

FLEXIBLE LABOR MARKET IN ROMANIA - TACTICAL AND STRATEGIC COORDINATE

Lect. Costin Daniel Avram Ph. D
University of Craiova
Faculty of Economics and Business Administration
Craiova, Romania

Abstract: : In the European Union had emerged flexicurity strategies to increase by increasing in tandem flexibility and safety. In Romania flexicurity will be achieved by rebalancing the relationship between flexibility and security in the sense of increasing flexibility that ultimately seems to have understood, the decision makers as a real job security can not be achieved by ignoring the interests of employers. This is exactly the sense that we can understand the analysis changes in labor legislation in recent years, when concerns about labor market flexibility have emerged.

JEL classification: M54, M59

Key words: flexibility, security, flexicurity, human capital

1. INTRODUCTION

International Financial Crisis started in 2008 and has hit the labor market by employment decrease and increase in unemployment across the EU, with different levels from one country to another. In this case the principles of flexicurity labor experienced a number of difficulties, the principles of flexicurity labor was beneficial for stability, while in countries with poor performance in labor flexicurity social climate deteriorated labor market has experienced unemployment high social instability, a low level of employment of labor. Beyond the differences of views flexicurity labor must remain a political strategy to ensure a sustainable social consensus on the labor market. The road from principles to implementation is not easy and can not be achieved without the involvement of civil society. Increasing labor flexibility should not be detrimental to the safety or security work as work increased labor flexibility should not affect the relationship can be managed in terms of "win - win" by the government, employers and trade unions.

2. OBJECTIVES

This study is conducted within the research project "Strategies to increase firm value under the impact of human capital as a source of competitive advantage" and aims to identify the coordinates of tactical and strategic process flexibility of the labor market in Romania, begins with changing Labour Code in 2011, the full economic and financial crisis.

3. METHODOLOGY

Scientific research to achieve the goal, was targeted in the theoretical approach to flexicurity labor market and finding solutions that aim to improve research

methodology flexicurity labor market. To achieve the goal, the scientific approach used to document research methods, comparative analysis, observation for the theoretical approach. The research suggests a number of interdisciplinary absolutely mandatory for shaping impact on flexicurity strategies work by studying the legal framework for the organization of the labor market, organizational culture, worker motivation and performance criteria and overall labor productivity. To achieve these objectives, we used the methodological and theoretical - the scientific literature presented in the flexicurity labor law in the EU and in our country, the findings obtained in the analysis of reports, statistics provided by national and international bodies (European Commission Organization for Economic Cooperation and Development, International Labour Office, National Statistical Institute, Institute for Research in Economic Sciences in Vienna).

4. FLEXIBLE LABOR MARKET IN ROMANIA IN THE LIGHT OF NEW REGULATIONS

Flexibility of labor use in Romania is manifested primarily in the working day, so in Romania working conditions:

- full time during an average working week is 41.1 hours, while the EU 27 average duration is 40.4 hours, and the states of the euro area average length of the working week is 39.9 hours
- Part - time, the average length of a working week is 9.7 hours while in the EU 27 average duration is 18.5 hours and the duration of the euro area average working week is 19.9 hours.

Under the Law 53/2011 - Labour Code, working time shall mean any period during which the employee performs the work, is available to the employer and shall perform the duties and tasks, according to the individual employment contract, collective agreement applicable to his / or legislation. For full-time employees hired during the normal working time is 8 hours per day and 40 hours per week. For young people aged up to 18 years working time is 6 hours per day and 30 hours per week. Distribution of working time in the week is usually uniform, 8 hours per day for five days, two days of rest. Depending on the specific unit or work performed, may opt for an unequal distribution of working time, observing the normal working time of 40 hours per week. The maximum legal length of the working time may not exceed 48 hours per week, including overtime. By exception, working time, including overtime, may be extended beyond 48 hours per week, provided that the average working hours, calculated over a 4-month reference calendar does not exceed 48 hours per week.

For certain activities or professions established by the applicable collective agreement can be negotiated, reference periods greater than 4 months but not exceeding six months. Subject to compliance with regulations on health and safety at work of employees, for objective or technical regarding the organization of work, collective agreements may derogate from the reference period. For certain sectors, business or profession may be established through collective bargaining or individual or by specific acts daily duration of working time more or less than 8 hours. The daily working time of 12:00 will be followed by a rest period of 24 hours. Laying concrete way of working unevenly within the working week of 40 hours, and the compressed work week will be negotiated through collective labor contract the employer or, in his absence, will be provided in the rules of .

The employer may establish individualized work with the consent or at the request of the employee concerned. Individualized work programs involve a flexible organization of working time. The daily working time is divided into two periods:

- fixed period where staff are at work simultaneously and,
- variable period, furniture, the employee chooses arrival and departure, respecting working time daily.

The employer is obliged to keep records of hours worked by each employee and labor inspection control these records whenever requested. The new Labour Code brings an increase in labor market flexibility by preparing the individual for part time work and working from home.

4.1 Individual employment contract part time

According to the individual employment contract part time, "part-time employee is an employee whose normal number of hours of work, calculated weekly or monthly average is less than the number of normal working hours of a full-time employee comparable ". The employer may fall part-time employees with individual contracts of indefinite duration or fixed-called individual contracts of part-time employment. An individual employment contract shall be concluded only part time in writing. Comparable employee is full-time employee in the same establishment having the same type of individual employment contract, providing the same or a similar activity to that of the employee's individual employment contract employee part time, taking into account other considerations, such as seniority and qualifications or skills. When there is a comparable employee in the same unit, considering the provisions of the collective agreement or the applicable regulations in the field.

The individual part time work comprises Unless otherwise stipulated by the contract of employment to full-time individual:

- hours of work and allocation of working hours;
- conditions that may change work program
- The ban on overtime except in cases of force majeure or for other urgent works to prevent accidents or to eliminate their consequences.

An employee employed on part-time employment contract with employees enjoying full rights. Labor rights are granted in proportion to the actual time worked, relative to the rights established for normal work.

The employer is required to the extent possible, to consider employee requests to transfer either a full-time job to part-time one, either a job part time a full-time job or increase their working hours, if the opportunity arise. The employer is also obliged to inform about the occurrence time jobs with part-time or full-time to facilitate transfers from full-time to part-time and vice versa.

4.2 Work at home and teleworking

Under current regulations are considered "employees to work at home employees who meet at their home, the duties of the office they hold. Duties in order to fulfill their duties, work at home employees set their own schedule thing ". The employer has the right to verify the employee to work from home business on the terms set by the individual employment contract. An individual employment contract shall be concluded only at home writing and contain Unless otherwise stipulated by the contract of employment to full-time individual:

- accurate expressly CA employee working at home

- the program under which the employer has the right to control employee's work and the actual method of control
- the employer's obligation to provide transportation to and from the employee's residence, where applicable, the materials first and the materials used in the activity, as well as finished products they carry.

Employee to work at home is enjoying all the rights recognized by law and collective agreements applicable to employees whose place of work is at the employer. By collective agreements or individual employment contracts may establish other specific conditions for work at home, in accordance with the law.

What customizes employment contract to work at home is not at the employer, but the employee's residence. ILO Convention no. 177/1996, whose ratification was held in 1998, was recommended by the European Commission Member States of the European Union since its provisions establish that the work place is not only the employee's residence but any other place chosen by the employee. Employer control over the activities of its employees is manifested by periodical visits to the workplace. If the employee does not allow representatives of employers, workplace, he commits a disciplinary offense.

Provisions of employment contracts may contain elements of flexibility in the work schedule. Current regulations to reduce parental leave from two years to one year requires flexible working hours greater compliance with the conditions of balancing parental responsibilities with career training. When negotiating labor confederations current legislation to ensure the safety at work of employees, insisted to conclude fixed-term contracts only in exceptional circumstances nature. Most member states of the European Union are widely used fixed-term contracts, their conclusion is left to employers and employees in relation to their specific needs.

Teleworking is a new form at the same time flexible work organization, job responsibilities being fulfilled by the use of computer technologies. Teleworking is an unusual way of organizing work. Between employers and unions representing Europe its over, at European level, an agreement - Frame on telemuncii. In the European Union member countries are widely used on-call contract (on request), providing a flexibility agreement employment contract, but still unenforceable under labor law in Romania.

5. CONCLUSIONS

New technologies change job content and status of the profession and the institutional changes required training permanent staff complicated by lifelong learning throughout life. In Romania, the reform of the education system was established by Ordinance 36/1997 National Council for Continuing Education and Training. No.129/2000 Government Ordinance, as amended and supplemented, the regulated activity CVT law ensuring the compatibility of the practice in Romania and the Union European. Professional bodies: CECCAR, CAFR, CCF, UNEAR, UNPIR through continuous training programs provide training of professionals in the various fields of activity as a result of compliance with national regulations in the field with EU regulations.

Correction of deficiencies in the education and training of professional lifelong complicated may influence the expansion and consolidation of the principles of flexicurity in the labor market in Romania. To achieve this required implementing the following measures:

- the involvement of universities in non-formal education;

- the involvement of social partners in the education and continuous training;
- the involvement of professional bodies in education and professional training;
- tax incentives for companies that invest to increase the skill level of employees;
- increasing the role of various forms of formal, non-formal and informal in the creation and development of professional skills and work habits. Achieving that goal requires fostering a culture of lifelong education since the time of initial and individual awareness of the benefits of such an approach;
- adoption of a coherent legislative framework on education and training system works professionally complicated continues a;
- preparation of studies on medium and long term impact on the effectiveness of different forms of adult education and continuing vocational training in particular;
- correlation content of education and training trends of technological change;
- stimulating the development of adult education services in rural areas and small towns
- the increasing role of technology information in learning throughout life;
- increasing professional competence of the trainers involved adult education processes;
- up-skilling of employees and finding ways to continue preparing cost recovery under greater flexibility.

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