by stimulation of the workforce mobility – 76 persons (1520,00 %)**, out of which:
  - ✓ 22 persons by getting hired in a locality situated at more than 50 km to the residence (the persons benefited of the employment allowance);
  - ✓ 54 persons by their employment in another locality with change of residence;
    - **The employment of graduates of education institutions, by subsidizing the job – 25 persons (43,10 %)**;
    - **The graduates that benefit of the employment allowance – 17 persons (283,33 %)**;

- **The temporary employment of the workforce in public works of community interest – 699 persons (64,42 %);**
- **The conclusion of contracts of solidarity, based on Law no. 116/2002 – 122 persons (187,69 %).**

Also, for the purpose of professional reintegration of Roma persons, in the *Programme of employment* for the year 2010 it is included the *Programme 150, especially designed for communities with large number of Roma population*, by which is estimated the employment of a total number of **3.115 persons**, about **42 %** of the total number of Roma persons proposed to be employed in 2010.

Within these special programmes, the stress is put on customized actions, especially for work mediation and temporary employment in local development works.

By the *Programme 150, especially designed for communities with large number of Roma population*, by the end of the year 2010, it was **achieved the employment of 2.977 persons**, with a percentage of **95,57 %** in comparison with the initial objectives (**3.115 persons**), as follows:

- **Mediation services – 2.079 persons (114,29 %)**, out of which:
  - ✓ 1.206 persons with labor contract on unlimited period;
  - ✓ 873 persons with labor contract on limited period;
    - **Services of information and counseling - 432 persons (153,74 %);**
    - **The organization of professional training courses – 43 persons (100,00 %);**
    - **The granting of benefits for the unemployed that get hired before the paid unemployment period expiry - 4 persons (26,67 %);**
    - **The employment of the unemployed over 45 years or single bread-winners of monoparental families – 7 persons (100,00 %);**
    - **The temporary employment of the workforce in public works of community interest – 388 persons (42,27 %);**
    - **The conclusion of contracts of solidarity, based on the Law no. 116/2002 – 24 persons (200,00 %).**

In order to establish early links between the education and the employment and the familiarization of young people with the working environment and the obtaining of revenues from remunerated and formal work, based on the Law no. 72/2007 related to the incentive of pupils and students employment, the National Agency for Employment included in the *Programme of employment* for 2010 a *Special Programme for pupils and students*.

By this programme it was envisaged the employment during holidays of **2.900 persons**, out of which: **1.790 pupils and 1.110 students**.

In the year 2010, by the implementation of the *Special Programme for pupils and students*, the following results have been achieved:

- ✓ A number of **224 agreements were concluded** based on the Law no. 72/2007;
- ✓ A total number of **772 pupils and students** were employed, out of which:
  - **599 pupils;**
  - **173 students;**

Out of the **599** employed **pupils**, **506 pupils** are working **full time**, **58 pupils** are working **part time**, and **35 pupils** are with **temporary labor contract**.

Out of the **173** employed **students**, **143 students** are working **full time**, **2 students** are **part time**, and **28 students** are working with **temporary labor contract**.

Taking into account the environment where they are coming from, **482 pupils and 147 students** are coming from **urban environment**, and **117 pupils and 26 students** are coming from **rural area**.

The structure on sex shows that out from the **599 pupils employed**, **345** are **women** and **22** are **men**, and out from the **173 students employed** **63** are **women** and **110** are **men**.

For the year 2011, the National Agency for Employment, by the National Programme of Employment, **estimated the employment of 324.000 persons**, at national level.

The Programme has been approved by the Board of Directors on 10.12.2010 and it has been sent to the Ministry of Labor, Family and Social Protection for approval, in conformity with the Law no. 202/2006 and by the Minister of labor, family and social protection **according to G.D. 11/2009 related to the**

**organization and functioning of the Ministry of Labor, Family and Social Protection**, modified and completed.

The **324.000 persons** programmed to be employed and the types of measures directly financed from the budget of unemployment insurance are as follows:

- **252.750 persons by the Mediation Programme**, out of which:
  - 181.550 by mediation of employment on vacancies for unlimited period,
  - 71.200 by mediation of employment on vacancies for limited period,
- **38.250 persons by provision of information and professional counseling services;**
- **13.150 persons by the organization of professional training courses;**
  - **20.100 persons by granting benefits for the unemployed that get hired before the paid unemployment period expiry;**
  - **14.650 persons by employing the unemployed over 45 years or single bread-winners of monoparental families**, by subsidizing the jobs, out of which:
    - 13.420 unemployed persons over 45 years,
    - 1.230 single parents bread-winners of monoparental families,
  - **315 persons that have 3 more years until retirement;**
  - **3.125 persons by stimulating the workforce mobility**, out of which:
    - 1.525 by employment in a locality situated at more than 50 km to the residence,
    - 1.600 by employment in another locality with change of residence,
      - **10.290 persons by employment of graduates of education institutions**, by subsidizing the job, out of which:
        - 1.270 graduates of the inferior cycle of high school or vocational education,
        - 4.025 graduates of superior secondary education or post-secondary education,
        - 4.995 graduates of university education,
          - **4.490 graduates beneficiaries of employment allowance;**
          - **250 persons by employment of persons with disabilities**, by subsidizing the job;
          - **50 by granting credits to the small and medium enterprises for creating new jobs;**
          - **710 by providing consultancy and assistance services for starting an independent activity or initiating a new business;**
          - **1.285 persons by concluding contracts of solidarity, based on the Law no. 116/2002 ;**
          - **125 by other active measures.**

By applying the active measures, it was achieved the employment of **366.113 persons**, which represents **113,00 %** compared to the objective set for 2011.

✚ By **providing mediation services** it has been achieved the employment of **306.206 persons**, **121,15 %** compared to the objective set for 2011, out of which:

- ✓ **203.867 persons** by mediation of vacancies on unlimited period;
- ✓ **102.339 persons** by mediation of vacancies on limited period;

Out of the **902.603 persons covered by the labor mediation services**, **34 %** were employed through this measure.

One of the active measures of unemployment fighting, which was always promoted by the National Agency for Unemployment, were the Job Fairs, active measure which has as objective the matching between the work offer and demand.

In the contract of managerial performance for the year 2011 it was scheduled the organization of two national fairs, one in the spring for all categories of persons looking for a job (15.04.2011) and one in the autumn for the graduates of education institutions (23.09.2011).

Also it was scheduled the organization of fairs on request of labor demand:

- For Roma persons,

- For young people that go out from the children protection system,
- For any other target groups except the two groups above mentioned, as well as for various trades of activity sectors, taking into account the evolution of the local labor market.

*The General Jobs Fair*, organized on **15<sup>th</sup> of April 2011**, had the following results (follow up one month later):

- **31.548 contacted economic agents**, out of which **191 insertion employers**;
- **2.506 participant economic agents**, out of which **60 insertion employers**;
- **29.820 offered jobs**, out of which **169** were job offers for the **persons that are the object of the provisions of the Law no. 116/2002**;
- **51.779 persons looking for a job**;
- **24.139 persons selected for employment**, out of which **564 persons social excluded** which fulfill the conditions of the **Law no. 116/2002**;
- **9.842 employed persons**, out of which **59 persons employed under the Law no. 116/2002**;
- **9.842 employed persons, out of which:**
  - ✓ **549** were graduates **of universities**,
  - ✓ **9.293** were graduates of high schools.

*The Jobs Fairs for graduates* was organized at national level on **23<sup>rd</sup> of September 2011** in **86 local agencies and working points** and had the following results (follow up after one month):

- **24.558 contacted economic agents**;
- **2.221 participant economic agents** ;
- **25.411 offered jobs**
- **35.181 persons looking for a job, out of which:**
  - ✓ **26.053 graduates**;
  - ✓ **117 persons fulfilling the conditions of the Law no. 116/2002** ;
  - ✓ **35 persons with disabilities**;
- **14.487 persons selected for employment**;
- **3.517 persons that were employed**, out of which **465 persons with university and 8 persons that fulfill the conditions of the Law no. 116/2002** ;

Also, there were **organized upon request of labor market a number of 53 fairs, in 20 counties**. These fairs were for various trades or sectors of activities (for manufacturing of clothes, retail trade, except cars, manufacturing of textile products and civil works) and for various target groups (students, women, persons with disabilities, persons subject to social exclusion, imprisoned persons).

In view of organizing the fairs for various trades or sectors of activities a number of **5.104 economic agents** were contacted, out of which participated **858**, which offered **10.706 jobs**. The number of participants was of **17.623 persons**, out of which were selected for employment **6.435 persons**.

The final results indicate the employment of **2.586 persons (2.458 persons without university and 128 persons with university)**.

In order to organize the fairs for the target groups above mentioned, a number of **810 economic agents** were contacted, out from which **221** participated, and they offered **2.839 jobs**. The number of participants was of **3.695 persons**, out of which were selected in view of employment **1.093 persons**.

The final results indicate the hiring of **523 persons (496 persons without university and 27 persons with university)**.

Analyzing the requests of the labor market and in order to grant support to disadvantaged categories in view to get a job; it has been considered useful the organization at national level of the Jobs Fair for the Roma persons in the localities with population pertaining mainly to this community.

**The results obtained following the follow up of the Job Fairs organized for the Roma community persons are, mainly as follows:**

- The Job Fairs for Roma population were organized in **3 localities** from **3 counties** – Bucharest, Dâmbovița and Maramureș;
- **429 contacted economic agents**;



- **51** participant economic agents;
- **799** offered jobs;
- **790**, out of which **148** persons of Roma population as participants;
- **325** persons were selected for employment, out of which **95** persons of Roma community;
- **64** persons got hired, out of which **64** persons of Roma community;
- The main sectors of activity of the jobs of the **64** employed persons of Roma community are:
  - ✓ Activities of landscape and services for buildings – **11** persons of Roma community;
  - ✓ Manufacturing of clothes - **9** persons of Roma community;
  - ✓ Buildings construction – **9** persons of Roma community;
  - ✓ Manufacturing textiles products – **2** persons of Roma community;
  - ✓ Manufacturing of other products from nonmetallic minerals – **1** person of Roma community.

By means of job fairs organized in 2011 a number of **16.532 persons were employed**, as follows:

- **9.842 persons at the General Jobs Fair** from 15.04.2011 – follow up after one month,
- **3.517 persons at the Jobs Fair for Graduates** from 23.09.2011 – follow up after one month;
- **2.586 persons at job fairs organized for various trades or various sectors of activity**,
- **523 persons at job fairs organized for target groups**,
- **64 persons by job fairs for Roma community persons**.

✚ Following the provision of *information and counseling services* it has been achieved the employment of **61.254 persons (160,14 %** compared to the objective set for 2011).

Out of the **642.131 persons covered by the information and counseling services related to vacancies**, about **10 %** were employed by this measure.

The professional training is an active measure determinant for the professional development of the persons looking for a job, and it well-known that their chances for integration / reintegration for a job are increased, be it immediately or in the future.

By the *organization of professional training courses* a number of **14.773 persons were employed**, which represents **112,34 %** of the objective set for 2011.

- ✚ In order to fight against the long term unemployment and to stimulate the unemployed to get hired before the unemployment benefits period expiry, there were *granted allowances* for a number of **19.223** unemployed (**95.64 %** of the objective set for 2011), out of which 14.283 in the urban area and **7.025** are **women**.

Out of the **19.223** unemployed beneficiaries of allowances for getting hired before the expiry of the paid unemployment period, **815** are graduated benefiting from the budget of the unemployment insurance, of an amount equal to the unemployment benefit that he/she would have been legally entitled, until the expiry of the period of its payment, if she/he had not have been hired.

- ✚ *The subsidizing of the jobs occupied by the unemployed aged over 45 years or single bread-winners of monoparental families* has led to the employment in 2011, of **20.312** persons (**138,65 %** of the objective set for 2011), out of which:
  - **19.817** unemployed over 45 years;
  - **495** unemployed single bread-winners of monoparental families;

In 2011, out the total number of the persons employed through subsidizing of their job for the persons over 45 years or single bread-winners of monoparental families (**20.312**), **43,54 %** are **women (8.844)**, **61,71 %** are from **urban area (12.534)**, and **38,29 %** are from **rural area (7.778)**.

- ✚ *The subsidizing of the employers that hire unemployed that have 3 more years until their retirement* has led to the employment of **266 persons (84,44 %** of the objective set for 2011).

- ✚ In order to fight against the unemployment of the *young graduates* of the education institutions, the National Agency for Employment acted on the labor market by implementing the active measure of *subsidizing the jobs*.

The use of all mass communication media related to the active measures for the young people, the information and counseling related to their career of the pupils and students in their last years of studies, have made possible the employment through this active measure of a number of **6.574 graduates (63,89 %** of the objective set for 2011), out of which:

- ✓ 473 are graduates of the inferior cycle of the high school or of the vocational schools;
- ✓ 2.667 are graduates of superior secondary education or after high school education;
- ✓ 3.434 are graduates of universities.
- ✚ By granting *subsidies* to the employers that hire persons with disabilities, it has been achieved the employment of **233 persons with disabilities** (93,20 % of the objective set for 2011).
- ✚ *The stimulation of the geographical mobility of the workforce* contributed to the employment of **3.179 persons** (101,73 % from the objective set for 2011), out of which:
  - ✓ 1.058 persons by getting hired in a locality situated at more than 50 km to the residence (the persons benefited of the employment allowance);
  - ✓ 2.121 persons by their employment in another locality with change of residence (the persons benefited of the installation allowance).
- ✚ *By granting an allowance to the graduates which get hired* it was achieved the employment of a number of **3.538 persons** (of the total of the graduates employed with job subsidizing and without job subsidizing), which represents 78,80 % of the objective set for 2011.
  - ✚ Following the *provision of the consultancy and assistance services for starting an independent activity or for initiating a business*, **264 persons** initiated such independent activities (37,18 % of the objective set for 2011).

Out of the **6.070 persons** who benefited of **the consultancy and assistance services for starting an independent activity or for initiating a business**, **4,35 %** have got hired by this measure.

- ✚ By *concluding contracts of solidarity, based on Law no. 116/2002* related to *preventing and fighting against the social exclusion* with subsequent modifications and completions, it was achieved the employment of **1.874 persons** (145,84 % of the objective set for 2011), representing **93,09 %** of the **2.013 persons** with which were concluded contracts of solidarity.

Out of the **1.874 employed persons**, **1.255 are coming from rural area**, **1.008 persons are men**, **1.116 persons** are with a low education level (**secondary and vocational education**), **1.695 persons are unpaid unemployed persons**.

- ✚ By *other active measures* undertaken at county level, it was achieved the employment of **2.012 persons**, the funds used for the support of these measures being others than those from the Budget of Unemployment Insurance (structural funds).

By implementing the measures of employment stimulation it was achieved the employment of **20.983 persons** pertaining to disadvantaged target groups, as follows:

- **3.813** young long term unemployed, out of which women: **1.531**;
- **10.665** adults long term unemployed, out of which women: **3.892**;
- **5.492** persons of Roma community;
- **815** persons with disabilities;
- **94** young people that got out of the children protection system;
- **55** repatriated persons;
- **36** foreign citizens;
- **13** persons released from imprisonment.

Out of the **366.113 employed persons**, **217.598 persons are coming from urban area** (59,43 % of the), **148.515 persons are coming from rural area** (40,57 % of the total).

The number of *employed women is of 145.304, and that of men is of 220.809*, the weight in the total employed persons being of **39,69 %** respectively **60,31 %**.

The structure on *groups of ages of the 366.113 employed persons* is as follows:

- **73.113** persons with age under 25 years;
- **89.306** persons with age between 25-35 years;
- **103.932** persons with age between 35-45 years;
- **99.762** persons with age over 45 years, out of which **58.272** are persons aged over 50 years,

And the structure taking into account *the education level* is the following:

- **52.162** persons from elementary education;
- **83.406** persons from secondary education;

- **92.987** persons from vocational education;
- **91.611** persons from high school education;
- **7.596** persons with after high school education;
- **38.351** persons with university education.

From the point of view of the persons' statute looking for a job, the **366.113 employed persons** are structured as follows:

- **247.841** unpaid unemployed persons;
- **115.296** paid unemployed persons;
- **2.976** persons looking for a job.

In the year 2011 the number of persons that benefited of assistance related to the registration as persons looking for a job, in view of ensuring social protection for granting unemployment benefit or the inclusion in active measures, it was of **908.337** (persons covered by the active measures of employment stimulation).

The **908.337** persons benefited of the following types of measures:

- **902.603** persons covered by the mediation services of vacancies;
- **6.070** persons covered by the consultancy and assistance services for starting an independent activity or initiating a business;
- **2.013** persons covered by the system foreseen by the Law 116/2002 related to the fighting and combating the social exclusion.

The National Agency for Employment included in the Programme of employment for the year 2011 a **Special Programme for pupils and students**, which is supporting the employment for limited period, of maximum 60 natural days, during holidays, according to the Law no. 72/2007, of students and pupils. The goal is that pupils and students get accustomed with the practice at the workplace and get some revenues during holidays, especially those coming from families with low incomes. By this programme it was proposed the employment during holidays of **2.280 persons**, out of which: **1.440 pupils and 840 students**.

In 2011, by implementing the **Special Programme for pupils and students**, the following results were obtained:

- ✓ A number of **248 agreements** were concluded based on Law no. 72/2007;
- ✓ A number of **945 pupils and students were employed**, out of which:
  - **573 pupils**;
  - **372 students**;

Out of the **573 employed pupils**, **516 pupils** were employed **full time** and **57 pupils** were employed **part time**.

Out of the **372 employed students**, **301 students** were employed **full time** and **71 students** were employed **part time**.

Taking into account the origin, **431 pupils and 325 students** are from **urban area**, and **142 pupils and 47 students** are from **rural area**.

The structure on sex shows that out from the **573 employed pupils**, **335** are **women** and **238** are **men**, and out from the **372 employed students** **160** are **women** and **212** are **men**.

For the year 2011, in order to increase the employment degree of the persons from the rural environment or of the persons from urban localities that have problems of social reintegration following the economic restructuring, the National Agency for Employment included in The Programme of employment for the year 2011 the following special programmes:

- ✓ **The Programme 150, especially designed for 150 localities from rural area;**
- ✓ **The Programme 40, especially designed for 40 urban localities.**

The criteria that were used in establishing these localities were:

- ✓ The high weight of unemployed in the total of active population;
- ✓ The reduced degree of economic development.

By these programmes implementation it was estimated for the year 2011, the employment of a total number of **11.825 persons**, respectively **3.810** in **rural localities** and **8.015** in **urban localities**.

By the end of this year, by the implementation of the **Programme 40, especially designed for urban localities** there were employed **17.305 persons**, as follows:

- **Mediation services – 14.739** persons, out of which:
  - ✓ 9.932 persons employed with individual contract on unlimited period;
  - ✓ 4.807 persons employed with individual contract on limited period;
- **Information and counseling services – 1.257** persons;
- **The organization of professional training services - 175** persons;
- **The granting of allowances for the unemployed persons that get hired before the paid unemployment period expiry – 319** persons;
- **The subsidies granted to employers for hiring unemployed aged over 45 years or single bread-winners for monoparental families – 461** persons;
- **The subsidies granted to employers that hire unemployed that have 3 more years until retirement – 5** persons;
- **The employment by stimulating the workforce mobility – 203** persons, out of which:
  - ✓ 24 persons by getting hired in a locality situated at more than 50 km to the residence (the persons benefited of the employment allowance);
  - ✓ 179 persons by their employment in another locality with change of residence.
    - **The subsidies granted to employers hiring graduates of the education institutions – 47** persons;
    - **The graduates that benefit of the employment allowance – 40** persons;
    - **The subsidies granted to employers for hiring persons with disabilities, by subsidizing the job – 2** persons;
- **The conclusion of contracts of solidarity based on the Law no. 116/2002 – 57** persons.

By the *Programme 150 especially designed for localities from rural areas* there were employed in 2011, **7.275 persons**, through the following active measures of the workforce stimulation:

- **Mediation services – 6.095** persons, out of which:
  - ✓ 3.806 persons on unlimited period;
  - ✓ 2.289 persons on limited period;
- **Services of information and counseling – 637** persons;
- **The organization of professional training courses - 29** persons;
- **The granting of allowances for the unemployed that get hired before the paid unemployment period expiry – 54** persons;
- **The subsidies granted to the employers for hiring unemployed over 45 years or single bread-winners of monoparental families – 294** persons;
- **The subsidies granted to employers that hire unemployed that have 3 more years until the retirement – 2** persons;
- **The employment through stimulation of the workforce mobility – 54** persons, out of which:
  - ✓ 5 persons by getting hired in a locality situated at more than 50 km to the residence (the persons benefited of the employment allowance);
  - ✓ 49 persons by their employment in another locality with change of residence;
    - **The subsidies granted to employers for hiring graduates of the education institutions – 18** persons;
    - **The graduates that benefit of the employment allowance – 4** persons;
- **The conclusion of contracts of solidarity, based on the Law no. 116/2002 – 88** persons.

In order to get the professional reintegration of the Roma community persons, by the *Programme of employment* for 2011 it is included the *Programme 145, especially designed for communities with a high number of Roma population*, by which it was estimated the employment of a total of **2.250 persons**, about **39 %** of the total number of Roma persons envisaged to become employed in 2011.

Within these special programmes, the stress is put on customized actions, especially for the work mediation and professional counseling.

By the *Programme 145, especially designed for communities with a high number of Roma population*, in 2011, it was achieved the employment of **2.444 persons**, through the following active measures:

- **Mediation services – 2.125** persons, out of which:
  - ✓ 1.200 persons on unlimited period;
  - ✓ 925 persons on limited period;

- **Information and counseling services – 256 persons;**
- **The organization of professional training courses – 23 persons;**
- **The granting of allowances for the unemployed that get hired before the paid unemployment period expiry - 3 persons;**
- **The subsidies granted to the employers for hiring unemployed over 45 years or single bread-winners of monoparental families – 10 persons;**
- **The graduates that benefit of the employment allowance – 1 person;**
- **The conclusion of contracts of solidarity, based on Law no. 116/2002 – 26 persons.**

## **CNPP**

As regards the extension of the equal opportunity treatment principle to the residents of third States, the following social security agreements are in force in Romania, which guarantee the principle of equal treatment:

- The Agreement between Romania and the Republic of Macedonia in the field of social insurance, signed in Bucharest on 27<sup>th</sup> of February 2006, ratified by the Law no. 326 of 22<sup>nd</sup> of November 2007, published in the O.J. no. 817 of 30<sup>th</sup> of November 2007, entered into force on 1<sup>st</sup> of March 2008;
- The Agreement between Romania and the Republic of Turkey in the field of social insurance, signed in Ankara on 6<sup>th</sup> Julie 1999, ratified by the Law no. 551 of 14<sup>th</sup> of October 2002, published in the O.J. no. 785 of 29<sup>th</sup> of October 2002, entered into force on 1<sup>th</sup> of March 2003;
- The Agreement between Romania and the Republic of Korea in the field of social insurance, signed on 11<sup>th</sup> of September 2008, at Seoul, ratified by the Law no. 327 of 27<sup>th</sup> of October 2009, published in the O.J. no. 744 of 2<sup>nd</sup> of November 2009, entered into force on 1<sup>st</sup> of July 2010;
- The Agreement between Romania and the Republic of Moldova in the field of social insurance, signed in Bucharest, on 27<sup>th</sup> of April 2010, ratified by the Law no. 130 of 23<sup>rd</sup> of June 2011, published in the O.J. no. 456 of 29<sup>th</sup> of June 2011, entered into force on 1<sup>st</sup> of September 2011.
- The Agreement in the field of social security between Romania and Canada it was signed on 19<sup>th</sup> of November 2009, in Ottawa, and the Administrative Agreement between the Government of Romania and the Government of Canada for the application of The Agreement in the field of social security between Romania and Canada was signed on 1<sup>st</sup> of June 2010, in Bucharest, entered into force 1.11.2011.

At the present, bilateral agreements are being negotiated in the field of social security between Romania and the following extracommunitary States: Israel, Quebec, Serbia, and Albania.

The Agreement between Romania and Israel in the field of social security was signed on 28<sup>th</sup> of February 2011, in Israel. There are going to be held negotiations for the Administrative Agreement for the application of the Agreement.

The negotiations for the Memorandum of Understanding between the Government of Romania and the Government of Quebec in the field of social security were finalized after the second round, held in Quebec, during 13 - 15 of June 2011. There are going to be held negotiations for the Administrative Agreement for the application of the Memorandum of Understanding.

Within the negotiations for Agreement between Romania and the Republic of Serbia in the field of social security, the second round of negotiations was held in Bucharest during 05 - 08 of April 2011.

Within the negotiations for Agreement between Romania and Albania, the second round of negotiations was held in Tirana, during 2012.

As regards the present relations between Romania and Armenia, Ukraine and Russian Federation, these are still ruled by the Covenant between R.P.R. and U.S.S.R. related to the collaboration in the field of social issues, concluded in Bucharest, on 24<sup>th</sup> of December 1960, covenant which is based on territoriality principle.

As regards the services exportability, Romania guarantee this right for all the beneficiaries of the unitary system of pensions from Romania, regardless the country of residence and regardless the existence of any bilateral agreements of social security concluded with these State; the National House of Public Pensions ensures the pensions' payment by concluding thereby an agreement with Citibank Europe plc. Dublin, Branch of Romania.

The provision of pensions by the public system of Romania is subject to certain conditions related to the minimum period of contribution realized by a person on the territory of Romania.

According to the present legislation related to pensions, all persons, regardless their citizenship, that have their residence abroad and have contributed with social insurance to the public system of pensions from Romania, can benefit of pensions rights provided by the Romanian State, if they fulfill the legal conditions respectively the standard age of retirement and the minimum period of contribution. If the person doesn't meet these conditions and resides in a State with which Romania has not concluded a bilateral agreement of social security, he/she cannot benefit of the amounts from the public systems of pensions from Romania, as the insurance periods cannot be counted according to the legislation of that State.

## **Art.13 – THE RIGHT TO SOCIAL AND MEDICAL ASSISTANCE**

### **The Contribution Social Assistance**

#### **Art. 13, paragraph 1**

##### **1. The General Legal Framework**

In Romania, the Ministry of Labor, Family and Social Protection is the authority in charge with the elaboration of the social policies in the field of social assistance, social inclusion and family policies. The main guidelines adopted by the Ministry of Labor, Family and Social Protection in the field of social assistance, for the period 2008-2011, envisaged the support of the family and its members, in view of increasing the family cohesion, taking into account that the family represents the imperious fundamentals for the harmonious development of a person.

**In the period 2008-2011, the Government of Romania had as main goal to continue the process of reforms taking into account the present needs of its citizens and of the Romanian society. Therefore, in this period, the Government set the following objectives:**

- To improve the equilibrium of the persons and families which are in vulnerable socio-economic situation (persons with low incomes, persons of third age, persons with disabilities);
- To orientate the social contributions taking into account the level of incomes obtained by persons/families;
- To ensure the measures for supporting the young families, to reduce the child abandonment and to fight against violence in family;

In this way, according to Law no. 292/2011, the social assistance benefits represent a complementary or substitutions form of individual/family incomes obtained from work, in view of ensuring a minimum

standard living, as well as a supporting form in order to promote the social inclusion and to increase the life quality of certain categories of persons whose social rights are expressly stipulated by law.

The new law of the social assistance improves and develops the rules of the social assistance system, previously regulated by the Law no. 47/2006.

By the new law, the benefits of social assistance, taking into account the eligibility criteria, are classified as follows:

- a) Selective benefits of social assistance, granted on proving the means of livelihood of the person alone or of the family;
- b) Universal benefits of social assistance, granted without proving the means of livelihood of the person alone or of the family;
- c) Category benefits of social assistance, granted for certain categories of beneficiaries, with or without proving the means of livelihood of the person alone or of the family.

The proving of the means of livelihood of the person alone or of the family has in view:

- a) To assess the pecuniary revenues represented by all incomes obtained in the country or abroad, including those coming from the State social insurance rights, unemployment insurance, legal obligations of maintenance, allowances, allocations, aid with permanent character, other legal claims;
- b) To assess the goods and revenues that can be obtained by valuing / the use of movable and real estate's goods under property or use.

Taking into account their purpose and nature, the foreseen social assistance benefits are granted be it upon assessment of pecuniary revenues, be it based on the cumulated assessment of pecuniary revenues, of the goods and revenues that can be obtained by valuing/use of movable and real estate's goods under property or use.

The benefits of social assistance, taking into account their purpose, are classified as follows:

- a) Social assistance benefits for preventing and fighting against poverty and social exclusion risk;
- b) Social assistance benefits for supporting the child and the family;
- c) Social assistance benefits for the persons with special needs;
- d) Social assistance benefits for special situations.

The benefits of social assistance are granted in money or in kind and include allocations, allowances, social aids and facilities. The facilities are granted for certain categories of beneficiaries and they can be:

- a) Facilities represented by the insurance of paying certain social insurance contributions and/or the assimilation of certain periods of contribution;
- b) Facilities of access to the physical, information and communication environment.

If the persons that receive social assistance benefits go / go back to work, they resume their professional activity or start an independent activity, they can benefit, if appropriate, under the conditions stipulated by the special laws, of:

- a) The increase of the granted social assistance benefits, if they meet the eligibility criteria;
- b) The extension of the period of granting the social assistance benefits with maximum 3 months, starting with the month of the activity start;
- c) The incentives for replacement of certain social services;
- d) Other rights stipulated by law.

The denial of a job, of the participation to training / qualification / requalification or of other active measures stipulated by law can lead, under the conditions foreseen by the special laws, to the reduction of the social assistance benefits amount or their stop and the prohibition to grant new social assistance benefits for a limited period. The employers that hire persons that are beneficiaries of social assistance

benefits can receive, according to law, fiscal or other kind of facilities. The social assistance benefits financed by the State budget and, if appropriate, by the local budgets, are granted subject to the payment by the beneficiaries of the payment obligations to the local budget.

Taking into account their beneficiary, the social assistance benefits can have:

- a) Individual character, granted to a single person, to one or more members of the family whose identified needs constitutes a special situation and they need a customized intervention;
- b) Family character, granted in order to increase the life quality in family and to maintain a family environment appropriate to the realization of its basic functions.

The social assistance benefits granted for the fight and combating the poverty and social exclusion risk is paid for certain limited periods or for punctual situations and can comprise the following main categories:

- a) Social aids supported by the State budget, granted customized, for the categories of population that run the poverty risk;
- b) community social aids supported by the local budgets, granted customized, as individual support measures for overcoming certain temporary difficult situations;
- c) Emergency aids supported by the State budget and /or from local budgets, granted for situations generated by natural disasters, fires, accidents etc.
- d) Social scholarships and financial aids for facilitating the access to education, supported by the State budget and/or by the local budgets;
- e) in kind aids, food and materials, including those granted within the educational supporting programmes for children and young people coming from disadvantaged families, supported by the State budget and/or local budgets, as are the programmes for food supplements, supplies and other materials needed in the educational process;
- f) The aid granted from the State budget for refugees, as well as to the persons that have got subsidiary protection in Romania, according to law;
- g) Facilities regarding the use of common transport means, the access to communication and information, as well as other facilities foreseen by the law.

The benefits for supporting the child and family have in view the birth, education and maintenance of children and include the following main categories:

- a) Child benefits;
- b) Benefits for the children devoid, temporary or permanently, of the parents protection;
- c) Allowances for children rising;
- d) Facilities according to law.

The benefits of social assistance for supporting the persons with special needs are granted both for ensuring the basic needs of living, as well as to promote and guarantee the exercise by these persons of the fundamental rights and liberties and to fully participate to the society life. The main categories of social assistance benefits for supporting the persons with special needs are the following:

- a) Allowances for the persons with disabilities;
- b) Allowances for care;
- c) Various facilities, according to law.

The Ministry of Labor, Family and Social Protection is the central public authority that elaborates the social assistance policy and promote the rights of family, children, aged persons, persons with disabilities and any other persons in need. The Ministry of Labor, Family and Social Protection establishes the national and sector strategy of development in the social area, coordinates and monitors their implementation, supports from the financial and technical point of view the social programmes and exercises the control of the granting of social assistance benefits and social services.

The Ministry of Labor, Family and Social Protection, for the activity of establishment and payment of social assistance benefits ensured by the State budget allocated to the Ministry of Labor, Family and



Social Protection, as well as for the activity of inspection, organizes specialized institutions, with or without legal status, in view to achieving an unitary system of administration of the social assistance benefits and of the assessment, follow up and control in the field of social assistance.

In order to make more efficient the process of elaboration and implementation of social policies at national level, the Ministry of Labor, Family and Social Protection organizes the National Social Observatory, hereinafter called Observatory. The Observatory has the objective to collect and analyze at national level the data related to public policies in the field of social protection, the employment, the inhabitation, education, health, information-communication, mobility, security, justice and culture, as integrant part of the social inclusion process, to elaborate the national reports in the field, as well as to formulate recommendations and proposals in view to make more efficient the decision-making process in these areas.

In order to fulfill these goals, the Observatory collaborates with national and international organisms with the activity in the field of social protection and concludes collaboration protocols, including with the territorial and sectorial social observatories organized by these organisms.

The Observatory is part of the national mechanism of implementation of the social inclusion process and collaborates with the central and local public authorities, with all organizational forms of the civil society taking part to this mechanism and with the research institutions and Universities.

## **2. Social Programmes developed by 31<sup>st</sup> of December 2011**

In the period 2008-2011, the poverty reduction and the fighting against the social exclusion represented a major objective of the Government, thus contributing decisively to taking the needed measures for the economic development and for ensuring adequate social protection. In order to improve the living standard of the population, such as the right to food, to clothes and to adequate house, in this period the following social programmes were developed:

### **1. Social aid:**

The poverty reduction is a major objective. And this is more actual in the present period of financial crisis. In the Programme of Governance for the period 2009-2012, among the main measures taken for the reduction of the economic and financial crisis impact on the economy and vulnerable groups, it is the insurance of the guaranteed minimum income as a form of protection of the most vulnerable categories of the population.

By the Law no. 246/2010 the process of granting social aids was significantly changed, the paid amounts being ensured integrally from the State budget allocated to the Ministry of Labor, Family and Social Protection, and the payment was made through the National Agency for Social Benefits and its territory structures.

In the year 2010, a series of normative acts in the field of social assistance were elaborated and adopted, in order to contribute to the diminution of negative consequences of socio-economic crisis upon the categories of vulnerable population, through a better targeting of the financial transfers from the State budget, as follows:

- The granting of the **guaranteed minimum income** as a form of protection of the most vulnerable categories of the population, adopted by the **Law no. 276/2010 for the modification and completion of the Law no. 416/2010 regarding the guaranteed minimum income**.
- Starting with 2011, the social aid is granted from the State budget allocated to the Ministry of Labor, Family and Social Protection, the payment being made to the beneficiaries through the National Agency for Social Benefits.

- The establishment of the right to the social aid is made based on the request and documents presented by the applicant to the City Hall, which assesses through specialized services, the incomes obtained and the movables and real estate's goods owned by the family or the single person through social inquiry.
- One of the conditions included for the beneficiary is to provide services and actions in community interest.
- In order to maintain this right, every 3 months the socio-economic situation of the family or of the single person is checked by social inquiry.
- The payment and the suspension of this right are made based on the decision of the director of territorial agency, on the Mayor order.
- The measures of sanction multiplied in case of breach of law, by the Mayor, the City Hall Secretary, the local council, the staff of the social assistance public service, and the beneficiaries of social aids.
- It is ensured the payment of the social health contribution from the MLFSP budget, in order to ensure the access to public health services of the social aid beneficiaries.
- Also, it is ensured the payment of the insurance premium for the houses against the earthquakes, landslides or floods from the MLFSP budget.
- On 19<sup>th</sup> of January 2011 it has been approved **the Government Decision related to Methodological Norms for the application of the provisions of the Law no. 416/2010 related to the guaranteed minimum income.**
- In January 2011 there were open budgetary credits amounted at 26.313.491 lei for the payment of the social aid rights corresponding to the month of December 2010, for a number of 160.538 beneficiaries.
- For the year 2011, the amount allocated for the payment of the rights established according to the Law no. 416/2001 is of 651 million lei for an average monthly number of 319.248 families and/or single persons.

As there were found delays to the monthly payment of these rights, in December 2010 it has been adopted the Law No. 276/2010 for the modification and completion of the Law no. 416/2001, which stipulates the guarantee of the needed funds for the social aid payment, from the State budget, by ensuring the funds to the budget of the Ministry of Labor, Family and Social Protection. The payment of the rights of social aid was foreseen to be made through the territorial agencies for social benefits.

In the next table it is presented by comparison the number of requests for social aid at the year end and the number of families that have received this aid.

**Table 1. Number of social aid requests existing at the end of the year and the average monthly number of paid social aids, in the period 2008 – 2011**

Indicator	2008	2009	2010	2011
Number of requests existing by the end of the year *			270.198	200.071
Average monthly number of paid social aids*	281.056	296.720	232.366	186.742
Percentage paid aids /requests of payment	223.777	221.603		
	79,6	74,7	86,0	93,3

*\*The indicators refer to different average number is calculated for a whole year.*

*periods: the*

**Table 2. The level of guaranteed minimum income, in the period 2008-2011**

Family structure	Jan. 2008	Jan. 2009	July 2009-present
Single person	100	108	125
2 persons	181	196	225
3 persons	252	272	313
4 persons	314	339	390
5 persons	372	402	462
Supplement*	25	27	31

\* For each person of the family above the number of 5

Notwithstanding, there were periods when the consumer prices index increase exceeded the index with which it was indexed the level of the guaranteed minimum income, thus leading to a reduction in real terms of the protection offered to the categories of population with low incomes.

#### **Comparison between the indexing of the GMI level for a single person for the previous year and the consumer price index for the previous year, expressed in percentage, 2008-2009**

Indicator	2008	2009
The GMI level for one single person at the end of the year (lei)	100	125
Indexing the GMI level for the single person compared to previous year (%)	104,2	125,0
The consumer price index compared to previous year (NIS) (%)	107,9	105,6

**Indicators regarding the application of the Law no. 416/2001 related to guaranteed minimum income**

**2008 – 2011**

Source: Ministry of labor, Family and Social Protection

Year	Indicator	Total	Single persons	Families composed of:				
				2 persons	3 persons	4 persons	5 persons	More than 5 persons
Year	Indicator	Total	Single persons	Families formed of:				
				2 persons	3 persons	4 persons	5 persons	More than 5 persons
<b>2008</b>	Amount (lei)	366.540.139	83.917.859	72.868.228	67.253.340	66.778.661	42.415.881	33.306.170
	Averg. no. of benef. fam.	223.778	78.486	46.077	35.481	31.185	17.864	14.685
	Val/fam./month (lei)	136,5	89,1	131,8	158,0	178,4	197,9	189,0
	Averg. no. of benef. fam.	579.253	78.486	92.154	106.443	124.740	89.320	88.110
	Val/fam./pers (lei)	52,7	89,1	65,9	52,7	44,6	39,6	31,5
<b>2009</b>	Amount (lei)	414.584.280	100.810.641	83.230.057	74.724.238	74.642.914	45.583.284	35.593.146
	Averg. no. of benef. fam.	221.603	82.440	44.922	34.129	30.139	16.567	13.406
	Val/fam./month (lei)	155,9	101,9	154,4	182,5	206,4	229,3	221,3
	Averg. no. of benef. fam.	558.498	82.440	89.844	102.387	120.556	82.835	80.436
	Val/fam./pers (lei)	61,9	101,9	77,2	60,8	51,6	45,9	36,9
<b>2010</b>	Amount (lei)	479.099.136	116.656.495	95.929.143	86.421.465	88.725.543	51.797.249	39.569.242
	Averg. no. of benef. fam.	232.366	87.168	46.989	35.419	32.015	16.845	13.930
	Val/fam./month (lei)	171,8	111,5	170,1	203,3	230,9	256,2	236,7
	Averg. no. of benef. fam.	583.268	87.168	93.978	106.257	128.060	84.225	83.580
	Val/fam./pers (lei)	68,5	111,5	85,1	67,8	57,7	51,2	39,5
<b>2011</b>	Amount (lei)	386.858.093	102.020.852	82.325.725	68.860.125	69.336.479	37.600.487	26.714.425
	Averg. no. of benef. fam.	186.742	73.400	37.999	27.460	25.190	12.850	9.843
	Val/fam./month (lei)	172,6	115,8	180,5	209,0	229,4	243,8	226,2
	Averg. no. of benef. fam.	455.846	73.400	75.998	82.380	100.760	64.250	59.058
	Val/fam./pers (lei)	70,7	115,8	90,3	69,7	57,3	48,8	37,7

**2. Preventing and fighting against social exclusion**, stipulated by the Law no. 116/2002 regarding the prevention and fighting against social exclusion, approved in March 2002. The **Law no. 116/2002, as well as the Methodological Norms** for applying this law, establish as measures in the employment field that support the social excluded persons: professional counseling, mediation and employment of young people with ages between 16-25 years, by customized social support, granted by the specialized staff of the National Agency for Employment.

The main tool by which is ensured the customized social support for the young people that are in difficulty and confronted with the risk of professional exclusion is the contract **of solidarity**, concluded between the young people that fulfill the conditions of the Law no. 116/2002 and the county agencies for employment and Bucharest municipality. By this type of contract, the agencies are committed to grant to the young people the professional counseling and mediation services, to identify the insertion employers and to inform them related to the facilities granted by law in case of employing the young people confronted with the risk of professional exclusion.

In 2010, there were professionally **mediated and counseled** a number of **1.005 persons** coming from the disadvantaged categories, and a number of **943** contracts of solidarity were concluded and **392** insertion employers were identified.

The **943 contracts of solidarity** were concluded with the following categories of beneficiaries:

- **126** young people coming from the foster care centers and the orphanage centers of the specialized public services and authorized private bodies in the field of child protection (13,4 %);
  - **34 single** young with children (3,6 %);
  - **213** young families with children (22,6 %);
- **189** young families without children (20 %);
  - **381** persons pertaining to other categories of young people in difficulty (40,4%).

The situation related to the level of studies of the persons that have concluded contracts of solidarity in 2010 according to the Law no. 116/2002, is the following:

- **435** persons have secondary studies, without graduation or have no studies (46,1 %);
- **295** persons have vocational studies (31,3 %);
- **178** persons have high school studies (18,9 %);
- **35** persons have graduated a University (3,7 %).

In 2010 a number of **825 marginalized persons** were employed, out of which: **646** persons were employed with individual labor contracts on limited period and **179** persons were employed with individual labor contracts on unlimited period.

The **825 individual labor contracts** were concluded with the following categories of persons:

- **80** young people coming from the foster care centers and the orphanage centers of the specialized public services and authorized private bodies in the field of child protection (9,7 %);

- **33** single young with children (4 %);
- **204 families** with children (24,7 %);
- **181** young without children (21,9 %);
- **327** persons pertaining to other categories of young people in difficulty (39,6%).

The structure of the educational level of the **825 persons** that have concluded individual labor contracts according to the Law no. 116/2002, in 2010, is the following: **379** persons have secondary studies, without graduation or without studies (45,9 %), **235** persons have vocational studies (28,5 %), **179** persons have high school studies (21,7%) and **32** persons have graduated a University (3,9 %).

**The implementation of the Programme of employment of the social excluded persons had a direct impact on the young people confronted with the risk of professional exclusion.** In this sense, analyzing the number of persons that were employed during 2010 (**825 persons**), we can see that a number of **613 persons** were employed through the **mediation services**, which represents 74,30% of the total of employed persons, and a number of **212** persons were employed by granting **professional counseling services**, which represents 25,70% of the total employed persons.

At national level, **the amount paid** from the budget of unemployment insurance budget to the **insertion employers**, that have hired social excluded persons during the 12 months of the year 2010, was of **12.090.430 lei**.

The intervention of the National Agency for Employment, through the decentralized structures, is represented by preventive and reactive actions against the social exclusion. **The presented data prove that the agencies are confronting with difficulties in integrating excluded persons, a reason being the fact that 46% of the people that are the object of the contracts of solidarity are people with secondary studies, without graduation or even without studies.**

The national programme of employment of the socially excluded persons is elaborated taking into account the need to mitigate the social effects of the restructuring processes from the economy, as well as the persistence of the risk of social exclusion for certain categories of persons that have difficulties in finding a job.

During the year 2010, the local councils facilitated the **access to a house to a number of 5.751** single persons and **4.379** social excluded families. In comparison to the number of social excluded single persons and families, it was ensured the access to a house to only **36,0%** of the total of social excluded single persons, respectively for **35,1%** of the social excluded families. The amounts used for this purpose were of **34.324.233 lei**, representing **43,0%** of the amounts needed.

A number of **37.315** single persons and **32.108** excluded families benefited of **access to strict necessity public services**, and an amount of **23.638.628 lei** has been spent. Although the allocated amounts represented **67,5%** of the needed amounts, compared to

the number of beneficiaries, it has been ensured the access of **92,6%** of the single social excluded persons and **82,8%** excluded families.

In the analyzed period, **38.471** of the single persons and **34.817** excluded families have benefited of **other measures** taken by the local councils for preventing and fighting against social exclusion, the spent amounts being of **32.817.386** lei.

**Table 1. Situation related to access to a house of excluded persons**

Measures	Number of excluded single persons	Number of excluded families	Number of single beneficiary persons	Number of beneficiary families	Amounts (lei)	
					Needed	Spent
Access to a house	15.987	12.461	5.751	4.379	79.794.387	34.324.233
Access to public services of strict necessity	40.286	38.762	37.315	32.108	35.033.536	23.638.628
Other measures	51.292	44.129	38.471	34.817	37.086.766	32.817.386
<b>Total</b>	-	-	-	-	<b>151.914.689</b>	<b>78.962.091</b>

In total, in the year 2010 the amount spent for these measures was of **90.780.247** lei, representing only **59,8%** of the amounts estimated as needed.

The Law no. 116/2002 stipulates that the access to **health services** for the persons that have the right to a minimum guaranteed income, it is confirmed by the local councils and is ensured in the conditions established by the legislation related to social health insurance for the insured persons, without the payment of the contribution to social health insurance. Therefore, in 2010, it has been registered a number of **482.711** insured persons from the families for which it was established the right to minimum guaranteed income. According to reports, a number of **165.293** persons benefited of medical assistance, representing **34,2%** of the total.

The Law no. 116/2002 stipulates that the persons aged for school that are part of the families that have the right to minimum guaranteed income and have two or more than three children that have enrolled to compulsory education stipulated by law, benefit of **scholarships**. In the year 2010, a number of **58.571** pupils from social excluded families benefited of scholarships, amounted at a total value of **29.999.379** lei.

The graduates from the compulsory education of social excluded families, that continue their studies in the pre-university and university education institutions, benefit of **scholarships for continuing their studies**. In the year 2010 were granted scholarships, according to the Law no. 116/2002, for a number of **61.327** pupils and **45** students, amounted at **29.997.496** lei.

In conformity with the Law no. 116/2002, the local councils are obliged to ensure the access of social excluded single persons and families to public services of strict necessity, as: water, electrical energy, natural gases, heat etc. In this purpose, the local councils can conclude **agreements with the services suppliers**, by which they commit to pay part of the debts of the social excluded single persons and families. In the year 2010, at national level a number of **728 such agreements** were registered, having the following distribution on development sectors:

**3. Financial aids for central heating** – The Programme for granting aids for houses heating, granted during winter, is stipulated by the Government Emergency Ordinance no. 70/2011 regarding the social protection measures during winter.

**4. Emergency aids** - In conformity with the provisions of art. 28, paragraph (1) of the Law no. 416/2001, the Government, at the proposal of the Ministry of Labor, Family and Equal Opportunities, can grant emergency aids to the families and single persons that are in situations of necessity due to natural disasters, fires, accidents, as well as other special events established by law.

**5. Financial aids** – The financial aids are amounts granted based on the incomes of the persons and they are given based on the Government Emergency Ordinance no. 118/1999 related to the establishment of the National Fund for Solidarity, with subsequent modifications and completions. These amounts are granted to the persons and families in difficulty due to medical reasons or other reasons.

## **THE SOCIAL SERVICES SYSTEM**

The social assistance includes, besides the payment of social benefits, the provision of social services for the elderly, for persons with disabilities, children in difficulty, to the victims of domestic violence, to other categories of persons with low or without incomes. The social services are defined as a complex package of measures and actions provided in order to respond to individual, family or group social needs, in view to prevent and overcome difficulty, vulnerability and dependence situations, in order to maintain the person autonomy and protection, for fighting against social exclusion, for promoting social inclusion and for increasing the life quality.

### ✓ **Investments from the National Fund of Solidarity**<sup>9</sup>

In the year 2011, in order to build, renovate, maintain, arrange and modernize social assistance institutions or medical-social institutions from 16 counties and from Bucharest, it has been spent the amount of 9.460.064 lei.

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<sup>9</sup> *G.E.O no. 118/1999 regarding the establishment and use of the National Fund of Solidarity, the Government Ordinance no. 70/2002 regarding the administration of public sanitary units of county and local interest, with subsequent modifications and completions.*



From this amount, 21 social assistance units were financed with the amount of 8.335.942 lei.

In May 2011 it has been approved the G.D. no. 445/2011 by which was programmed financing amounted at 6.063 thousands lei for 5 units of social assistance, out of which 4 objectives were proposed by the local public authorities and one objective was proposed by the Foundation Saint Irina from the locality of Voluntari, Ilfov county.

Of these objectives, three were new objectives:

- The Home for elderly persons from Uliești, Dâmbovița county,
- The Care and Assistance Center from Pucioasa, Dâmbovița county,
- The Painkiller Care Center Saint Irina from Ilfov county,

and two are objectives that have previously benefited of financing from the M.L.F.S.P. and for which new funds were allocated, in order to finalize the works:

- The Constantin and Elena Center for Elderly Persons from Caraș-Severin county,
- The Vărătic Center for Elderly Persons from Neamț County.

In the same period, 4 units of medical and social assistance were financed with the total amount of 1.124.122 lei.

From the total objectives, there were finalized the Center for Elderly Persons from Bistrița, the Sacu Center for Care and Assistance from Caraș-Severin county, The Speranța Day Care Center from Galați, The Târgu Lăpuș Multifunctional Social Center from Maramureș, The Uliești Center from Dâmbovița county (first phase), The „Ion Holban" Center for disabled children and the Budăi Center for Recovery for mentally disabled persons from Iași county.

#### ✓ **Programmes of national interest<sup>10</sup>**

In 2011, following the reorganization of sanitary system and the closing of some hospitals, it was proposed to use the building of the former hospitals in order to develop the network of centers for elderly persons.

Therefore, it has been adopted the Government Decision no. 212/2011 for the approval of the Programme of national interest "Developing the national network of care centers for elderly persons".

According to this normative act, more than 68 such institutions shall benefit of financing for a period of 33 months, upon request of local administration authorities which administer these buildings. For this programme the total approved budget is (by 2013) of 200 million lei.

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<sup>10</sup> *Ordinance no. 68/2003 regarding social services, with subsequent modifications and completions*

In the year 2011, 16 projects were financed by the M.L.F.S.P., from the counties: Alba, Bihor, Botoșani, Buzău, Caraș Severin (2 projects), Mureș, Neamț, Prahova, Sălaj, Suceava, Teleorman (2 projects), Vaslui, Vâlcea and Vrancea, amounted at 3.936.666 lei.

In the same period, in conformity with the Government Decision no. 197/2006 regarding the approval of the programmes of national interest in the field of social protection of the persons with disabilities, as well as in the field of social assistance for elderly, homeless and for the persons victims of domestic violence, for these programmes financing was allocated the amount of 620.032 lei from the State budget, in order to finance 4 projects within the programme of national interest „Fighting against the social exclusion of homeless persons by creating social centers of emergency”, in Bacău, Harghita and Neamț counties (the latest with 2 projects).

✓ **Subsidies granted from the State budget to non-governmental organizations that have run social services programmes**<sup>11</sup>

According to preliminary data, in the year 2011, subsidies from the State budget were granted in 34 counties for 167 non-governmental organizations and associations, which administer 329 units of social assistance and that have provided social services for an average monthly number of 15.718 beneficiaries.

For this purpose the amount of 23.280.091 lei has been spent, amount that has increased with 3.974.303 lei (20,6%) in comparison to the previous year.

Most beneficiaries were registered in Bacău, Iași and Alba counties, as well as in Bucharest.

The monthly level of the subsidy that is granted from the State budget for one assisted person, based on the provisions of the Government Decision no. 1217/2008, is the following:

- 250 lei/person, for residential center;
- 175 lei/person, for day center;
- 120 lei/person, for the unit of home care;
- 90 lei/person, for social canteen or other food services.

The total expenses from the budget of the Ministry of Labor, Family and Social Protection spent through the National Agency for Payments and Social Inspection in order to provide **social services** (subsidies, programmes of national interest, investments for social assistance centers) were in the year 2010 amounted at 43.449.305 lei, and in 2011 of 37.296.853 lei, which shows a reduction of the spent amounts of 6.152.452 lei, respectively of 14,2%.

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<sup>11</sup> Law no. 34/1998 regarding the granting of certain subsidies to the associations and foundations with legal personality, which establish and manage units of social assistance

According to the provisions of the Law of social assistance no. 292/2011, the social services represent the activity of the activities undertaken in order to meet the social needs, as well as the special needs, individual, family or group needs, in order to overcome the difficult situations, to prevent and fight against social exclusion risk, to promote the social inclusion and to increase life quality. The social services are services of general interest and they are organized in various forms/structures, taking into account the specific of the activity/activities developed, as well as the special needs of each category of beneficiaries.

The social services have proactive character and they suppose an integrated approach of the person needs, related to his/her socio-economic situation, the health, the education level and social environment. Starting from the needs of each person, the social services can have a broader coverage, at group or community level. In order to realize coherent, unitary and efficient social actions for the person's benefit, the social services can be organized and granted in an integrated system with the employment, health and education services, as well as with other social services of general interest, as appropriate.

The social services classification is made taking into account the following criteria:

- a) The service purpose;
- b) The categories of addressed beneficiaries;
- c) The assistance services, respectively the residential or non-residential regime;
- d) The place of provision;
- e) The legal personality of the social services provider;
- f) The granting regime.

Taking into account their purpose, the social services can be classified in: services of assistance and support for ensuring the basic needs of the person, personal care services, rehabilitation/recovery services, social insertion/reinsertion services etc.

Taking into account the categories of beneficiaries, the social services can be classified in social services addressed to children and/or to families, persons with disabilities, elderly, to the victims of domestic violence, to homeless, to persons with various addictions, such as alcohol, drugs, other toxic substances, internet, games etc., to victims of human being trafficking, to imprisoned persons, to persons sanctioned with education or other punishment without freedom privation on probation services care, to the persons with psychic illnesses, to the persons from isolated communities, long term unemployed persons, as well as social services to support the members of families of the beneficiaries.

Taking into account the assistance regime, the social services are classified in:

- a) Services with accommodation, on limited or unlimited period: residential centers, protected houses, night shelters etc.
- b) Services without accommodation: day centers, centers and/or units for home care, social canteens, mobile services with food, social ambulances, etc.

Taking into account the place of provision, the social services are provided:

- a) To the beneficiary domicile;

- b) In day centers;
- c) In residential centers;
- d) To the domicile of the person that provides the services;
- e) In community.

Taking into account the legal personality of the provider, the social services can be organized as public or private services. Taking into account the provision regime, the social services are provided in normal or special regime:

- a) Services provided in usual access, contracting and documentation regime;
- b) services provided in special regime with extended eligibility and accessibility, which are referring to the prevention measures that are offered in regime of reduced bureaucracy and a set of social services, that are accessed by the beneficiaries only in the conditions of maintaining the anonymity, respectively by persons addicted to drugs, alcohol, prostitutes, victims of domestic violence etc. The services provided in special regime can be provided without concluding a contract with the beneficiaries;
- c) The category of the services provided in special regime is regulated by special law.

The services of personal care are addressed to dependent persons which, following the loss of functional autonomy because of physical, psychical or mental reasons, they need significant help in order to realize the daily activities of everyday life. The dependence situation is a consequence of the illness, trauma, and disability that can be exacerbated by the lack of social relationships and adequate economic resources.

The help given for the realization of the usual activities of daily life is related to two categories of activities:

- a) basic activities of daily life, mainly: ensuring the body hygiene, dressing and undressing, eating and hydration, ensuring the hygiene of residual elimination, transfer and mobilization, in house movement, communication;
- b) Instrumental activities of daily life, such as: preparing the food, shopping, activities of cleaning and laundering, facilitating the movement outside the house and accompanying, administration and management of goods, accompanying and socialization.

The care of persons that need more than 60 days of help for running the basic and instrumental activities of daily life is defined as long term care. The long term care is ensured at domicile, in residential centers, in day centers, to the domicile of the person providing the services and in community.

The personal care services can be organized and provided integrated with other services, such as:

- a) Services of medical care;
- b) Services of rehabilitation and adaptation to environment: small reconditioning, restorations and similar;

c) Other services of recovery/rehabilitation: kinetotherapy, physiotherapy, medical gymnastics, occupational therapy, psychotherapy, psychopedagogy, logopedics, podiatry and others.

The personal care services can be accompanied by services of social and legal counseling and information.

The categories and types of social services, the activities and functions corresponding to each type of service, as well as the framework regulations of organization and functioning are established by the classified list of social services, approved by Government decision, at the proposal of the Ministry of Labor, Family and Social Protection.

**The beneficiaries and providers of social services** – The persons and families in difficulty benefit of social services, within the programmes of community actions aimed at preventing and fighting against the social exclusion risk, approved by decisions of the local/county councils. Any dependent person is entitled to services of personal care, provided according to individual needs of help, the family situation, the socio-economic and personal life environment. The beneficiaries of the personal care services are the elderly, the persons with disabilities and the chronically ill persons.

The providers of social services are natural persons or legal persons, of private or public law. The public providers of social services are:

- a) The specialized structures within/subordinated to local public administration authorities and executive authorities from the territorial-administrative units from the localities, towns, municipalities or districts of Bucharest City;
- b) the central public administration authorities or other institutions subordinated or coordinated by these, that have established by law attributions related to social services provision for certain categories of beneficiaries;
- c) The sanitary units, the education units and other public institutions that provide, at community level, integrated social services.

The private providers of social services can be:

- a) Non-governmental organizations, respectively associations and foundations;
- b) Churches recognized by law;
- c) Authorized natural persons according to law;
- d) The subsidiaries and affiliates of international associations and foundations recognized according to the law;
- e) Economic agents, under special conditions stipulated by the law.

In order to provide social services on the territory of Romania, the providers of social services, regardless their legal status must be accredited according to law. The social services can be provided in Romania only if they are accredited according to law. The

providers accreditation, as well as of the services provided by them, are regulated by special law.

**The organization and administration of social services** – The responsibility of the development, administration and provision of social services is divided as follows:

a) the elaboration of public policies, programmes and national strategies in the field, the regulation, coordination and control of their application, as well as the evaluation and monitoring of social services quality – is the responsibility of the central public administration authorities;

b) the organization, the administration and the provision of social services - is the responsibility of the local public administration authorities, attributions that can be outsourced to the non-governmental sector, churches, other natural and legal persons of private and public law, according to law;

c) the financing of social services, according to law – from local budget, of the beneficiary contribution and/or, as appropriate, of his/her family budget, the State budget, as well as from other sources.

The social services are organized and provided at the community level and they are based on the identification and evaluation of the individual, family or group social needs and on the elaboration of the intervention plans for the prevention, fighting and settlement of the situations of difficulty. The providers of social services ensure the activities through the social assistants employed in their own structures or, in their absence, through services provided by social assistants with individual cabinets or professional civil bodies of social assistance. When from objective reasons, the social assistants cannot be employed or their services cannot be bought, the social services providers can employ social workers for the realization of identification activities or, as appropriate, to assess the needs of the persons that ask to be granted social assistance benefits or social services.

The social services provided and administered by the local public administrations are established by the decision of the local council and can be organized as structures with or without legal personality.

The social services established by private or public providers are organized at territorial level as follow:

a) Social services of local interest, addressed to the beneficiaries that live and have their house on the territory of the locality, town, municipality, respectively in the districts of Bucharest City;

b) The social services of county level, addressed to the beneficiaries that live and have their house on the territory of the county.

The social services can address beneficiaries from more counties, and in this case, the establishment, the organization and their financing are based on a partnership contract that is approved by the decisions of the county or local partner councils.

The social services established by the social services providers, public or private, are organized at the territory level in the conditions stipulated by the art. 42 paragraph (1), by observing the provisions of the classified list of social services, as well as the standards of quality, the general rules of minimum norm of staff that are the basis of the cost standards establishment, regulated by special legislation. At national level, a system of registration of social services is organized, which includes the data and information related to social services.

**The process of providing social services** – The social services are provided upon request of the persons, or, if appropriate, on his/her legal representative or ex officio. The request of social services provision is addressed to the public department of social assistance subordinated to the local public administration authorities. The request of the provision of social services can be directly addressed to a private provider of social services, and in this case, if a contract of social services provision is concluded with the applicant, the provider has the obligation to inform, in written, the territorial-administrative authority where the beneficiary of that service has his/her domicile or residence.

The provision of social services is made based on a contract, concluded between the social services provider and the beneficiary, where are stipulated the provided services, the rights and obligations of the parties, as well as the financing conditions.

The process of providing social services has the following compulsory phases:

- a) The initial evaluation;
- b) The elaboration of intervention plan;
- c) The complex evaluation;
- d) The elaboration of the individual plan of assistance and care;
- e) The implementation of the measures foreseen in the plan of intervention and in the individual plan;
- f) The monitoring and the evaluation of the services provision.

The initial evaluation and the intervention plan are made by the social assistant or, in his/her absence, by the personnel with competencies in the field of social assistance from the social assistance public service subordinated to the local public administration authorities.

The initial evaluation has as main purpose the identification of the individual and family needs and based on it, the intervention plan is elaborated.

The complex evaluation of the persons with disabilities or of the persons that lost totally or at least half of their working capacity and of the elderly persons, stipulated by the art. 48 is aimed at the detailed identification of the persons needs and to the elaboration of a customized programme of support that contains the assembly of measures and social

services, of education, medical, recovery and adaptation/re-adaptation services needed to be granted to that person in order to facilitate his/her social integration/reintegration. The process of complex evaluation is aimed, mainly, at the following aspects:

- a) to evaluate the physical, mental and sensorial capacity, in order to classify the disability degree, the invalidity or the dependence, as well as to establish the level of affection of the functional autonomy related to the abilities to realize the usual activities of daily life, of the learning abilities and adaptation to an independent life, as well of his/her capacity to fulfill the requirements of a profession/job;
- b) the family evaluation regarding its capacity to ensure the conditions needed for the child raising, care and education, as well as to fulfill all maintenance obligations, according to law;
- c) The evaluation of the physical and social environment where lives the person and/or the family;
- d) The evaluation of the insertion degree and social integration;
- e) The evaluation of the person's potential to involve in the actions, programmes or supporting services for overcoming the situations of difficulty;
- f) The evaluation of the person's perceptions on her/his own needs, the vulnerability, and the consequences on the personal security.

Based on the results of the complex evaluation are established the special protection measures, the personal care services and the right to social assistance or other social services, as appropriate. After the complex evaluation it is established an individual plan of care and assistance, which in order to be efficient and to be put into practice, must take into account aspects related to:

- a) The motivation of the person or his/her legal representative to request to the State authorities assistance and care services;
- b) The motivation of the person to actively participate to the programmes, measures of intervention and the recommended social services;
- c) The negative consequences to the person in case of not providing the needed social services;
- d) The personal perception regarding the functional capacity, the performance and resources;
- e) The capacity of the informal network constituted of the persons stipulated at art. 52 paragraph (2) let. b) To provide social services;
- f) The support needs of the personnel of assistance and formal and informal care;
- g) The existence of the social services in community, the modality in which these can answer to the needs of the person, as well as the access of the beneficiary to the respective services.

The social services provision is made based on the individual plan of assistance and care, elaborated by the social services provider with the agreement and participation of the beneficiary. In order to monitor the provided social services efficiency, as well as to establish the intervention continuation or the stop of the services, the beneficiary situation is reevaluated periodically, according to the special law.