



INFORMED
AND EXPERIENCED FOR
SUSTAINABLE AGRICULTURE

“Informed and Experienced for Sustainable Agriculture

Enhancing the information and consultation capacity of the social partners in sector of Agriculture for active participation in working life for sustainable Agriculture”

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AGROSTAR
FEDERATIA NATIONALA A SINDICATELOR DIN AGRICULTURA
ALIMENTATIE, TUTUN, DOMENII SI SERVICII CONEXE

Report/ Minutes

of the National Workshop held on 29 – 30 October 2012 in Bucharest, Romania

Subject: Information and consultation of employees in Romania

Venue: Park Hotel Ramada, Bucharest, Romania

Date: 29 – 30 October 2012

Participants: 21 participants, including 14 trade-union and farmers representatives from the hosting organization Agrostar Federation, Romania, 4 employers/enterprise management representatives, Valentina Vasilyonova, FNSZ and project coordinator, Patric Caudron, Reseau Projective expert and Fabien Guimbretiere, FGA-CFDT, France. (See the *List of participants attached*)

Working languages: Romanian – as pivot language, French and Bulgarian provided in consecutive.

Interpreters:

- Statescu Silvia
- Luca Velciov

Preparation of the workshop: The date and structure of the national workshop were agreed during the first project steering committee held in Sophia, in September 2012 covering main aspects as:

- Date for organizing the workshop;
- Number of participants in agricultural sector: employees representatives and employers' representatives;
- Main topics of the workshop;
- Technical and financial details.

As far as the hosting organization had the opportunity to design the program of the workshop during the preparation the following aims were set:

Aims of the workshop:

- To gain understanding of the project and its objectives, activities and expected results;
- To gain awareness/understanding of the European Directive 14/2002/EC regarding the Information and consultation of the employees in enterprises – how it is transposed into Romanian legislation; its effects and efficiency;
- To provide information about the information and consultation of employees in France at enterprise level;
- To be aware and/or learn about the European social dialog.

- To acknowledge and define a set of suggestions and recommendations for improvement the information and consultation process between employees and employment management;

Programme: The program was consulted between the hosting organization and project coordinator and partner' experts, who are going to take part on the workshop. All the presentations were dully send to Agrostar in a prompt time, translated into working languages and distributed to the participants as handouts. The questionnaires were also spread amongst the participants in advance. The bi-lingual leaflet of the project has been distributed amongst the participants on the spot. (*Detailed programme attached in appendix and distributes to the participants in advance and on the spot.*)

Methods

There were used different methods, which consisted in presentations, practical examples, working groups and discussions.

These methods were established during the planning meeting and they were used efficiently in order to meet the aims of the workshop. The success of the methods used was shown in the final round of participants reflecting to the seminar.

The seminar began with personal presentation of all the participants and their expectations toward the workshop. In his introductory speech Mr. Tudor Dorobantu, General Secretary of AGROSTAR welcomed the participants and presented the organization AGROSTAR that represents and defends interests of 50 thousands workings and employees and also farmers, associated in organizations at regional and national level, stressing on the fact that developing the human capital is amongst the main goals of Agrostar. The federation works hard in order to be active on the labour market, to attract new members, to increase knowledge and information access of its members to the European funds and new technologies as alternative recourses for increasing opportunities for employment and developing working places. The economic crisis today is played by the working people, which is not fair when a grate profits are realized and this not reflect to the increase of the wages. The need of cooperation and exchange of information at European level is even greater today, when we all have a common capital – Brussels, where the main decisions are taken.

The presentation of the project objectives, activities, expected results, outcomes was made by the project coordinator, Mrs. Valentina Vasilyonova. In her introduction she gave thanks to the Romanian colleagues for common efforts to defend the interests of working people in agriculture today. She stressed that Bulgarian and Romanian trade unions are looking together for all possible ways for developing social dialogue as it is the most effective instrument for realizing our rights for dignified work and wages. That couldn't be realized without solidarity and support. As European citizens, the Bulgarian and Romanian workers in agriculture work for developing modern industrial relations where the right of information and consultation is fundamental one. This project is one step forward in the process of cooperation and solidarity for developing a sustainable agriculture in Europe and in the region by increasing our own capacity for social dialogue and problem solving.

Starting with the statement "Without social dialogue we face a disnature" Mr. Dorobantu made a short retrospection of the historical development of the social dialogue in Romania, stressing that all gained by the trade unions' fights in the years was erased and now we are facing limitation of the workers' rights. He made a detailed presentation of the transposition of the European Directive 14/2002/EC into Romanian legislation, namely Law №467/12.12.2006, Law №53/24.01.2003 and the legislative documents, related to them - №187/20.02.2007and

№188/20.02.2007. The presentation was followed by discussion and analyzing the current situation.

A lot of the participants shared their opinion, that the law related to the information and consultation of the workers and employees is very much restricted toward the rights of workers and employees and benefits the employer. The Labour Law in Romania stipulates that all of the workers have rights on information and consultation, but in the practice we face different situation, the public servants are deprived in their rights, the leaders of trade unions and workers are under pressure, the trade unions are seen as obstacle in the process of enterprise development, there are shortages in the existing law. There are difficulties with the social dialogue exercising in Romania in the last few years, when it was officially suspended in June, 2010. Now it started again and the main goal of trade unions is to return back all the rights of workers, which had been suspended. After 2013 a new collective agreement has to be negotiated in Romanian agriculture. There is no representative employer's organization, which is legitimated to conclude collective agreement at sectoral level. The trade unions are confronted to find out new opportunities and initiatives to conduct the negotiations so that the burden of crisis to be shared fairly between the employers and employees and workers. Spreading as much information what Trade unions do in everyday social dialogue process in the enterprises will increase the involvement of workers and employees in the social dialogue process.

The second day started with intervention of the two foreign experts.

Mr. Patric Caudron presented the European social dialogue starting from the beginning and then specifying the process in Agriculture. He concluded his presentation referring again to the project aims and objectives, underlining that the common work of the partners, along with the shared experience and gathered knowledge and ideas, will increase the autonomy of the social dialogue at national level in the sector and will generate a mid-term action plan for the social partners.

Mr. Fabien Guimbretiere – the FGA-CFDT expert in social dialogue and collective bargaining – was invited to give the external expertise in the workshop. He made a deep and interesting presentation on the situation in France regarding the social dialog and information and consultation of employees.

He reflected to the discussion held by the moment "...I realised that the social dialogue we have in France is an achievement, that must be protected and saved. Nevertheless how much struggles we feel the social dialogue in France costs, here you face much more difficulties. The social dialogue is an important institution in France. 400 Committees Partite for collective bargaining were functioning in France in 2011. They are responsible for negotiation of large set of questions – from wages to the working conditions. All the institutions concerned are related each to other so to create a network for the workers and employees." He also stated "...Our experience is not a model, but only an example, you could analyse how to implement if it is needed." He presented also the process of structuring and work – tasks and role - of the committees of Information and consultation in enterprises, a process works in France since 30 years. The main constrains in Agriculture are due to the small size, resp. small number of employed people in the agricultural farms, isolation of the enterprises. In conclusion he said that the information and consultation procedure has to be realized according to the national realities and the role of the state is very important as a guarantor for respecting the Law in social dialogue process. The principle of partite is important, because defends the implementation of the decisions taken.

A lot of questions were posed to the both experts regarding the theme, the Partite - Commissions, and the place and role of the trade unions in enterprises if they are "duplicated" by the workers' representatives.

Additional information was provided by the two French experts, explaining: "In France the Legislation gives a priority to the trade union members in election of members of Workers' and

employees Committee. The set of Committees Partite is a mechanism, which gives more protection to the workers, elected to be their members. The trade union basis/density in Romania is higher in comparison to it in France – that gives a space for more trust of the workers in trade unions and mere opportunities for mobilising recourses.

The participants also used the discussion panel to express their concerns regarding the specific problems in their own workplaces, asking for solidarity and seeking for solutions. "...the economic crisis brought the break of the trade unionism, which leads to a model by analogy to that in Latin America with exploitation and minimum rights." There is a great need of legislation which takes into account the social and civic rights of the workers. There is a great need of social dialogue and consensus which could be obtained by using possibilities of Information and consultation procedure.

An introduction was made by Mr. Patrick Coudron, who spoke about the survey based on the questionnaires distributed to the participants before the workshop. The participants were divided in working groups. They formed two groups, following the two main features – the employed in the public sector and farmers – and were asked to identify what kind of recommendations are needed for the improvement of information and consultation process at national level. The starting point was a set of questions and the input from the work till now.

The results of the group work were presented in the plenary and followed by discussion. The main conclusion was that the both groups have been considering the issue from the point of view of practical experience and knowledge for the current situation and shortages.

The workshop ended with setting up a set of recommendations and suggestions for the improvement of the I&C process and with the evaluation of the workshop by the participants (see attached the list of recommendations).

Results of the work of group of the employed in the public services:

- √ The political parties to include in their platforms and programs measures for social protection of the working people.
- √ The negotiation process between workers representatives and employer to be limited up to three rounds. In case a consensus is not reached till the third round the proposition of the workers' representatives to have a right of veto.
- √ The trade union leader to be paid by the trade union. The employer has to provide all the conditions for his work.
- √ Immunity of the trade unions activists, who are in the committee of negotiation
- √ The obligation of the collective agreements to be for the both sides signed. The word "consultative" to be replaced with "obligatory".

Some of those proposals were fact before the cut of the Social dialogue, so the activists demand of their rebuild.

Results of the work of group of the farmers:

- √ Exercising a social dialogue at regional level, where the farmers are presented and active, in order to create liaisons between the local government and the trade unions. The problems of the community have to be discussed in dialogue. We have new initiatives and proposals toward local policies and local development plans.
- √ Mobilizing the farmers' representatives in different activities and structures for Information and consultation.
- √ Consultations at national level on the employment in the sector to be taken
- √ Development of a document against the work on black and legalisation of the workers in agriculture, especially regarding the self insurance. (This is a big problem in Romanian Agriculture still)

- √ Increasing the efficiency of the relations between the farmers and state institutions through harmonisation of the national and European legislation, taking into account the national specifics.
- √ Immunity of the leaders (trade unions, farmers) to be granted
- √ The state to promote the association and cooperation of the farmers.

Conclusions

Having regard the report, as well as the evaluation made by both participants and experts, we are able to say without doubt that the national workshop was a good opportunity to set on the same table the representatives of employees and of enterprise management in order to discuss, analyse and assess the process of information and consultation in agricultural sector, to find the weaknesses in this area, to exchange opinions and experiences encountered among participants. This opportunity allow them also to set a common list of recommendations for improvement of this process, which will be included in the National Guidelines/Recommendations for improving the Information & Consultation and involvement process in Agriculture that will be made within this project.

The national workshop was good organized, had clear aims which were achieved and contributed in promoting the knowledge in this area.

Written by Brindusa Soare and Valentina Vasilyonova

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