



LABOUR MARKET AND ENTREPRENEURSHIP OVERCOMING GENDER STEREOTYPES

A TRANSNATIONAL ACTION PLAN
PROMOTED BY BUSINESS WOMEN AND
GENDER EQUALITY ORGANISATIONS

COUNTRY REPORT FOR ROMANIA



This project is co-financed by the European Commission, Directorate General for Employment,
Social Affairs and Equal Opportunities





Labour Market and Entrepreneurship Overcoming Gender Stereotypes

A Transnational action plan promoted
by Business Women and Gender Equality Organisations

This project has been carried out by AFAEMME
Association of Organisations of Mediterranean
Businesswomen (Barcelona, Spain) in association with:

KARAT Coalition (Central and Eastern Europe)
WAD - Women's Alliance for Development (Bulgaria)
SEGE - Greek Association of Women Entrepreneurs
(Greece)

With the co-financing of the:

European Commission, Directorate General for
Employment, Social Affairs and Equal Opportunities. The
work contained herein does not reflect in any way the
opinions of the Commission nor is it responsible in any
way for the use of the information; this is the sole
responsibility of the authors.

Chair Comitee:

M^{re} Helena de Felipe Lehtonen (President of AFAEMME)
Philippe Lambert (Project Director)
Anna Colamussi (Project Assistant)

With the support of:

Elizabeth Villagomez PHD (Content)
Anita Seibert PHD (Content)

Production and editing:

Lourdes Acedo (Design and Layout)

Special content collaboration from:

Mariana Petcu, Ioana Manaila and George Breazu of AUR
(National Association of Human Resources Specialists)

Published by:

ALFA PI INTERNATIONAL

TRANSNATIONAL



Context

A key priority for the European Commission is to create equality for men and women throughout Europe. AFAEMME, Association of Organizations of Mediterranean Business Women (Barcelona) was awarded by the European Commission, in partnership with important organizations in Central and Eastern Europe - KARAT Coalition, WAD - Women's Alliance for Development (Bulgaria) and SEGE, Greek association of Women Entrepreneurs (Greece) to implement a unique project *"Labour Market And Entrepreneurship Overcoming Gender Stereotypes"*.

The main objectives of this project are:

- to improve the understanding of the issues underlying gender equality and equal opportunities in the fields of employment and entrepreneurship in this area of Europe
- to strengthen gender equality and businesswomen organizations and their active partnership in influencing decision makers on social and economic policy
- and to improve the general economic status of women

The project includes the elaboration of 12 national reports from Cyprus, Malta, Poland, Latvia, Estonia, Lithuania, Czech Republic, Slovakia, Slovenia, Hungary, Bulgaria and Romania. Which report the obstacles experienced by women in business and assess the impact of EU Employment Strategy on the situation of women in the new ten EU Members states and two candidate countries with case studies of a typical businesswoman in those countries relating to gender stereotypes in the labour market and entrepreneurship, with a final global report containing concrete policy recommendations addressed to European Commission and national governments. The publication is launched at a large scale European conference in Brussels in February 2006.

This report contains the national study from Romania



Index

● Executive summary	5
● Legal framework	6
● Institutional framework	9
> Trade Unions	12
> Women's nongovernmental organizations	13
> Romanian nongovernmental organizations for women's promotion	13
● Issues for women employees	11
> Conditions of work	15
> Access to training	17
> Acces to management and decisional positions nongovernmental organizations	18
> Impact of tax and benefit system on women employees	19
● Stereotype of employed women	21
● Issues for women entrepreneurs	21
● Stereotype of women entrepreneurs	25
● Case studies	26
> Case study 1: Working in the NGO a cross section between being employee and entrepreneur	26



Executive summary

In 2003, Romania has adopted a new Constitution. This normative paper contains several specific provisions prohibiting gender discrimination. It also specifically provides the principle of equal wages for equal work. In addition, there are other laws that provide for equality between women and men including the labour relations Constitution- the Labour Code. The international laws and conventions, including CEDAW, take precedence over national legislation in case of inconsistencies. In 2002, Romania adopted a law on Equal Opportunities and Treatment for Women and Men (the Law no. 202/2002), which is the first legislative instrument specifically aimed to regulate the measures adopted in the equal opportunities field. Its objective is to eradicate direct and indirect sex discrimination in all areas of public life.

In 2000, Romania approved a National Plan for Equal Opportunities between women and men (Government decision No. 1273/2000), which set the necessary measures to ensure the respect and the promotion of the equal opportunities principle in five areas: legislation, social rights, economy, participation in decision-making process and public awareness. The Government Decision no. 285/2004 was adopted to implement this plan.

However, it has been noted in the most recent EC's regular report on Romania's accession that after the recent reorganisation of the Ministry of Labour, Social Solidarity and Family (MoLSSF), the Direction for equal opportunities of the Ministry has practically ceased to exist. Actually, the personnel were transferred to the Ministry's Department for employment policies, under the co-ordination of the National Agency for Employment State Secretary. The implementation of the National Plan for Equal Opportunities was taken up by CODES (according to the GD no. 285/2004). This body was created to "monitor and watch the progress on the measures aimed to fulfil the Plan's objectives.

The Department for equal opportunities represented, as long as it worked, the Government's mechanism responsible for elaborating the strategies and policies in the field and for removing gender discrimination; this body was a dialogue partner for similar bodies at international level (United Nations, European Union, European Council, International Labour Office etc.). Nevertheless, on 29th of June, 2005, following a twinning project, the National Agency for Equal Opportunities (NAEO) was set up; this is a governmental body subordinated

to MoLSSF aimed to promote the women's rights and the equal opportunities between men and women. So, Romania is one of the first states to create such an institution aimed to promote this principle and to ensure an active integration of gender issues in all national policies and programmes.

Although a more in-depth analysis will be carried out below, a brief analysis of Romanian women's condition shows both similar situations as the ones faced by other European women, and also specific situations. The average Romanian woman is 39-40 years old, married, with one child or childless, with a life expectation of 75 years, out of which the last 8 years she is a widow. She has a similar education to her husband's - in most cases elementary school and/or college level. She works in agriculture in a field in a village, or in the services sector in towns, with an employment monthly salary of approximately 130 euros- the same salary of a man employed in a similar position. The woman's time is split between a working week of 40 hours for paid activities, and household chores (unpaid work) the remaining time of the day, respectively 39 hours per week in town or 41 hours in village.

The employment rate of women over 15 years of age was 44.6% in 2003, which is below the value set by the Lisbon Strategy as a European objective to be achieved in 2010, and also below the value registered for men - 57.9%. Regarding unemployment among women, in 2003 the rate was 6.4% - calculated according to ILO standards. According to the National Statistics Institute (NSI) data, in 2003 the ratio of the women's and men's salaries in different activities was 0.82, even lower in the branches with many women employed (0.74 in commerce), but higher in the branches with few women working (1.07 in building and constructions) ¹.

Other important issues for women employees can be summarized as a weak position in the labour market with respect to men as far as employment is concerned with lower rates, high segregation - although there is lower employment, women make up 64.5% of discouraged workers. There is still a very high proportion of women and men working in agriculture (42.6% of all employed women) and over 63% of these women are unpaid family workers.

Women are concentrated, other than in agriculture, in service and sales jobs. The population's structure with regard to its professional statute, shows that woman managers are three

¹ - Questionnaire completed by the Ministry of Labour, for providing information regarding the implementing of the Beijing Action Platform (1995) and the Conclusions of 23rd Special Session of UN

times fewer than men. Within the category of leaders and superior posts in public administration and social and economic units the men's presence was 2.2 times higher than women's. There is little information on women entrepreneurs, most of them being self-employed in informal or undeclared activities. In Romania the self-employment rate is more than double that of the EU (39% vs. 15%). It is very similar for Romanian women and men. Although one could think that this is an unlocked entrepreneurial force, in fact it is the reflec-

tion of a lack of formal employment opportunities. However, women face the same challenges as in other countries to combine their self-employment with their family responsibilities. There is a phenomenon closely linked to the worse opportunities that women have in Romania, and that is the persistence of trafficking. Linked to the fact that women have lower educational levels on average than men, and that their chances of becoming employed are lower, the situation is likely to continue despite policing efforts.

Legal framework

In a referendum on October 2003, a large majority of Romanian voters accepted a new Constitution. The new Constitution is trying to bring Romanian law into line with EU acquis as part of the process for EU accession ².

The Romanian Constitution enumerates several provisions prohibiting gender discrimination that may be summarised as follows ³:

> Under article 1(3), "Romania is a democratic and social State governed by the rule of law, in which human dignity, the citizens' rights and freedoms, the free development of human personality, justice, and political pluralism represent supreme values and shall be guaranteed".

> Article 4(2) also provides that "Romania is the common and indivisible homeland of all its citizens, without any discrimination on account of race, nationality, ethnic origin, language, religion, sex, opinion, political adherence, property, or social origin".

> Article 16(1) further stipulates that "Citizens are equal before the law and public authorities, without any privilege or discrimination" and article 16(3) provides that "Public service and dignities, being civil or military, can be held, under the terms established by the law, by Romanian citizens, who currently reside on the Romanian territory. The Romanian State grants equal opportunities for men and women to hold these dignities and services".

> Discrimination is also dealt with in more specific terms. Article 38(4) states that, "On equal work with men, women shall get equal wages", and article 44(1) stresses that "The

Family is founded on the freely consented marriage of the spouses, their full equality, as well as the right and duty of the parents to ensure the upbringing, education, and instruction of their children".

> With regard to the status of international treaties in domestic law, article 11 provides that "The Romanian State pledges to fulfil as such and in good faith its obligations as deriving from the treaties it is a party to", and that "Treaties ratified by Parliament, according to the law, are part of national law".

Article 20 further stipulates that "Constitutional provisions concerning the citizens' rights and liberties shall be interpreted and enforced in conformity with the Universal Declaration of Human Rights, with the covenants and other treaties Romania is a party to", and that "Where inconsistencies exist between the covenants and treaties on fundamental human rights Romania is a party to and internal laws, the international regulations shall take precedence". The guarantees of non-discrimination in the Constitution just mentioned do not entirely cover the requirements of the international norms and recommendations in the field of human rights and equality of opportunities ⁴:

> The term of non-discrimination appears only in relation to the role of the country as the indivisible homeland of all citizens, and in the connection of respecting the law; There is not a fundamental stipulation which must establish all the amenability of the state for the full guarantees of human rights and freedoms protection without any discrimination;

> The element "age" is not added to all the possible criteria of discrimination;

2 - <http://europa.eu.int/comm/enlargement/romania/index.htm>

3 - <http://www.ilo.org/public/english/employment/gems/eeo/coverfrommain.htm>

4 - <http://www.seeline-project.net/>

> The definition of discrimination does not include the element of indirect discrimination as it is stipulated in the international treaties and conventions Romania is a party to;

> There is not any provisions related to the legal instruments of the state for the elimination of all the discriminations and to condemn the discriminatory acts.(e.g. ordinary law).Such a constitutional amendment may introduce also another provisions referring to gender equality guaranteed by specific laws;

> Concerning children's rights, the article 29 (6) - the freedom of conscience-the state does not offer guarantees for children's education (in respecting the international specific norms), but only in strong connection with the parents' convictions, who have all the responsibility. In this case the state does not protect children against those convictions which may affect, in a dangerous way, their human rights development.

In 2000, Romania approved a National Plan for Equal Opportunities between women and men (Government decision No. 1273/2000), which addresses equality in five areas: legislation, social rights, economy, decision-making and public awareness. With regard to social rights, the plan's objectives include increasing efforts to eradicate gender discrimination in employment and incorporating gender equality in the area of family social protection. Economic objectives include integrating gender equality in economic policies, engendering workforce strategies and merging family and professional lives through family support programs. In terms of decision-making, the plan seeks to balance gender representation. Finally, the public awareness component will seek to publicize information on gender equality and eradicate traditional beliefs about women and men's roles.

The legislative framework which regulates the equality between women and men consists in the following normative acts: The Law no. 202/2002 concerning equal opportunities for men and women, first legal instrument aimed to regulate the measures adopted in the field. The law aims to eradicate the direct and indirect discrimination in all areas of public life. The document:

> defines the equality of opportunities and treatment between men and women in labour relations, which means equal access to:

- access to a profession or activity;
- employment in all vacant positions and at all hierarchical levels;

- equal income for equal work;

- professional information and advice, vocational counselling, learning, training upgrading and retraining vocational programs;

- promotion at any hierarchical or professional level;

- working conditions and observance of health and safety norms;

- protection measures or social security

- employers' and employees' organizations and their benefits

> prohibits any gender discrimination on men's and women's access to all levels of vocational training and qualification, including workplace apprenticeship, upgrading and, generally to long life learning;

> prohibits any gender discrimination on men's and women's access to all levels medical care services and illness preventing and health promotion programmes;

> ensures for applicants, men or women with no discrimination, access to information in their activity area;

> ensures for all men or women with no discrimination, access to cultural products;

> statues respect of equality of opportunities and treatment between men and women on providing information through mass-media;

> promotes and supports the balanced participation of men and women in leading and decision making processes.

Direct gender discrimination is defined as any detrimental treatment based on gender, pregnancy, maternity, birth or paternity leave (Article 4(a)); indirect discrimination occurs where apparently neutral practices impact individuals of one gender, unless the practice can be validated by non-gender related factors. Article 10 prohibits sexual harassment, which is defined as creating an intimidating, hostile or discouraging workplace environment for an employee, or negatively affecting the employees promotions or pay when the employee refuses to engage in sexual relations. Employers are required to inform employees of the sexual harassment prohibition through posters. Punishment ranges from 15 million lei (Euros 415) to 150 million lei (Euros 4150).

Article 8 states that employers shall ensure equal opportunities and treatment between women and men in work relations and include provisions prohibiting discrimination in the companies' statutes. Employers shall also systematically inform their employees, by way of posters, of their right to equal opportunity and treatment.

Article 10 provides that maternity cannot constitute a discrimination motive for the selection of applicants for a position. It also prohibits asking the applicant to submit to a pregnancy test, except where particular working conditions prevent pregnant or breast-feeding women from occupying the position. Article 11 states that sexual harassment is any behaviour that includes:

- > Creating in the workplace an atmosphere of intimidation, hostility or discouragement for the affected employee; or
- > Negatively influencing the employee's personal situation with regard to his/her professional promotion, pay, access to formation, when the employee refuses relations of a sexual nature.

Article 12 adds that company statutes shall include disciplinary sanctions for employees' infringement of other employee's right to dignity by discriminating against them. Employers shall also inform their employees, by way of posters, of the prohibition of sexual harassment.

Article 13 states that the unilateral modification by the employer of work relations or work conditions following the invocation by the employee of the Act's provisions constitutes a prohibited discrimination (i.e.: victimisation.). Article 13 provides that contracting parties to collective agreements negotiated at the national or company level shall include provisions prohibiting discrimination and establishing dispute settlement procedures ⁶.

Ordinance No. 137/2000 concerning the Prevention and Sanction of All Forms of Discrimination

The Romanian Government adopted a normative act for prevention and sanction of all forms of discrimination. This act proclaims the principle of equality between all citizens and the prohibition of all discrimination, notably those based on gender (art. 1 and art. 2). Article 1 provides that the principle of equality between citizens is guaranteed in a certain number of fields, among which is included the right to be protected against any violence or abuse, the right to inherit, and the right to an equal pay for an equal work.

Gender discrimination is defined as any differentiation, exclusion, based on race, nationality, language, religion, social category, conviction, sex, sexual preference, age, disability, not contagious disease, HIV infection or adherence at disadvantaged groups having for object or effect the refusal, restriction or exclusion of the recognition or exercise of the fundamental human rights and freedom or the rights granted by legislation in the political, social economic, cultural or any other public area.

The measures to assist disfavoured groups are not considered discrimination (Article 2(4)). Gender discrimination is proscribed in employment (Articles 5, 6, 7 and 8), choice of residence (Article 17), and access to public services (Article 10), education (Article 15) and public places (Article 18). Sanctions for violating the law include fines of two million lei (Euro 55) to twenty million lei (Euro 550) when one person is the object of discrimination, and between four million lei (Euro 110) to forty million lei (Euro 1,100) when a group of persons is the object of discrimination. Article 20 also provides for damages, as well as restorative relief or removing the situation created by discrimination.

The Romanian Labour Code also guarantees the principle of equal treatment to all employers and employees within the framework of work relations:

> "Any direct or indirect discrimination based on an employee's gender is forbidden (Art 5(2)). Direct gender discrimination is defined by Article 5(3) as any exclusion, difference, restriction or preference based on one's gender, having as an objective or an effect the refusal, restriction or exclusion of the recognition or exercise of the rights granted by the Labour legislation. Indirect gender discrimination is defined by Article 5(4) as any distinction apparently not based on gender, but having the same effect than a direct discrimination.

> Article 6 proclaims that all employees enjoy the right to equal pay for equal work and article 39 sets out the right to equal opportunity and to equal treatment. Article 154(3) prohibits any discrimination in wages' determination or payment. Article 258 states that companies' regulations shall provide for the respect of the non-discrimination principle.

> Article 60(1) prohibits dismissals during pregnancy, maternity leave, leave granted for the child's education until he is 2 years old (3 years old for handicapped children), or leave granted for taking care of sick children until they are 7 years old (18 years old for handicapped children affected by a permanent disease).

6 - <http://www.ilo.org/public/english/employment/gems/eeol/cover/rommain.htm>

> Article 125 (2) states that pregnant women, women having recently given birth or breast-feeding women cannot be compelled to perform night work. Article 153 adopts the provisions of ILO Convention No.89/1948, forbidding night work for women in industrial enterprises, with some exceptions. (women in managerial positions or working in jobs of a technical character, in sanitary and social assistance services, etc.)

> Article 152 provides that "pregnant and breastfeeding women cannot work in workplaces with harmful, hard or dangerous conditions, or in conditions that are forbidden by a medical doctor" and "they will be transferred to other workplaces, without any decrease in their pay".

> Article 233 provides that the members of employer's association's management organs are protected by law against any form of discrimination in the exercise of their functions". The Labour Code ⁷ is completed by the secondary legislation concerning wages, collective labour agreements at national level, statute of public servants etc.; it stipulates the non-discrimina-

tory criteria which govern the labour relations and guarantee equal opportunities and treatment for employees of both gender. The Government Ordinance no. 129/2000 concerning the vocational training of adults provides equal rights in access to professional training, without any discrimination, including sex discrimination.

The National Strategy for Employment, elaborated by the Ministry of Labour, Social Solidarity and Family - following the model of European Employment Strategy - encloses the gender dimension among other priority objectives on employment. The National Plan for Employment aims to ensure implementation of the legislation concerning the equality of opportunities and treatment for men and women in employment field. For the 2004-2005 period, the Plan sets through its Guide Line "The Gender Equality" the necessary objectives and measures in order to create the institutional framework, to monitor the implementation of policies favourable for women, to remove the gaps based on gender, and to reconcile the women's professional life with the household one.

Institutional framework

The present national institutional framework, covering the women's issues and equal opportunities has the following structure and authorities:

The National Agency for Equal Opportunities between men and women

Subordinated to the Ministry of Labour and Social Solidarity, this Agency promotes the principle of equal opportunities and treatment between men and women and ensures the active integration of the gender perspective within all national policies and programmes. The main attributions of the agency are as following ⁸:

> to co-ordinate application of Government's policies and strategies in the equal opportunities field;

> to submit normative act drafts, national action plans to the MoLSSF and to ensure their application;

> to advise, at MoLSSF's request, the normative act drafts initiated by other authorities, with a view to integrate and respect the principle of equal opportunities and treatment between men and women;

> to elaborate reports, studies, analysis and prognosis concerning application of the principle of equal opportunities and treatment between men and women in all areas;

> to co-ordinate and/or implement the European Commission's Programmes concerning the gender equality;

> to represent the Romanian Government within European and international bodies in the field and to co-operate with similar structures of other states;

> to receive claims/complaints concerning infringement of legal provisions with regard to the principle of equal opportunities and treatment between men and women and the gender discrimination, from individuals, legal persons, public and private institutions.

The National Commission for Equal Opportunities between men and women

The activity of the National Commission for Equal Opportunities between men and women - CONES- is co-ordinated by the President of National Agency for Equal Opportunities between

7 - <http://www.ilo.org/public/english/employment/gems/leeo/coverfrommain.htm>

8 - www.anofm.ro

men and women. Since its legal establishment, CONES took over the duties of the Inter-ministerial Consultative Commission for Equal Opportunities between Women and Men, (CODES). Its composition includes representatives of ministries and other specific bodies of the central public administration or subordinated to Government, representatives of autonomous administrative authorities, representatives of trade union's and employers' national associations, representatives of NGOs with significant activity in the field, consensually appointed by those bodies.

CONES has the following responsibilities:

- > "To disseminate the concept of mainstreaming in the decisions, programs, and activities levels of the central public administration structures in order to introduce the principle of equal opportunities between women and men and to reduce gender disparities and discriminations within the sector policies;
- > To evaluate the correct law application from a gender perspective;
- > To stimulate the gender policies in all activity areas;
- > To elaborate recommendations and criteria for supporting the orientation of governmental structures in the domain of mainstreaming policies.
- > To promote the sharing of specific information and experiences;
- > To elaborate periodical reports on women's status in Romania, and gender policies from all activity domains".

The National Council for Sanction of Discrimination

The Council's role is to implement the principle of equality between citizens, provided by the Constitution, the present legislation and the international papers Romania is signatory part to. The Council fulfils the following tasks »:

- > to propose implementation of action or special measures, according to the law, aimed to protect the disadvantaged persons and categories which are either in unequal position compared to the majority due to social origin or handicap causes, or face majority's attitude of rejection or marginalization;
- > to submit normative act drafts to the Government concerning the field;

> to advise the normative act drafts whose subject is the exercise of rights and freedoms in conditions of equal opportunities and no discrimination;

> to monitor application and respect by public authorities of the normative provisions on sanctioning and eliminating of all discrimination forms;

> to receipt claims/complaints concerning infringement of legal provisions with regard to the principle of equal opportunities and treatment and non-discrimination between men and women, from individuals, legal persons, public and private institutions, to analyse, it to adopt necessary measures and to communicate the answer within the time frame provided by law;

> to assess and sanction the contraventions provided by the Government's Ordinance no. 137/2000 on prevent and sanction all discrimination forms.

The Labour Inspection

The Labour Inspection is a specific body of the central public administration, subordinated to MoLSSF. Its main objective is to monitor the fulfilment of legal obligations by the employers with regard to labour relations, work conditions, protection of employees' or other labour involved participants' life, health and integrity. In the field of equal opportunities, the Labour Inspection checks and watch application of measures for respecting the equality of opportunities and treatment between women and men in the field of labour relations.

The Ombudsman

This is a public authority, autonomous and independent of any other public authority, with the following responsibilities:

- > to receive and dispatch claims/complaints of individuals concerning violation of their citizenship rights and freedoms committed by the public administration authorities and to decide upon it;
- > to monitor the legal resolution of the received claims and to ask the public administration authorities or civil servants to stop the citizenship rights and freedoms infringement and to support damages, restorative relief or resolve the situation created. This institution's responsibilities cover the equal opportunities field also.

The Commission for Equal Opportunities

For each Parliament's chamber a Commission for Equal Opportunities between Women and Men exist, composed by

eleven deputies and senators, whose task is to promote the Equal Opportunities between Women and Men within the national legislation

The Secretariat for Equal Opportunities

The Secretariat (also called sub-Commission) is a subdivision of the Commission for European Integration of the Romanian Parliament. It has a permanent body of experts in the field of organizing and disseminating information on international legislation, mechanisms and standards on equal opportunities between women and men, and also, competences to propose the specific instruments for monitoring and harmonizing internal legislation and mechanisms from gender perspectives. Moreover, the Secretariat plays an important role in supporting the lobby mechanisms for law and policies projects. It represents an instrument for encouraging decision makers to be more sensitive to women's issues and gender policies.

National Agency for Employment (NAE)¹⁰

NAE is the main body responsible for the provision of public employment services and implementation of labour market policies. The Agency has been established by the Law 145/1998. It is a tripartite body and its Administration Board is composed by 15 members, out of which employers and trade unions represent two thirds. The NAE has an extensive network of county agencies, local agencies and working points in the country.

National Strategic Papers. The National Plan of Action for Equal Opportunities (NPAEO)

The NPAEO is a strategic instrument included in the National Governmental Program, which recognizes that women's full participation in society as equal partners represents an essential condition of development. In accordance with NPAEO provisions, the priorities established to be related to the women's condition in Romania are ¹¹:

- > The development of national machinery for the coordination of equal opportunities between women and men and women's rights security development;
- > The promotion of the equal representation of women at all decision-making central and local bodies;
- > The improvement of women's economic condition and equal access to the labour market and economic resources;
- > The improvement of women's health condition;

> The prevention and diminution of the phenomenon of violence in the family, committed especially against women and children;

> The prevention and diminution of the phenomenon of violence in the family, committed especially against women and children;

> The enforcement of women's participation in environmental protection;

> The equal opportunities mainstreaming in all the domains of the social, political and economic life, in education, culture and mass media;

> The collaboration with civil society, trade unions, and international bodies in order to ensure the implementation of The National Plan of Action for Equal Opportunities

National Action Plan for Employment 2004-2005¹¹

The National Action Plan for Employment (NAPE) is a political document adopted by the Government of Romania.

It sets forth the employment action planned for the period 2004-2005. The Plan is based on 10 guidelines: active and preventive measures for unemployed and inactive persons; jobs creation and entrepreneurship spirit; guiding the transition and promotion of adaptability and mobility on the labour market; promotion of development of human capital and of long life learning; increasing the labour market offer and promotion of the active getting old; gender equality; promotion of integration and combat of discrimination for labour disadvantaged persons; increasing labour efficiency and creating the adequate incentives; turning the undeclared labour in legal employment; combat of regional employment gaps.

The Government's objectives under Guideline VI (gender equality) are:

- > To create the institutional framework aimed to support policies implementation and strengthening on gender equality and to ensure the background for creation of a system for monitoring the process;
- > To approach the equal opportunities mainstreaming by reducing the gender gaps and reconciliation of the professional life with the household one.

10 - Country Monograph- Romania , Final Draft, Prepared by Prepared by: Arjen Deij and Mircea Badescu (European Training Foundation):

http://www.see-educoop.net/education_in/pdf/etf-mono-cand-countries-romania-oth-enl-t02.pdf

11 - <http://www.seeline-project.net/>

The measures proposed for reaching these objectives are:

- > to set up the National Agency for Equal Opportunities and to train qualified personnel in order to implement and strengthen the labour market equal opportunities policies;
- > to establish specific structures within the central public administration authorities;
- > to establish an indicator system to support identifying the main factors which generate the salary gender gaps, such as occupational discrimination, professions' social value mirrored by the wage level, access to high level vocational training.

National Action Plan for Combat the Human Beings Traffic¹²

Among the activities of this paper, it may be mentioned:

- > to monitor the process of return the traffic victims to the origin country, as well as the process of recover and social inclusion of these persons;
- > to train the legal representatives (lawyers) in protecting the traffic victims interests;
- > to provide alternative programmes for the traffic victims whose choice is not to return to the origin country;
- > to educate the families and the community against victims' stigmatization and condemnation;
- > to ensure the legal, psychic and social assistance as much as possible in victims' maternal language;
- > to set up a telephone emergency hotline for victims;
- > training programmes for specialists assisting the traffic victims;
- > to develop a national network of information, advisory, assistance and housing for traffic victims;
- > to ensure the provision of housing and legal, psychic, medi-

cal and social assistance and advising for the traffic victims.

International Programmes

Although accession still remains some time away, Romania already participates in a series of Community programmes that are linked to the measures and implementation of these and other goals under gender equality, employment and social policy in general, these are:

- > Programme relating to the Community framework strategy on gender equality (2001 to 2006) ¹³
- > Community action programme to combat discrimination (2001 to 2006) ¹⁴
- > Community action programme to encourage cooperation between Member States to combat social exclusion ¹⁵
- > Community incentive measures in the field of employment ¹⁶

Trade Unions

The National Confederation of Free Trade Union of Romania-Fratia¹⁷ :

This trade union is a national organization, totally independent from any political parties, state or employers bodies. The confederation represents and promotes the professional, social, economical and cultural interests and protects the fundamental rights of its members. The confederation also participates, as a representative partner, in negotiations of the labour collective agreement and in the elaboration and modification of the normative documents, regarding trade union activity and social, professional and economical interests of trade union members. It promotes as well the collaboration relations, national and international solidarity with all the organizations that are devoted to the democratic aspirations, justice, freedom and peace. 40 professional federations are affiliated to the confederation, covering all the industrial sectors. It has 42 county branches; it also has a Commission for Women Issues.

The National Trade Union Bloc¹⁸

The National TU Bloc is composed of 39 sector federations and

¹² - www.ces.ro

¹³ - http://europa.eu.int/comm/employment_social/equ_opp/fund_en.html

¹⁴ - http://europa.eu.int/comm/employment_social/fundamental_rights/policy/prog_en.htm

¹⁵ - http://europa.eu.int/comm/employment_social/social_inclusion/programme_en.htm

¹⁶ - http://europa.eu.int/comm/employment_social/incentive_measures/index_en.htm

¹⁷ - <http://www.cnslr-fratia.ro/rom/despre/prezentare.asp>

¹⁸ - <http://www.bns.ro>

36 county branches. The most activities implemented at national level aims, mainly, the following issues: legal assistance for members when labour and trade union legislation infringed, assistance for bargaining the labour collective agreements at national, sector or company level, assistance for members in solving the labour conflicts, organizing protest actions, organization and participation in seminars and reunions on economic and social issues of trade union interest, development of economic and social programmes in cooperation with Romanian or foreign partners. The NTUB has a women's organization, set up in 1995, with 16 organizations affiliated representing woman from all around the confederation, promoting the interests of 36% of the total number of TU members.

The National Confederation of Free Trade Union "Cartel Alfa"¹⁹

The National Confederation of Free Trade Union "Cartel Alfa" was created in 1990 in order to achieve a real and authentic representation of the Romanian workers. Presently, 40 professional federations are affiliated to Cartel Alfa, covering different industrial sectors, both from public and private area.

Cartel Alfa co-ordinates activities of 38 county TU inter-professional organizations. Among the confederation attributions, it may be mentioned:

- > bargaining the labour collective agreements at national;
- > to shape the economic and legislative framework of general interest;
- > to promote the social partnership, dialogue and solidarity;
- > organization and support of the internal process for militants' training and participation;
- > to assist and represent its affiliated organisations or TU members

A Commission for Women Issues works within the confederation.

The Confederation of Democratic Trade Union of Romania²⁰

The Confederation of Democratic Trade Union of Romania is a national level representative confederation, also affiliated to European TU Confederation, as well as to the World Labour Confederation. Presently, 20 professional and sector federa-

tions are affiliated to this confederation, covering different industrial sectors, such as: education, food industry, construction materials, textiles, wood processing, social assistance and medical care, mining, agriculture, transportation and others.

Trade union organisations at sector level

In March 2005, a new federation was born: the Federative Alliance of Civil Servants Trade Unions Sed Lex. The new federation has 80,000 membership, and involves the following affiliated trade union organisations :

- > the National Federation of Trade Unions in the Finance Sector (FNSF);
- > the National Federation of Trade Unions in the Local Public Administration (FNSAPL);
- > the National Federation of Labour and Social Protection Trade Unions (FNSMPS);
- > the National Federation of Civil Servants in the National Institute for Statistics (FNFPINS);
- > the National Federation of Civil Servants in Agriculture (FNFA); and
- > the Trade Union Federation in Environment and Water Management (FSMGA).

Women's Nongovernmental Organizations

Women's Association of Romania (W.A.R.)²²

The Women's Association of Romania appeared legally in 1990. It is a nongovernmental, non-profit and non-political organization. W.A.R. has more or less 10.000 members in Bucharest and 20 other branches in the rest of the country. W.A.R. took part in many internationals' conferences, for example in the 4th World Women Conference in Beijing in the NGO Forum in 1995.

W.A.R is party to the Coalition for Reproduction Health in Romania (1998) and it is found among the initiators of the Coalition for Peace Culture and Non-violence in Romania (1999). The Association is also party of the Federation for Peace and

19 - <http://www.cartel-alfa.ro/>

20 - Social Dialogue Evaluation Report, March 2003, Phare project "Building capacity for social dialogue"

21 - <http://www.eiro.eurofound.eu.int/2005/04/feature/ro0504104f.html>

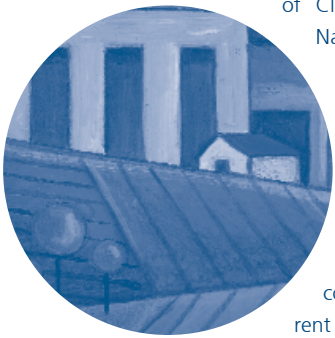
22 - www.afr.ro

Cooperation in Balkans (FEBANGO- Atena 1996), to the NGOs network from 13 CEEC states "Karat - Coalition for Regional Action" (Warsaw 1997) and to the UNESCO's long distance education network "ALADIN - Network of networks" (Hamburg 1998). The association does not ask any fee, its funds only come from donations ,voluntary contributions of its members, from projects, programmes and other different activities.

Business Women Associations' Coalition (CAFA)²³

The Business Women Associations' Coalition (CAFA) is an informal organization initiated in January 2004, supported by the International Centre for Private Enterprise. The aim of this coalition is promotion and support of the women's entrepreneurship, of the business women's interests, as well as increasing women's representation within the political and decision making structures in Romania.

CAFA has 15 members, out of which 9 founding members (the Women Entrepreneur Association of Timis, the Business and Manager Women Association of Brasov, the Women Entrepreneur Association of Romania, the Women Entrepreneur Association of Galati, the Women Entrepreneur Association of Oradea, the Manager Women Association of Dolj, the Manager Women Association of Ramnicu Valcea, the Business Opportunities for Women Association, the Development of Woman Entrepreneurship Association), one full rights member (the Business Women Association of Cluj) and 5 supporting members (the National Women Association from Villages, the Association for Women Promotion of Romania, the Unit Women Association of Iasi, the Women Association for Positive Activities, Tolerance and Education). The member associations enclose 1006 members - woman managers, company owners and women of different professions). According to the chart below, 74% out of total number of CAFA affiliated associations' members are woman managers or company owners. Women Promotion of Romania, the Unit Women Association of Iasi, the Women Association for Positive Activities, Tolerance and Education). The member associations



enclose 1006 members - woman managers, company owners and women of different professions). According to the chart below, 74% out of total number of CAFA affiliated associations' members are woman managers or company owners.

Romanian Nongovernmental Organizations for Women's Promotion

The Association for Women's Promotion of Romania²⁴

This is a NG organisation with its main office in Timisoara, and two offices in Drobeta Turnu Severin and Arad. The association provides free services of psychological consultations, legal assistance in court, social assistance, educational programmes, prevention programmes through alternative education in high schools and Universities of Timisoara, training and assisting in getting a job for women, lobby and advocacy for a new law for combat the family violence.

The Pro- Women Foundation²⁵

The foundation is a local NGO, established in Iasi on 13th of June, 2000. It is registered as non-profit and non-political body. The organization aims to increase the women self-confidence and to stimulate the personal development of women for a more active involvement in society's democratization. The foundation provides services of individual and group psychological conciliation, social assistance for disadvantaged groups, training, advocacy campaign, researches and studies results, seminars, conferences and other events.

The Society for Feminist Analyses²⁶

This is an independent NG organisation, whose basic objectives are: awareness and improvement of the Romanian women's condition; promotion of researches with regard to present Romanian women's social position; implementing the studies on women and feminism within the university programmes and national publishing. The association provides services of collecting, treatment and re-dissemination of information regarding women's statute in Romania and abroad; organization of feminism courses, training trainers in gender field, seminars, round tables on specific aspects related to women's issues and feminist approaches etc.; publishing a periodic magazine on feminist studies; translation and publishing of

23 - www.cafa.ro/

24 - www.apfr.dnttm.ro/

25 - www.prowomen.ro/

26 - www.anasaf.ro/

27 - www.prowomen.ro

classic texts and women anthologies.

The Equal Opportunities for Women Foundation²⁷

The Equal Opportunities for Women Foundation is a non-profit organization for human rights protection. It promotes equal opportunities for women and men, being active for women's benefit and for their rights' protection and The Women's Association against Violence.

The Women's Association against Violence²⁸

The foundation's mission is to promote the women's and chil-

dren's rights, to reduce their vulnerability against abusive situations and to strengthen their capacity by information, awareness and rights exercise. The organization provides services of: legal, psychological and psychosocial conciliation for abused women and children, as well as for the surrounding trustee persons; housing for woman victims of violence, educational and prevention programmes; creation and assisting therapeutic and support groups (self-help type); specific training for professionals working with abuse or physical/sexual violence's victims- medics, social assistants, psychologists, educators, legal advisors, policemen; information and legal support for

Issues for women employees

According to the Joint Assessment Paper (JAP) for Romania²⁹ in 2002 the following was the summarized situation of women:

"Women's participation rate is by 13.3 points lower than that of men. The employment rate of women is below that of men. A majority of discouraged workers are women in all age groups, in particular in prime working age groups (women represent 64.5% of the discouraged workers aged 25-34 and 57.4% of those aged 35-49 compared with 35.5% and 42.6% respectively for men) ³⁰. Agriculture is the main sector of employment for both men (38.6% of all employed men) and women (42.6% of all employed women) but more than 63.1% of women employed in this sector are unpaid family workers compared with 24.2% of men.

In terms of occupations, women are more likely to work as service and sales workers (12% of all employed women compared with 4% of men) and in professional and technical occupations (11% of all employed women compared to 6% for men). They are hardly represented in senior management jobs, which however represent a very low share of employment also for men (1.6% of all women employed compared with 3% for men)."

In addition, women are less likely to be active, and those who are less likely to be employed and have a higher incidence of long-term unemployment, although the unemployment rate for women is slightly lower than that of men (mainly due to their high rates of "statistical" inactivity). This situation in the labour market can be linked to the fact that Romania conti-

nues to remain a country of origin, transit and destination of women who are trafficked. Although in the 2004 regular report on Romania's accession trafficking is mentioned (p.24) as a policing and justice problem there is no link made to the grave situation of lack of employment or other economic opportunities (i.e. entrepreneurship). In the following sections a more in-depth look at the labour market situation of women in Romania is carried out.

Conditions of work/quality of employment

In the first place, Romania has some important differences with the EU25 and also with the new member states (EU10). In the following table the main labour market indicators are shown, by sex, and their evolution since 1997. The first thing to note is that Romania has recorded higher employment rates than the average for the new member states and also higher activity rates for both women and men. On the other hand, unemployment rates for women and men are lower in Romania than in the new member states. This is more marked in the case of women than of men (9 percentage points difference vs. almost 7 points respectively).

However, when compared to the averages of the European Union as a whole (EU25), the averages for employment and activity are lower and the gap is larger for men than for women in terms of employment and activity rates. However, in terms of unemployment the gap or difference is larger for women.

28 - <http://www.artemis.com.ro/>

29 - http://www.europa.eu.int/comm/employment_social/employment_analysis/japs/romania_en.pdf

30 - Data from the LFS, fourth quarter 2001

KEY EMPLOYMENT INDICATORS FOR EU25, EU10 AND ROMANIA							
	1997	1998	1999	2000	2001	2002	2003
EU 10							
Employment rate Men	67.8	67.3	65.8	63.8	62.6	61.8	n.a
Employment rate Women	52.7	53	52.6	51.4	50.9	50.2	n.a
Activity rate Men	74.2	73.9	73.3	73.1	72.8	72.3	n.a
Activity rate Women	59	59.4	59.8	60.2	60.2	59.5	n.a
Unemployment rate Men	...	...	...	12.6	13.7	14.2	n.a
Unemployment rate Women	...	...	...	14.8	15.5	15.6	n.a
Youth unemployment Men	...	...	...	28.1	30.8	31.4	n.a
Youth unemployment Women	...	...	...	29.3	31.9	32.7	n.a
LTU rate Men	...	...	...	5.8	6.7	7.4	n.a
LTU rate Women	...	...	...	7.5	8.4	8.9	n.a
EU 25							
Employment rate Men	70.2	70.6	71	71.3	71.3	71	70.8
Employment rate Women	51.1	51.8	52.9	53.6	54.3	54.7	55
Activity rate Men	77.2	77.3	77.4	77.4	77.4	77.3	77.4
Activity rate Women	57.9	58.5	59.2	59.8	60.2	60.7	61.2
Unemployment rate Men	...	8.2	8.1	7.7	7.6	8.1	8.3
Unemployment rate Women	...	11	10.7	10.2	9.7	9.9	10
Youth unemployment Men	...	17.4	17.2	16.6	16.7	17.6	18.1
Youth unemployment Women	...	20	19.5	18.9	18.3	18.3	18.6
LTU rate Men	...	3.7	3.5	3.4	3.3	3.4	3.6
LTU rate Women	...	5.4	5	4.7	4.5	4.5	4.5
Romania							
Employment rate Men	71.9	70.4	69.1	68.6	67.8	63.6	63.8
Employment rate Women	59.1	58.2	57.8	57.5	57.1	51.8	51.5
Activity rate Men	76.6	75.7	75.1	75	73.6	70.4	69.3
Activity rate Women	63.5	62.3	61.9	61.9	61.1	56.6	55.3
Unemployment rate Men	5	5.5	6.8	7.2	6.9	7.3	6.9
Unemployment rate Women	5.7	5.3	5.6	6.3	6.2	6.6	6.2
Youth unemployment Men	14.8	15.6	18.6	18.3	17.9	18.6	17.7
Youth unemployment Women	18.2	16.1	15.4	15.8	17.4	18.5	20
LTU rate Men	2.1	2.2	2.8	3.6	3.3	3.8	4.2
LTU rate Women	2.9	2.5	2.8	3.4	3.2	4	3.9

Source: European Labour Force Survey, Employment in Europe 2003 and 2004.

Although the situation with respect to unemployment could be interpreted as a positive figure, it is in fact a reflection of the widespread informal or undeclared market as well as the very high percentage of persons working in the agricultural sector. Given the very low value of wages and of social security benefits (pensions and other benefits) men and women must engage in these activities in order to complement their salaries or benefits. The Labour Code mentions that woman employees may not be dismissed during their pregnancy, maternity or child leave, leave granted for the child's education until he is 2 years old or leave granted for taking care of sick children until they are 7 years old (18 years old for handicapped children affected by a permanent disease). According to data provided by the Commission against Poverty and Promoting Social Inclusion, 50.4% of the persons suffering of severe poverty are women. The homes conducted by women face a higher poverty risk in comparison with the ones conducted by men, due to factors such higher proportion of mono-parental homes and widows living out of descendant pension. The researches results show that many women, mostly in the rural area, do not seek for a job. Out of 55 interviewed children in Bucharest, traffic victims, 31 were girls and 21 boys. The study (Rapid Evaluation of Children Victims of Traffic for Labour and Sexual Purpose- The Institute for Research for Life Quality, Save the Children Organization,

December 2003) revealed that the girls are trafficked for sexual purposes, and the boys mainly for labour ³¹. According to a recent study by the European Commission, the undeclared economy in Romania was estimated at 21% of GDP in 2001, only overcome by Bulgaria (up to 23% in 2003) and higher than Latvia or Hungary (18% in 2000 and 1998 respectively).

Access to training

In the following table we find the employment structure by age group and training level for the entire population of Romania and for women. There is marked difference between those 50 and over and those under this age as far as the proportion of people who have only obtained primary level or lower education. Women seem to be affected in a greater degree given their much higher proportion (over 29% for the 50 to 64 age group and 73% (!) for those over 65. Although younger generations seem to be clearly much better off in terms of education and women under 34 have the higher than average proportion of university graduates, high school and specialty high school graduates, their portion is lower in the vocational training and, fortunately, also lower in primary or lower education. Unfortunately there are no publicly available data (although there is the possibility to obtain the data though

EMPLOYMENT STRUCTURE BY AGE GROUP AND TRAINING LEVEL IN 2002						
	Total	15 - 24	25 - 34	35 - 49	50 - 64	65 +
Tertiary (university)	10.4	3.6	12.1	12.2	11.33	0.9
Speciality post high school or technical foreman education	4.8	2.5	4.9	5.3	6.6	0.4
high school	30.3	31.1	43.4	34.3	10.8	1.4
Vocational, complementary or apprenticeship	24.2	25.4	26.1	29.2	17.9	3
Secondary school	20.6	31.6	12	16.8	31.7	30.9
Primary or without graduated school	9.7	5.8	1.5	2.2	21.7	63.4
Women						
Tertiary (university)	10.33	5.25	13.90	11.66	9.25	0.38
Speciality post high school or technical foreman education	4.84	4.06	6.05	4.75	5.07	0.19
high school	34.29	36.75	48.88	39.96	12.11	0.95
Vocational, complementary or apprenticeship	15.38	19.57	17.71	19.44	7.27	0.76
Secondary school	23.08	31.03	12.33	21.81	36.78	24.71
Primary or without graduated school	12.09	3.34	1.12	2.38	29.52	73

Source: Household Labour Force Survey, 2002 Romanian Statistical Institute, <http://www.insse.ro/>

the recent census) on the situation by region of the country and ethnic groups might present a very different picture. The women hold a majority proportion out of the total pre-university personnel: 99.8% at kindergarten level, 75.5% at elementary school level and 64.1% in high-school level. The university education registered also an increased number of woman personnel, from 28% in 1990 till 43% in 2003. A significant development was registered in the university education, where the proportion of woman students increased from 47% in 1992-1993 till 55% in 2003-2004 ³¹.

Access to management and decisional positions

3 ministries (out of total 15 portfolios- 12%) were entrusted to women, after the 2004 elections, as well as 5 state secretaries and 3 state sub-secretaries positions (out of total 60 - 13.3%).

At the Deputies Chamber, out of 332 deputies, 37 are women (11.4%); at Senate, out of 137

senators, 13 are women (9.48%). It may be noticed an increasing proportion of woman Parliament members: in 1992-3.29% were women, in 1996- 5.56% were women and in 2000- 10.5% were women. The structure of the occupied population by gender shows that in the category of managers and superior servants of the social and economic units, the men number was 2.2 times higher than the women's.

As far as the type of occupation that women have, again, the weight of the agricultural sector concentrates women in this occupational group and in the groups with the lower skills. The following table shows the occupational structure for women in Romania compared to men.

Indeed, women make up a little over 50% of all agricultural workers and out of all employed women, the percentage is 36% (while for men it is around 30%). The other two largest occupations where women are concentrated (as a proportion of all employed women) are Operative workers (almost 12%) and Artisans (11.5%). On the other hand, the largest concentration of women, compared to men, is most defiantly in the Civil servants category, where women reach 71% of the total workers followed by Operative workers with 68.5% of the total. In the rest of the occupations women make up less than half of all workers the lowest being Other categories (which are the lower skilled workers at almost 23% and only 5.5% of all women workers) but rising all the way up to almost 41% in the case of unskilled workers.

Again, in this last instance, the data does not match the higher educational level of women under 50 years of age, which is higher than men's (see section on training below). Although it can be said that women reach the percentage of the so-called critical mass in the very top occupations (slightly over 30%), they are still along way from achieving equality. However, among all women, this only represents 1.74% of all employed women, compared with 3.26% of men.

Among the top occupations women are only majority among the technicians, although women are not, by their educational level, the majority among these workers (see below in section dealing with training). In this instance, the proportion of women in this category (12.61%) supersedes that of men (6.24%). This situation can be most likely explained by the fact that women are taking jobs which are under their appropriate skill level.

³¹ - Questionnaire completed by the Ministry of Labour, for providing information regarding the implementing of the Beijing Action Platform (1995) and the Conclusions of 23rd Special Session of UN

EMPLOYMENT STRUCTURE BY OCCUPATION, DISTRIBUTION AMONG OCCUPATIONS AND DISTRIBUTION BETWEEN WOMEN AND MEN				
	Men	Women	Men	Women
Members in legislative body, executive, leaders of public administration, leaders and clerks of socio-economic and political units	3.28	1.74	69.33	30.67
Specialists with intellectual and scientific occupations	6.74	7.71	51.13	48.87
Technicians, foremen and assimilated	6.34	12.61	37.57	62.43
Civil Servants	2.17	6.38	28.91	71.09
Operative workers in services, trade and assimilated	4.55	11.87	31.46	68.54
Farmers and skilled workers in agriculture, forestry and fishery	30.13	36.16	49.93	50.07
Artisans and Mandicraftmen in machinery and installations, maintenance and adjustment	23.24	11.54	70.68	29.32
Other categories except unskilled workers	15.70	5.52	5.52	22.7
Of which Unskilled workers	7.85	6.47	6.47	40.78

Source: Household Labour Force Survey, 2002 Romanian Statistical Institute, <http://www.insse.ro/>

Impact of tax and benefit system on women employees

In Romania there is a rather strong trend, which is now beginning to change due to the imminent entry into the EU, of tax evasion. On the other hand, the social security and benefit system is rather weak in terms of those paying into the system

and the amounts that are given out by the system ³². Given this situation, there is little room to give a specific incentive or disincentive weight to the different types of benefits that women as individuals or households can receive from the

³² - Leeson, P.T. and Coyne, C.J. "Institutions and the direction of Entrepreneurial Activity with Evidence from Romania", Mercatus Center, George Mason University, Global Prosperity Initiative, working paper no.39; European Commission Regular Report on Romania's Progress Towards Accession. http://europa.eu.int/comm/enlargement/report_2004/pdf/rr_ro_2004_en.pdf

system. However, it is important to point out that the system in itself is very developed and that it can be a good instrument, if gender equality considerations are made. However, the rather large weight of the informal sector and self-employed in the country make it difficult for the system to have an effective enforcement of contributions, which is in detriment to all of Romanian society and in particular to women who are the

ones to benefit most from targeted social expenditure given their gender roles in the social reproduction of society. In the following table the amounts of social spending, in percentage form, are given for Romania from 1997. It is clear that the largest amount goes to state allowances for children and in the second place, but far behind, allowances for maternity or new-borns as they are now called.

ALLOWANCES AND OTHER BENEFITS GRANTED TO THE POPULATION
(percentages of the total amounts spent)

	1997	1998	1999	2000	2001	2002
State allowances for a children	99.76	99.05	97.85	97.85	97.24	95.34
Benefits for wives of conscripts ^{95.35}	0.01	0.01	0.01	0	0	0.06
Birth indemnities	0.01	0	0	0	0	0
Allowances for new-borns	0	0	0	0	0	1.96
Benefits for mothers with several children	0.01	0.01	0.01	0	0	0.06
Priority benefits	0.01	0.01	0.16	0.18	0.22	0.24
From local budgets						
Social benefits	84.91	78.61	70.23	70.43	67.34	99.41
Birth indemnities	12.79	18.87	23.40	20.20	21.47	0
Priority benefits	2.30	2.57	6.37	9.37	11.19	0.59

Statistical Yearbook 2003, http://www.insse.ro/anuar_2003/asr2003.htm

Stereotype of working women

Women in the rural area

After 1989 many industrial workplaces were closed, without any work alternative offered. This led to a huge unemployment rate in the respective regions among men. Women (in many cases many of them never worked in their life) had to undertake the responsibility of bringing some income home, so they started to work as "home-base workers".

The characteristics of their work are:

- > informal work, without any social or health security
- > lack of appropriate market for their products
- > very low income due to the extremely low prices offered for their products (nobody could protect them for better negotiation)
- > in some regions women worked as "informal workers" at home as subcontractors for legally registered companies

Recently, due to some legislation measures, their situation could change for the better:

- > the penalties for using "informal work" are very high (even prison), so less and less employers will use this kind of work;

> many independent women home-base workers will have the possibility to become legal, consequently visible because of the possibility to be registered as "authorized physical person" for very decent taxes.

Another stereotype of women employees is related to the fields of their activities. The official figures present a quite "good situation" related to the employment rate of women, but the reality shows that in general, women are engaged in the so called "light sectors of activity".

The general wages level in these sectors are significantly lower than in other sectors. The causes of this situation include: family responsibilities (women are considered as main persons responsible for the raising of children) the main sectors where women employees are present in high proportion are: medicine; education; social care, civil society (NGOs), garment and food industry; these sectors are considered as "sectors where women use their natural gifts", which is often seen as synonymous with not needing to put in intensive effort, and hence the lower remuneration; women accept easily these jobs, because "they cannot afford to let the children starve", while men consider it as natural to look only for "better paid jobs".

Issues for women entrepreneurs

According to the research "Business women in Romania of the III-rd Millennium", developed in 2001 by the Chamber of Commerce and Industry of Romanian and of the town of Bucharest (CCIRB) and the United States Agency for International Development - USAID, the situation of business women was the following:

- > they are authorised physical persons and develop independent economic activity or within a family association;
- > they are associates or shareholders in a private trade company;

> they are managers in private trade companies, joint ventures or state owned companies;

> they are managers etc. in cooperatives or autonomous regimes;

> they are freelancers providing activities in the fields regulated by the legislation (solicitor, barrister, public notary etc).

In December 2000, the majority of registered businesswomen were women associates or shareholders in a private company (70,6%). Women running independent economic business

represents 16,6%. The lowest percentage (1,6) is represented by women working as freelancers (layers, solicitors, notary etc.). Women between 40 and 44 years old are the most active (17%), followed by women between 45 - 49 years old (15,6%) and 30 - 34 (15,5%). Consequently, more than half of the total number of businesswomen (61,5 %) are women between 30 - 49 years old. Young women between 25 and 29 years old represent only 9 %, with almost 2 percents less than women over 54 years of age (10,9%). By the position in the company, 71% of business women are associates or shareholders in trade companies, 8,4% have their independent economic activity, and 8,3% are members of family associations. In total, 87,7% of the women had the initiative to start their own business or invested capital in a trade company. The rest of 12,3% is represented by women managers, without shares from the company's capital (they are employees, majority working in the state sector). Because women want to have the control of their business, from the total of trade companies owned by women, more than 80% are either companies with unique associate or companies where the majority of the shares belong to women. In reference to the regional distribution businesswomen in Romania, the first position belongs to

Bucharest, with 20,2%, and county of Giurgiu, with only 0,6% is in the last place. The distribution by developing regions, the region Bucharest - Ilfov is first (21,1%), and the lowest percentage (8,2%) is registered in the South-Western region of Oltenia (the counties of Gorj, Dolj, Mehedinti, Olt and Valcea). In comparison with the total number of persons developing their own business (both, women and men), women represent the highest percentage (34,5%) in the North-East of the country (Bacau, Botosani, Iasi, Neamt, Suceava and Vaslui), meanwhile, in the region of Bucharest - Ilfov they are on the last place, with only 29,2%. From the whole population of the country, less than one third from people involved in business (31,8%) are women. In conclusion, the number of women involved in businesses is increasing, but they still do not represent more than 10,32% from the women working population. In the following table, the figures on self-employment are shown. As it has been mentioned before, the proportion of self-employed in Romania is much higher than the EU averages and this explains to a great extent the fact that unemployment rates are lower than the EU average, in spite of having much lower employment rates.

SELF - EMPLOYED (% total employment)							
Romania	1997	1998	1999	2000	2001	2002	2003
Men	36.4	38.1	42.2	44.5	44.6	39.1	38.7
Women	44.5	44.8	47.5	48.1	47.8	41.6	39.9
New member states							
Men	24.3	23.8	24	24.3	24	24.3	n.a
Women	19	18.4	18.2	18.3	18	18	n.a
EU25							
Men	19.5	19.2	18.9	18.7	18.5	18.5	18.6
Women	13.1	12.8	12.4	12.2	12	11.8	11.8

Source: European Labour Force Survey, Employment in Europe 2003 and 2004.

In spite of this rather large proportion of self-employed women, there is very little information on women entrepreneurs in Romania. In the search for materials for this report, it became obvious that there are serious efforts by a number of international and bilateral donors to strengthen entrepreneurship in general in the country, but only very few seriously support or give any attention to the specific problems of women entrepreneurs.

One of these organisations is the United Nations Development Programme (UNDP), who, in partnership with the United Nations Development Fund for Women (UNIFEM) have been carrying out specific projects and have identified specific challenges that women entrepreneurs in Romania face ³³, in particular women in rural areas where there are fewer economic opportunities.

A paper prepared by Maria Sandor (1997)³⁴ points out the following about women entrepreneurs:

- > Few women who assume risks of starting their own businesses benefit from programmes designed to increase capabilities and skills of those running small businesses (in other words, donor and government programmes seldom make provisions targeted specifically at women or are not attentive to the fact that women might not receive the information about the training or other support through the usual channels)
- > Few business women have access to updated information about available financing schemes and how to apply for them.
- > Many women in the region are seeking economic independence but few of them have the courage or the proper knowledge to create their own business enterprises.
- > Very few women entrepreneurs are aware that they could help themselves and contribute to the policy making process by establishing their own effective associations.

Furthermore, in developing the awareness of business women about the traditional gender roles and being sensitive to the

negative reaction or fear of being called "feminists" Maria Sandor (1994) points out that together with building business skills, business women who participated in the UNDP project became aware of the impossibility to continue carrying the double burden of job and household chores even more when both man and wife were involved in the business. In another of the few reports found on the issue, it has been found that Romania (among 17 countries surveyed) is among the top 5 when it comes to innovation and in feeling that they are in control of their own fate. However, it is one of the last in the ranking when it comes to risk taking, in other words, the gap between men and women as far as risk taking is concerned is smaller in Romania than in other countries like Canada, Belgium Slovenia, Ireland or Germany ³⁵.

Furthermore, other research, not directly related to woman entrepreneurs, show that bilateral or international funding for entrepreneurs "seem to reach more mainstream businessmen, and less "accidental entrepreneurs or family firms". It is clear that women have a lower probability of being in the mainstream businesses and a higher probability of being accidental (or out of necessity) and of being unpaid family workers in family firms. In this latter case we find that 70% of all unpaid family workers are women, and that among employed women, unpaid family workers represent 14.4% of all employed women while the proportion of men is only 1.8% ³⁶. Yet another donor ³⁷ which does directly deal with micro-credits to women in Romania reveals that although women managed or owned approximately 44% of all Romanian businesses, they only accounted for 2.7% of the total amount of money loaned (loan value) in 1999. "By size of company, woman-owned and -managed firms took out 14% of the loans to micro-enterprises, 8.1% of the loans to small firms, 2% of the loans to medium-sized firms, and 0.9% of the loans to large enterprises, significantly lower in all cases than their representation in the total number of companies ³⁸. Although this may indicate only a reluctance of women to borrow money, it may also represent a barrier to women's access to credit." (p. 39). In the following table, put together by the Romanian Chamber of Commerce, the loan seeking behaviour of women is reflected.

33 - UNDP Romania web site: http://www.undp.ro/gender/rural_women.php

34 - *Organizing for success: Women's Business Associations, Economic Reform Today, No 2, 1997*

<http://www.cipe.org/publications/fs/ert/e24/Sandoe24.htm>

35 - Mueller, S, "A cross-national study of gender gaps in potential for entrepreneurship", Texas Christina University.. The sample used in this paper consisted in 3rd and 4th year university students, therefore it has a bias that might change if women of all educational levels and ages would be considered.

36 - <http://www.mercatus.org/article.php/700.html> Silviu Dochia, Paul Aligica, "Development Programs and Entrepreneurship: An in-depth analysis of two financing programmes targeting Small and Medium Enterprises in Romania"

37 - *Labour market statistics of the Romanian Statistical Institute, 2004.*

38 - "Gender Assessment and Plan of Action for USAID/Romania" by Ruth Rosenberg and Julianna Arnold http://www.usaid.gov/our_work/cross-cutting_programs/wid/pubs/romania_ga_0202.pdf. *Romanian Businesswomen in the Third Millennium, Chamber of Commerce.*

LOAN SEEKING BEHAVIOUR OF WOMEN-OWNED AND MANAGED BUSINESSES AS A PERCENTAGE OF THE TOTAL BY CATEGORY (1999)

Size of Business	Percent Owned or Managed by Woman/Women	Percent of Profits	Percent of Loans	Percentage of Loan Value
Total	44.3%	9.6%	34.2%	2.7%
Micro	47.7%	33.9%	45.9%	14.4%
Small	24.5%	18.4%	25.7%	8.1%
Medium	5.6%	6.1%	4.7%	2.3%
Large	22.5%	3.1%	9.7%	0.9%

Source: Romanian Businesswomen in the Third Millennium, 2001

It is curious to note that in spite of this report (which is not available on the Chamber's web-site) there is no specific division or department in the Chamber dealing specifically with business women. Regarding women's involvement in business development, it is obvious that many women capitalized their managerial capacities and developed their own companies; thus, 49.7% out of the total number of the companies registered within December 1990 - December 2000 period are companies with woman managers or owners. These firms' activity was present in commerce and light industry sectors (the National Plan for Employment). According to "Romanian Business Women in the Third Millennium" study, elaborated in 2001 by the Romanian Chamber for Commerce and Industry (CCIRB) and by the United States of America Agency for International Development - USAID, the business women in Romania belonged to one of the following categories:

- > Individual person authorized for independent economical activities or as member of a family association;
- > Associated person or share holder in private commercial company;

> Manager of commercial company with private, state or joint ownership;

> Manager of cooperative organization or autonomous state owned company;

> Individual person exercising a free profession regulated by law (lawyer, public notary).

The structure of the occupied population by gender and professional statute shows that the woman managers are 3 times fewer than men. Other relevant data: the total number of women involved in business (year 2000) is 521,422 persons, out of which :

> women in individual authorized persons category for independent activities - 16%;

> woman associate and/or share holder of commercial company - 70.6%;

> woman manager of companies, autonomous state own companies, cooperative organizations - 11.2%;

> women occupied in free professions (lawyer, notary) - 1.6%

The age category with most active women was the one between 40 and 44 years (17%), followed by 45-49 years category (15.6%) and 30-34 years category (15.5%). Thus, more than half out of the business women's total number (61.5 %) is focused in the 30-49 years of age category. The proportion of young women with ages between 25 and 29 years was only 9 %, almost two percents lower than the one of women over 54 years of age (10.9%). Regarding the position within the company, 71% out of the business women's number were associated person or share holder, 8.4% of them exercised independent economical activities and 8.3% were family association members. Globally, 87.7% out of the women's total number have had business initiatives or have invested in companies. The rest of them, 12.3% represented the woman managers, without holding any company shares (they are paid managers, most of them in state owned sector).

Due to the fact that most of women want to have their own business control, more than 80% out of the women owned commercial societies' total number have a woman as unique associate or majority holder. Regarding the territorial repartition of business women, Bucharest was on the top (20.2%), whilst the last was Giurgiu County (0.6%). By development areas repartition, the Bucuresti-Ilfov region was first in the hierarchy (21.1%), whilst Oltenia (the South-Western region Gorj, Dolj, Mehedinti, Olt and Valcea counties) was the last.

By total number of business persons (men and women), the women represented the biggest proportion (34.5%) in the North-Eastern region (Bacau, Botosani, Iasi, Neamt, Suceava and Vaslui), whilst the Bucuresti-Ilfov region was last in the top, with 29.2%. At the whole country level, less than a third of business persons (31.8%) were women.

As a conclusion, even the number of business women is increasing, their proportion out of occupied women's total number is only 10.32%.

Stereotype of women entrepreneurs

One of the stereotypes related to women entrepreneurs is that the majority of women, who developed their own business, have "small enterprises, especially in the so called "light sectors": garment and sportswear industry, food industry, training and consultancy, freelancer translators/interpreters, private medical cabinets (especially general medicine or gynecology), cosmetics etc.

The common mentality is that "women have no the resources or the courage to engage in very large, serious businesses", reserved for men. This mentality persists also in obtaining bank loans: businesses proposed by men are considered more pertinent, than businesses proposed by women.

Many women registered in the official statistics like "entrepreneurs or working on their own account", in reality they are either former home-base working women, trying to survive from one day to another, or involved in family businesses, or simply registered as shareholders in the companies of their husband or brothers, without any decision making power.

Consequently, we cannot speak of "entrepreneurial spirit" in these cases. Multinational companies brought in Romania the phenomenon of "intrapreneurship" where many employees, among them a significant number of women, are registered as performing work on their own account, but in reality they are told (forced) by the management of the company to register as self-employed persons as this lowers the expenditure associated with employing them and decreases legal obligation of employer towards them.

The consequences of this policy are:

> the responsibility for paying the taxes for social and health insurance belong to the employees, who willing to have as high as possible wages will pay them at the minimum level, consequently on long-term the state budget for these insurances will decrease significantly;

> the funds for pensions move from the state budget to the private one, consequently no state guarantee for the pensions.

Case studies

Case study 1: Working in the NGO, a cross section between being an employee and entrepreneur

Mary tried a few times to become involved in business activities after 1989, because she was very enthusiastic and believed that finally "anything is possible".

After a few unsuccessful attempts (the business environment is very aggressive, it is not possible to survive without "connections, alliances of interest, political protection etc"), she was involved, by accident (looking for a job) within the "civil society environment". Her first experiences were Phare projects. Impressions: the procedure is so complicated, that if somebody really wanted to encourage "original, innovatory projects", coming from ordinary people, it would be almost impossible. First barrier: writing projects. Conclusion: very few original initiatives were encouraged. Writing projects became a "profession".

Second experience within NGOs environment

She became founding member of a professional, non-governmental organization.

Outcomes of this activity: very difficult to survive in the civil society's environment. Especially if your field of activity is not the "classical one": people with disabilities, street children, homeless people etc.

Some personal opinion about how are considered women working in NGOs:

> it is not a proper job, women from in this field try to do something in order to have "an occupation" (available especially for women's NGOs)

> if somebody is really interested in some "independent professional expertise" on social issues, women working in NGOs are very good, but nobody is ready to reimburse the offered services accordingly, because NGOs are "non-profit organizations", consequently people working there are not interested in "money".

> in order to survive within an NGO (I do not speak about "big NGOs, umbrella NGOs") a women has to be dedicated to the issue, ready to work very hard for very low income, to renounce many times to the "free time", to do a lot of things in the same time for maintaining "alive" the organization where she works (freelancer jobs, supplementary job etc).

Conclusions:

> Women (because the majority of people working in NGOs are women) from NGOs do great job which is "appreciated" only from the point of view of the expertise, professionalism and independence.

> Despite all the difficulties, working in one NGO is one of the most exciting experiences. Personally, I consider NGOs (the "really ones" not those who are only named "NGOs") like "a oasis, where one could see what should be the life, laboratories for one possible future society".



