

Standard Summary Project Fiche

1. Basic information

1.1. **Desiree Number** RO-2002/000-586.04.05

1.2. **Title:** Support for implementation of social and employment acquis

1.3. **Sector:** Employment and Social Policy, Free movement of persons

1.4. Twinning components:

RO02/IB/SO/01: Establishment of the National Agency for Equal Opportunities for women and men; Budget 1.240.000€, Duration: 24 months

RO02/IB/SO/02: Social security for migrant workers, Budget: 1.080.000€, Duration: 24 month

1.5. **Location:** Romania, Ministry of Labour and Social Solidarity

2. Objectives

2.1 Overall Objectives

To support the Romanian Government to implement the social and employment acquis, in order to foster the equal opportunities, improve the working conditions and social protection of the employees and increase the responsibility of the employers, ensure the social security of migrant workers.

2.2 Project purpose

The project will be attained through an integrated set of measures, with the following specific components:

- A. Establishment of the National Agency for Equal Opportunities for women and men;
- B. Creation and implementation of the insurance system of work accidents and occupational diseases;
- C. Social security for migrant workers.

2.3 Accession Partnership and NPAA priority.

A. Establishment of the National Agency for Equal Opportunities for women and men;

The 2001 edition of NPAA's Chapter 4 – capacity to assume the obligations of a member state of UE, subchapter 4.13.2 – Equal Opportunities between women and men establishes as medium term priorities, as followed:

1. Development of the institutional capacity for the integration of equal opportunities into national policies, objective that could be achieved by the following measures:
 - organising informative actions on the *acquis communautaire* in the field of equal opportunities;
 - applying annual measures provided in the National Concrete Action Programme at sectoral level, elaborated by the Inter-ministerial Advisory Commission in the field of equal opportunities (CODES) (Directive 75/117/EEC, Directive 76/207/EEC);
 - adopting necessary legislation and the participation of Romania in the European Community Programme for the implementation of the framework strategy on gender equality (2001-2005) (Decision 2001/51/EC);
 - adopting legislation on the setting up of the National Agency for equal opportunities for women and men, having as main responsibility the implementation of the Law on equal opportunities for men and women and the monitoring of the implementation of the national legislation in the field (Commission Decision 95/420/EEC);
2. Participation in the EU action programmes in the field of equal opportunities for men and women by means of implementing the EU framework strategy in the field of equal opportunities.

B. Creation and implementation of the insurance system of work accidents and occupational diseases

ACCESSION PARTNERSHIP

Employment and social affairs

- Transpose and implement EU legislation in the field of occupational health and safety (including the framework directive).

NPAA

4. Social Policy and Employment

4.13.11. Health and Safety at Work

Short - Term Priorities

- Achievement of an insurance system for work accidents and occupational diseases according to the *acquis communautaire* in the field by adopting the draft Law regarding the Insurance to Hazardous Accidents and Occupational Diseases and drafting the implementation methodologies.

Medium-Term Priorities

- Setting up of the National Insurance Fund for Work Accidents and Occupational Diseases;
- Improving the insurance system for work accidents by training the employees of the National Insurance Fund for Work Accidents and Occupational Diseases.

C. Social security for migrant workers

The 2000 and 2001 Regular Report on Romania's progress towards accession stressed the importance of developing the necessary administrative structures and

provide professional training for the personnel involved in the field of coordination of social security systems.

The National Plan for Accession set as an objective the establishing of the Information and Documentation Centre for migrant workers. The setting up of the Center will start in 2002.

Short-term priorities

- training and improvement of the knowledge of the staff of Ministry of Labour and Social Solidarity, Ministry of Health, National House of Pension, National House for Health, National Agency for Employment, Ministry of Education and Research, Ministry of Finance, involved in the application of the acquis on the co-ordination of the social security systems ;
- development of information exchange among the specialised institution in Romania and the counterparts institutions in the EU Member States, as well as with other associated states;
- setting-up the Centre for Information and Documentation on Rights and Obligations of Migrant Workers.

In order to prepare the implementation of the community law and bilateral agreements' provisions concluded by Romania in the field of free movement of workers and co-ordination of social security systems, trained specialised personnel is required. Moreover, well technically equipped institutions responsible for the implementation of the aforementioned provisions are crucial also.

2.4 Contribution to National Development Plan

- A. At regional level, the development of the local institutional capacities to integrate gender equality in implementation of national social policies
- B. Priority of Government

2.5. Cross Border Impact

Actions and measures implemented under this project could have positive cross border impact, especially for migrant workers, male and female.

3. Description

3.1 Background and justification

Program for implementation of social and employment acquis, in order to foster the equal opportunities, improve the working conditions and social protection of the employees and increase the responsibility of the employers, ensure the social security of migrant workers.

The Program will be attained through an integrated set of measures, with the following specific components:

- A. Establishment of the National Agency for Equal Opportunities for women and men;

- B. Creation and implementation of the insurance system of work accidents and occupational diseases;
- C. Social security for migrant workers.

A. Establishment of the National Agency for Equal Opportunities for women and men;

On the 1st of July 2000 women represented 51.1% in the total population of Romania (22,435,205 inhabitants) and by 2020 it is envisaged a decrease of the total population in Romania by 1.8 million people in comparison with the year 1999 maintaining or increasing the differences between sexes. Thus it is estimated to have an increase of the woman share up to 51.4% in the population of Romania.

Women represent 45.9% of the active population, this significant percentage held by the active female population is caused by the fact that women represent an important part in the total population and is also due to the training level according to their education.

Although the Romanian legislative framework is a non discriminatory one, there are many situations in practice when the applying of the principle of equal opportunities is not achieved conformably with the legal dispositions and is imperative the enforcement of different social professional categories and especially of jurists, magistrates and civil servants with methods and techniques for promoting the principle of equal opportunities.

The Ministry of Labour and Social Solidarity (MLSS) is the governmental body where is functioning the Directorate for Equal Opportunities between men and women (DEO) which has as, main liabilities, to initiate legislatives measures for the improvement of the relevant legal frame and to monitor their implementation; to develop reports and studies on the social status of women; to initiate and co-ordinate programs for integrating capacity for equal opportunities in the national social policies.

In the same time, it co-operates actively with social partners in all kind off activities based on the promotion of equal opportunities.

Another body functioning on the issue, under the co-ordination of MLSS, is the Interministerial Consultative Commission in the field of equal opportunities between men and women-CODES, established by GD 967/1999, under it's umbrella and co-ordinated work was drafted the National Action Plan for equality between women and men, adopted as the GD 1273/2000.

The Ministry of Labour and Social Solidarity elaborated the draft Law regarding equal opportunities between men and women in order to implement explicitly the European provisions to respect the equal opportunities principle. The draft law forbide direct and indirect discrimination related to sex, guarantee the non-discriminatory access of women in the labour market as well as promotion, access at professional training's, equal pay for equal value, the right of dignity at the work place, interdiction of sexual harassment regardless of sex, equal access at information and stimulatives measures to ensure equal access to decision - making positions. The role given to trade unions as first mediator between employers and employees victims of discrimination is essential for the enforcement of the law. At the moment the Ministry of Labour and Social Solidarity and the Labour Inspection are the main bodies which will monitor the implementation of that law.

The project has to be developed, simultaneously, in two phases, as the project purpose is as well to establish the National Agency for equal opportunities for women and men as to train civil servants, employers and employees regarding EU gender equality acquis.

Distribution of female population on age and environment points out that the urban female population prevails with 55.4%. The share of female urban population in total female population registered an oscillating evolution during the last years: after a decrease in the years 1990 and 1991, it was registered an ascending evolution till 1997, followed by a decreasing period till present time.

All the information above proof the necessity of the establishment of a special Agency for equal opportunities for women and men, at national level.

The establishment of the National Agency will be developed through **a twinning** for setting-up the National Agency for equal opportunities for women and men and its main attributions, functioning, at national and local level, as the similar structures from member states (ex.: France, Sweden, Italy).

Will be elaborated also proposals for the status of functions, and regulations of functioning of the National Agency for equal opportunities for women and men (ex. Department for research, studies and statistics, Department for personal and social rights, Department for professional equality, Department for human resources, Department for European and international relations, Department for co-ordination territorial network, Regional offices, Counties responsible)

The necessity of training of, apparently, a large number persons regarding EU gender equality acquis is issued of the facts that, at the present moment, no representatives from the categories mentioned in the project, received any training on equal opportunities matters and on European approach of the issue. Also, the Agency is expected to have a small number of personnel, which will have to deal with a very large number of problems at national level.

In order to prepare a number of key persons, with abilities to understand and enforce the Law regarding equal opportunities between men and women, the target groups, considered to be trained, are civil servants from central and territorial level, jurists and magistrates, employers, employees for who is anticipated the accumulation of specific knowledge's and abilities. As a whole, the carrying on of that training will have an important impact at the level of:

- *Human resources*: by improvement of the abilities of persons in the target group to integrate the principle of gender equality in their activities.
- *Methodology*: by creating of an implementation methodology for the principle of equal opportunity;
- *Experiment*: identification and implementation of good practices;

Human resources improvement represents the most precious result of the project and one of the unit of measure for its efficiency.

The methodological exercise, for promoting the principle of equal opportunities, will be made up by planned training and evaluating courses and workshops. At the same time, there will be an active exchange of information of techniques and methods useful to the integration of the principle of equal opportunities.

The experimental step will consist in formulating and implementation of new measures for changing the traditional practices at the central public administration level and, ultimately, at the territorial level.

B. Creation and implementation of the insurance system of work accidents and occupational diseases

Presently in Romania annually occur about 10.000 work-related accidents and 1.500 occupational diseases with very negative consequences of approx. 600 fatalities and 400 invalidities. The total cost of these losses is estimated at 970 millions US \$.

Romania wishes to develop and implement an accident prevention and insurance system based on an insurance scheme financed by way of a payroll tax to protect against occupational accidents and diseases.

The insurance system for work accidents and occupational diseases is a component of the reform process in the field of social insurance, as well as in health and safety sector. The system represent as well one of the way to determine the employers to improve the working conditions and implicit to reduce the number of work accidents and occupational diseases.

Based on the positive experience of the E.U. member countries the Ministry of Labor and Social Solidarity issued a draft of Law on the insurance for work accidents and occupational diseases.

The draft Insurance Law for work accidents and occupational diseases guarantees specialized services for the related field. The dead line foreseen in the Romanian Government Program is the end of 2001.

The main functions of the work accidents and occupational diseases insurance are:

- prevention of work accidents and occupational diseases;
- medical, vocational and social rehabilitation;
- compensation by indemnities and others financial supports for the victims.

The necessary funds for the insurance system is achieved based on employer contributions. This obligation comes from the Labour Protection Law is stipulated that the employer is the responsible for the health and safety at work as well as to undertake all the necessary technical and organizational measures.

In this way the principle of the Framework Directive 89/391/EEC of not involving the employees in to the prevention costs is respected.

In order to strengthen on one side the employer liability against occupational risks and working conditions and on the other side motivate him to improve the prevention activity, the contributions are different according to the efforts for reducing the level of risk.

The institution in charge with the coordination and organization of the whole activity including the necessary services is the National Insurance Fund for Work Accidents and Occupational Diseases. This one is a public autonomous institution adding as insurer.

The National Insurance Fund for Work Accidents and Occupational Diseases develop the territory activity with the Territorial Fund for Work Accidents and Occupational Diseases.

Presently this draft of law is in the Romanian Parliament debate.

C. Social security for migrant workers

The free movement of workers constitutes one of four pillars of the European Union. Article 51 of the Treaty requires that the Council adopt measures in the field of social security that would render possible the free movement of workers.

The European Union legislation in the field of co-ordination of social security systems is represented by the Regulation (EEC) No 1408/71 of the Council of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community and Regulation (EEC) No 574/72 of the Council of 21 March 1972 fixing the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community.

The rules for co-ordination concern only the parts of national legislation, which are liable to produce undesirable effects for the worker when he/she crosses intra-community frontiers. The application of these rules implies a lot of exchange of information about the workers and self-employees, their family members between the competent institutions. Social security institutions must possess accurate, current and complete information. At the moment there are a great number paper forms and a well-established liaison procedure.

The administrative steps appear cumbersome and complicated for institutions and persons moving within the Union.

The introduction of community co-ordination of social security systems is viewed not only from a legal or financial point of view, but also from an administrative perspective, too. This requires the setting up of specific structures. The appointment of one or several liaison bodies is likely but the setting up of new institutions or enlarging the scope of the existing institutions is possible, too. The preparation for the application of these Regulations is, mainly, achieved through concluding and applying bilateral agreements on social security.

In Romania in the following institutions are involved in the application of the rules of co-ordination of the social security schemes: the Ministry of Labour and Social Solidarity, the Ministry of Health and Family, the National House of Pensions and Other Social Insurance Rights, the National Agency for Employment, the Ministry of Education and Research and their territorial entities.

The Ministry of Labour and Social Solidarity ensures the coordination of the institutions involved in the application of the Regulation (EEC) no. 1408/71 of 14 July 1971, on the application of social security schemes to employed persons, self-employed persons and to members of their families moving within the Community and Regulation (EEC) no.574/72, laying down the procedure for implementing Regulation (EEC) no.1408/71.

In order to prepare the implementation of the Community provisions in the field of coordination of social security, has been set up the Working Group for the coordination of the social security systems comprised from the representatives of the Ministry of Labour and Social Security, as co-ordinator, National House of Health Insurance, National House of Pension and other Social Insurance Rights, Ministry of European Integration, Ministry of Health and Family, Ministry of Foreign Affairs, Ministry of Education and Research, Ministry of Public Finance, Ministry of Justice.

The preparation for the application of the two Regulations is achieved by concluding and applying bilateral agreements on social security, based on the fundamental

principles of co-ordination. Negotiations for redefining the bilateral legal framework took place and will continue with EU Member States and states associated to the EU. The drafts in course of negotiation are elaborated on the EU principles of co-ordination of social security schemes. At present, the Ministry of Labour and Social Solidarity applies 12 bilateral agreements on social security signed many years ago by Romania with former communist countries, France, Peru, Libya, Algeria, Greece. In Romania, the necessary premises for co-ordination of social security schemes exist at both legislative and institutional level. However, there is a noticeable lack of information and experience in the field of European movement of workers and co-ordination of social security schemes. It is, thus, necessary to improve the administrative capacity of institutions applying the *acquis* in the field of co-ordination of social security schemes, ensure training and provide update information for the personnel working in this field.

In order to facilitate the communication in the area, by 2002 the Information and Documentation Centre for migrant workers will be set up, representing a contact place specialised in the field of free movement of workers and the rules for the co-ordination of the social security systems. The Centre will spread information for a wide range of Romanian institutions and organisations, employers and workers, facilitating thus the process of communication and co-operation between different actors, institutions and agencies.

The Information and Documentation Center for migrant workers will be subordinated to the Ministry of Labour and Social Solidarity and will ensure the coordination of the institutions involved in the field of free movement of workers and of the social security systems through:

- collection and dissemination of information in the field of free movement of workers and the rules for the co-ordination of the social security systems;
- mapping and building up of the database;
- creating and maintaining a web site with information concerning the free movement of workers;
- elaborating and promoting of leaflets, papers with information concerning the free movement of workers;
- providing information to the Romanian and foreigner workers, Romanian and foreign institutions, Romanian and foreign employers about the condition in which they could carry their activity, their social security rights and obligation, administrative procedure;
- conducting studies in the field of free movement of workers;
- training the staff of the institutions on applying the rules of coordination of social security systems;
- training of trainers;
- indicating to an applicant the competent institution responsible with the issuing of necessary papers;
- supplying information regarding the conditions and period of employment, work, remuneration and access to social security existing in Member States and other Contracting States bind with Romania under the bilateral agreements;
- supplying information regarding the rights and obligation of migrant workers employed in Romania;

- indicating the administrative procedures for issuing of work permit and registering of labour contracts.

3.2 Linked activities

A. Establishment of the National Agency for Equal Opportunities for women and men;

The Equal Opportunities Directorate- DEO, as governmental focal point for Romania within the Gender Task Force of Table I of the Stability Pact for south-east Europe, developed the project Gender Equality in Romania in cooperation with the Council of Europe, financed by the Austrian government. Italian, Swedish and French experts of the Council of Europe fulfilled a three days training-seminar, in two periods, for women politicians, NGO'S leaders, trade union leaders on mainstreaming and improvement of women in decision-making positions.

Also as national representative within the Steering Committee on gender equality of the Council of Europe, DEO developed and leded recently the project Legislative reform for combating trafficking on human persons involving experts from ministries of Justice, Foreign Affairs, Internal Affairs, Center SECI, MLSS, and NGO's from Romania and Moldova. The purpose of the project was to analyse the current legislation on the topic and to propose necessary improvement with the support of European level experts from Italy and Netherlands. During the 3 seminars (3 days each), held in Bucharest, Chisinau and Strasbourg, was analised the national legislation of Romania and Moldova on the issue and were made recomandations on improving the law and the secondary legislation or Penal Code.

In cooperation with others ministries DEO is the main partner of UNFPA for it's the project developed in Romania Measures regarding women's rights at health and reproductive health at the work place intended to develop their activities for promoting reproductive heath and combating domestic violence.

DEO, as one of the partners of ILO local branch, in cooperation with others departments from MLSS, trade unions and employers representatives, has participated in development of the project " International Programm for Elimination of Child Work" in order to implement the ILO Convention nr. 182/1999 on prohibition of childrens work.

Publications:

- Equal opportunities between women and men - expectations and realities
- Promoting equal opportunities for women and men
- Good practices guide for equal opportunities

B. Creation and implementation of the insurance system of work accidents and occupational diseases

Phare Programme RO 930501 – « Health and safety at work in Romania ». The Project RO 9305.01.03 « Economic Incentives ». The resul of the above-mentioned projects was the draft Law on insurance against work accidents and occupational diseases.

C. Social security for migrant workers

- The Multi-country Phare Consensus II project - ZZ 9710-0027 – 02 "Detailed preparation and planning for the implementation of the EC co-ordination rules" has been developed for Bulgaria, Latvia, Lithuania, Romania and Slovak Republic. The wider objectives of the project were to assist the CEECs involved in the project to assess, develop and plan the organisation of the efficient administrative structures; as well as to help them to establish and/or develop procedures, records and information systems, able to deal with the implementation of the EC co-ordination rules. The specific objectives were: mapping and evaluating the existing institutional capacity of each CEEC to implement the EC co-ordination legislation; assessing the needs of each country in this respect; making suggestions to improve the administrative structure in order to be better able to implement the EC co-ordination legislation (Phase A)
- the development of long-term strategic action programmes for each CEEC combining separate action modules in order to meet the needs of the candidate countries and to strengthen the institutional capacity in each CEEC (Phase B)
- to select from this strategy a first set of short term actions and to integrate them in a concrete action plane (Phase B)

During this program a Romanian country paper have been developed, a national seminar has been hold in Bucharest during 21-22 October 1999 and the Manual on European and International Social Security Law have been published, in Romanian and English.

All represented a very big step forward the knowledge of the issues related to the co-ordination of social security systems in Romania.

After that period the Romanian social security system have been changed. A new law regarding the pension and other social insurance rights entered into force, a new institution National House for pensions and other social insurance rights have been set up.

The responsibilities of the National House of Pension and other Social Insurance Rights are:

- a) to guide and control the application of the legal provision by the territorial houses, as well as by the legal and natural persons that have rights and obligations from the regulation in force;
- b) to supply the data required in sustaining and drawing up the state social insurance budget;
- c) to assure the implementation of the international agreements to which Romania is part.

The directorate for communications and implementation of agreements within the National House of Pension and other Social Insurance Rights is responsible with the implementation of the international agreements to which Romania is part in the field of pensions, maternity benefits, sickness benefits (in cash).

3.3 Results

A. Establishment of the National Agency for Equal Opportunities for women and men;

Twinning RO 02/SO-01

The following results will be achieved by the common work of the Romanian and Member State's experts:

- A national functional mechanism on promotion of gender equality co-ordinated by the National Agency for equal opportunities for women and men;
- 220 trained persons on equal opportunities Romanian's and European community's regulations;
- Database network, a web site EQUALITY, periodical newsletter and publications with information concerning gender equality.

Investment component

Technical equipment (computers, network connections, faxes, copy machines) delivered to the institutions National Agency for equal opportunities for women and men and its local units;

B. Creation and implementation of the insurance system of work accidents and occupational diseases;

Technical assistance (Institution Building)

- Setup the National Fund for work accidents and occupational diseases;
- Favourable reports of Labour Inspection concerning the improvement of working conditions;
- Decrease of the work accidents and occupational diseases number;
- Improvement of the medical, functional and social rehabilitation services for the work accidents and occupational diseases victims.

Investment component

The technical solution for information system design will be based on a three tiered architecture (Web Browser/Site, Oracle Relational Database, Web Server) and for physical implementation of Information System is necessary a HP Server, WIN 2000 Professional Operating System, Oracle Standard DBA Server 7.3.4, Oracle Web Server 4.0 or Oracle 8i.

List of necessary equipments: 100 computers (2000 euro/unit), 30 printers laser jet (4000 euro/unit), 2 servers (45000 euro/unit), 4 switches (1500 euro/unit), 1 communication cupboard (1000 euro), 100 Oracle software and licences (5000 euro/unit), 100 software and antivirus licences for computers (1000 euro/unit), 30 faxes (500 euro/unit), 30 copy machines (500 euro/unit), internet access, cables and accessories for connection.

C. Social security for migrant workers.

Twinning RO 02/SO-02

The following results will be achieved by the common work of the Romanian and Member State's experts:

- A functionable Romanian social security system for migrant workers;
- 480 trained persons in the Ministry of Labour and Social Solidarity, the National Agency for Employment, National House for Pension and other Social Insurance Rights, National House for Health Insurance and their local entities, for the implementation of Regulation no. 1408/71 and Regulation no. 574/72;
- A functionable Information and Documentation Center's for migrant workers including a database network and a web site with information concerning the free movement of workers and coordination of social security systems, leaflets, brochures, other publications on the free movement of workers.

Investment component

Procurement and delivery of the technical equipment (computers, network connections, faxes, copy machines) to the institutions concerned: Ministry of Labour and Social Solidarity, Ministry of Health and Family, Ministry of Education and Research, National Agency for Employment, National House for Pension and other Social Insurance Rights, National House for Health Insurance and their territorial entities and for the Informationa and Documentation centre for Migrant Workers.

3.4 Activities

A. Establishment of the National Agency for Equal Opportunities for women and men;

A.1 Twinning RO02/SO-01

All the twinning activities will be implemented through common work of the Romanian and MS experts.

A.1. 1 Institutional improvement

- collecting of information on the similar institutions in EU Member States; Study visit for 10 persons regarding the application of the acquis in the field of gender equality;
- elaboration of the proposal of a model of related institutions and structures in Romania in order to improve the national mechanism in the field of gender equality.
- elaboration of the proposals for the status of functions and regulations of the National Agency for equal opportunities for women and men;

A.1.2. Training of the staff and dissemination of information

- identification, designation from the specific authorities and selection of persons from the target groups for training;
- provide training package for the personnel;
- Four regional training courses, joining representatives from two neighboring regions, (three days each);

- Four workshops for practical exercises and simulation of legislation application
- (three days each);
- Edition and publication of a Practical Guide on equal opportunities for civil servants;
- Public campaigns and debates for promotion the implementation of equal opportunities principle
- Dissemination of results by media.

Two pre-accession advisers (for 12 successive months each) whose presence is required by the complexity of the project and the significant number of institutions involved.

Profile of the PAA

The two PAAs should be experts in the field of equal opportunities and should have expertise in the elaboration and fundamental of legal and institutional framework. They should have:

- Recognised academic qualifications in the field of institutional development and management;
- Project management and co-ordination experience;
- Experience in leading or advising major structural and organisational changes in equal opportunities;
- Experience in training needs assessment;
- Communicative and co-operative personality;
- Experience with institutional system in partner countries, suitable in South-east Europe;
- English or French proficiency.

A.2 Investment component

procurement and delivery of the technical equipment (computers, network connections, faxes, copy machines) to the National Agency for equal opportunities for women and men and its local units;

B. Creation and implementation of the insurance system of work accidents and occupational diseases

B.1 Technical Assistance

B.1.1 Improvement and development of the legislative framework (contribution methodology, prevention guide etc.);

- Familiarisation with Accident Prevention and Insurance System in EU Member States;
- Training courses in actuarial services (actuarial formulas, the data issues and the calculation process required to set rates, calculate liabilities) to build a solid and efficient infrastructure and legal framework for accident prevention and insurance services;

- Training on prevention methods in order to reduce the number of work accidents and occupational diseases.

B.1.2 Identification and implementation of economic incentives ways (premiums, e.g. bonus molus system)

- Indicators for reducing or increasing the level's contributions;
- Establishment of the risk categories for enterprises;

B.1.3 Staff training in the specific fields of insurance of work accidents and occupational diseases, mainly accident prevention system

- Staff training on health and safety management, consultation techniques and implementation strategies;
- Training program on risk assessment and auditing;
- Training on prevention contracts, prevention methods.

B.2 Investment component

Development and improvement of the information system

- Improvement of the information system for data bases concerning: information about work accidents, occupational diseases, costs and benefits;
- Improvement of database to keep records for employees and employers.

The technical solution for information system design will be based on a three tiered architecture (Web Browser/Site, Oracle Relational Database, Web Server) and for physical implementation of Information System is necessary a HP Server, WIN 2000 Professional Operating System, Oracle Standard DBA Server 7.3.4, Oracle Web Server 4.0 or Oracle 8i.

List of necessary equipments: 100 computers (2000 euro/unit), 30 printers laser jet (4000 euro/unit), 2 servers (45000 euro/unit), 4 switches (1500 euro/unit), 1 communication cupboard (1000 euro), 100 Oracle software and licences (5000 euro/unit), 100 software and antivirus licences for computers (1000 euro/unit), 30 faxes (500 euro/unit), 30 copy machines (500 euro/unit), internet access, cables and accessories for connection.

C. Social security for migrant workers

C.1 Twinning RO02/SO-02

All the twinning activities will be implemented through common work of the Romanian and MS' experts.

C1.1 A functionable social security system for migrant workers

- analysis over the existing institutions in Romania responsible for the implementation of the community acquis in the area, especially evaluation and clarification of the role of the institutions involved in the field, practical implementation of the export of benefits, costs of providing health care services;
- impact study to assess the liabilities resulting from the application of the Co-ordination of social security Regulation;
- study visit in the countryside;

- collecting of information on the similar institutions in EU Member States; Study visit for 2 persons/each institution regarding the application of the acquis in the field of movement of workers and co-ordination of social security schemes;
- comparative studies and proposal for the adaptation of the institutions and structures existing in Romania in the field of co-ordination of social security systems.

C.1.2 Training of the personnel

- provide training package for the personnel and training of 30 trainers in the Ministry of Labour and Social Solidarity, Ministry of Health and Family, Ministry of Education and Research, National Agency for Employment, National House for Pension and other Social Insurance Rights, National House for Health Insurance and their territorial entities;
- delivery of training by the trainers mentioned above for 300 persons in the Ministry of Labour and Social Solidarity, Ministry of Health and Family, Ministry of Education and Research, National Agency for Employment, National House for Pension and other Social Insurance Rights, National House for Health Insurance and their territorial entities;
- seminars for 150 persons aiming arising awareness of the personnel in the institutions concerned (Ministry of Labour and Social Solidarity, Ministry of Health and Family, Ministry of Education and Research, National Agency for Employment, National House for Pension and other Social Insurance Rights, National House for Health Insurance and their territorial entities), related to the challenges raised by the free movement of workers sector and the co-ordination of the social security schemes;

C.1.3 Information and Documentation Center for Migrant Workers:

- mapping and building up of the database;
- create and maintain a web site with information concerning the free movement of workers and co-ordination of social security systems;
- provide information to the Romanian and foreigner workers, institutions and employers about the general framework in which they could carry out their activities, their social security rights and obligations, administrative procedures etc.;
- collection of data concerning the information and documentation necessary for the application of the European regulations in the field of movement of workers and co-ordination of social security systems;
- public campaign regarding the existing means, goals, and ways of free movement of workers and co-ordination of social security systems;
- leaflets, information papers concerning the free movement of workers and co-ordination of social security systems.

Two pre-accession advisers (for 12 months each) whose presence is required by the complexity of the project and the significant number of institutions involved.

Profile of the PAAs

The PAAs should be experts in the field of co-ordination of social security schemes and should have expertise in the elaboration and fundamental of legal and institutional framework.

The PAAs should have:

- Recognised academic qualifications in the field of institutional development and management;
- Project management and co-ordination experience;
- Experience in leading or advising major structural and organisational changes in the field of co-ordination of social security schemes;
- Experience in training needs assessment;
- Communicative and co-operative personality;
- Experience with institutional system in partner countries, suitable in South-east Europe;
- English or French proficiency.

C.2 Investment component

Procurement and delivery of the technical equipment (computers, network connections, faxes, copy machines) to the institutions concerned: Ministry of Labour and Social Solidarity, Ministry of Health and Family, Ministry of Education and Research, National Agency for Employment, National House for Pension and other Social Insurance Rights, National House for Health Insurance and their territorial entities and for the Information and Documentation Centre for Migrant Workers;

4. Institutional framework

The Ministry of Labour and Social Solidarity, Ministry of Health and Family, National Agency for Employment, National House for Pension and other Social Insurance Rights, National House for Health Insurance and their territorial entities, Ministry of Justice

5. Detailed Budget

	Phare Support			National Co-financing	IFI	TOTAL
	Investment Support	Institution Building	Total Phare (I + IB)			
Establishment of the National Agency for Equal Opportunities for women and men	560.000	1.240.000 (twinning)	1.800.000	200.000		2.000.000
Creation and implementation of the insurance system of work accidents and occupational;	1.100.000	2.600.000 (technical assistance)	3.700.000	300.000		4.000.000

Social security for migrant workers						
Social security for migrant workers	620.000	1.080.000 (twinning)	1.700.000	260.000		1.960.000
Total	2.280.000	4.920.000	7.200.000	760.000		7.960.000

6. Implementing Arrangements

6.1 Implementing Agency

The CFCU will be the Implementing Agency, and thus, responsible for tendering, contracting, payments and financial reporting

The funds could be contracted and disbursed according to the Practical Guide for Phare, ISPA and Sapard contract procedures and the Twinning manual.

Implementing Authority: Ministry of Labour and Social Solidarity.

6.2 Twinning

Twinning is foreseen for Components A and C

Project leader

Razvan Ionut CIRICA, secretary of state, Ministry of Labour and Social Solidarity, 2 B Dem. I. Dobrescu Street, Sector 1, Bucharest, Romania

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Twinning RO02/SO-01: Establishment of the National Agency for Equal Opportunities for women and men;

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Twinning RO02/SO-02: Social security for migrant workers

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The Romanian partner will provide:

- Adequate human resources to implement the twinning projects together with the twinning partner;
- All the necessary facilities for the smooth implementation of the twinning (office, computer, printer, telephone, access to internet, etc.);

- Funds to cover any travel costs of the Romanian authorities in the context of training or seminars or study visits, if any.

6.3 Non-standard aspects

The Practical Guide for Phare, ISPA and Sapard contract procedures will be followed when applicable.

6.4 Contracts

A. Establishment of the National Agency for Equal Opportunities for women and men

A.1 - a twinning covenant of 1.24 MEuro

A.2 - a supply contract of 0.56 MEuro

B. Creation and implementation of the insurance system of work accidents and occupational diseases

B.1 - a service contract (technical assistance) of 2.6 MEuro

B.2 - a supply contract of 1.1 MEuro

C. Social security for migrant workers

C.1 - a twinning covenant of 1.08MEuro

C.2 - a supply contract of 0.62 MEuro

7. Implementation Schedule

7.1 Start of tendering/call for proposals

September 2002 for twinings, January 2003 for other contracts

7.2 Start of project activity

1 June 2003

7.3. Project Completion

30 May 2005

8. Equal Opportunity

The program will have equal access for women and men. Component A is devoted to foster equal opportunities.

9. Environment

Component B shall have major environmental effects through the improvement of working conditions that will decrease the number of work accidents and will reduce the possibilities of serious accidents.

10. Rates of return

NA

11. Investment criteria

NA

12. Conditionality and sequencing:

Component B: the approval of the Law on the insurance against work accidents and occupational diseases by the Romanian Parliament

Component C: social security for migrant workers, the start of the project will be subject to the set-up of the Steering Committee, composed by Ministry of Labour and Social Solidarity, Ministry of Health and Family, Ministry of Public Finance, Ministry of European Integration, National Agency for Employment, National House for Pension and other Social Insurance Rights, National House for Health Insurance, the EC Delegation. Consultation will start and will focus on the analysis of the existing legal framework, already adopted by the Government, concerning these areas.

ANNEXES TO PROJECT FICHE

1. Logical framework matrix in standard format (compulsory)
2. Detailed implementation chart (compulsory)
3. Contracting and disbursement schedule by quarter for full duration of programme (including disbursement period) (compulsory)
4. Reference to feasibility / pre-feasibility studies. For all investment projects, the executive summary of the economic and financial appraisals, and the environmental impact assessment should be attached (compulsory)
5. List of relevant Laws and Regulations (optional)
Reference to relevant Government Strategic plans and studies (may include Institution Development Plan, Business plans, Sector studies)

ANNEX 1: LOGICAL FRAMEWORK MATRIX

Project: Support for implementation of social and employment acquis	Programme name and number Contracting period expires Total budget: 7.96 MEuro	Disbursement period expires Dec 2005 Phare budget: 7.20 MEuro
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Overall objective	Objectively verifiable indicators	Sources of Verification	
To support the Romanian Government to implement a coherent Program for a friendly working environment in order to foster the equal opportunities, improve the working conditions and social protection of the employees and increase the responsibility of the employers, ensure the social security of migrant workers.	<ul style="list-style-type: none"> •Draft projects of normative acts (orders of the minister of labour and social solidarity, minister of health and family, president of the National House for Health Insurance) in order to improve the implementation of the the acquis in the field of co-ordination of social security schemes; 	Commission Regular Report, Accesssion Partneship, Action Plan for Administrative and Judicial Capacity, Enhanced monitoring procedure – monitoring reports and peer reviews, Minutes of the Council of Association, Subcommittees of Association	
Project purpose	Objectively verifiable indicators	Sources of Verification	Assumptions

<p>The project will be attained through an integrated set of measures, with the following specific components:</p> <p>A. Establishment of the National Agency for Equal Opportunities for women and men; B. Creation and implementation of the insurance system of work accidents and occupational; C. Social security for migrant workers.</p>	<ul style="list-style-type: none"> • Draft projects of normative acts concerning gender equality; • Classification of the employers and enterprises on a risk scale; • Number of employees to be mandatory insured. • Draft projects of normative acts (orders of the minister of labour and social solidarity, minister of health and family, president of the National House for Health Insurance) in order to improve the implementation of the the acquis in the field of co-ordination of social security schemes ; • Trained staff of the personel of the Ministry of Labour and Social Solidarity, Ministry of Health and Family, Ministry of Education and Research, National Agency for Employment, National House for Pension and other Social Insurance Rights, National House for Health Insurance and their territorial entities in issues on coordination of social security systems; 	<p>Commission Regular Report, Accesssion Partnership, Action Plan for Administrative and Judicial Capacity, Enhanced monitoring procedure – monitoring reports and peer reviews Minutes of the Council of Association, Subcommittees of Association</p>	<ul style="list-style-type: none"> • co-ordination of all actors involved • inefficiency in communication between the actors involved
Results	Objectively verifiable indicators	Sources of Verification	Assumptions

<p><u>A. Establishment of the National Agency for Equal Opportunities for women and men</u></p> <p>A.1 Twinning RO 02/SO-01</p> <ul style="list-style-type: none"> • A national functionable mechanism on promotion of gender equality co-ordinated by the National Agency for equal opportunities for women and men; • 220 trained persons on equal opportunities Romanian's and European community's regulations; • periodical newsletter and publications with information concerning gender equality; <p>A.2 Investment component</p> <ul style="list-style-type: none"> • Database network, a web site "EQUALITY"with information concerning gender equality. 	<ul style="list-style-type: none"> • Draft projects of normative acts on gender issues • Reports of studies • training packages • number of trained persons • number of workshops desiring arising awareness of the public in the gender issues • number of publications, leaflets <ul style="list-style-type: none"> • website, database 	<ul style="list-style-type: none"> • Technical parameters on the information system., PAAs' and technical assistance's reports • Monitoring by EC Delegation • Web page • comparative studies and proposal for the adaptation of the institutions and structures existing in Romania in the field of co-ordination of social security systems. • questioners 	<ul style="list-style-type: none"> • Maintaining the dialogue and the consensus with social partners in order to prepare the implementation of the law. • inefficiency in communication between the actors involved
<p><u>B. Creation and implementation of the insurance system of work accidents and occupational diseases;</u></p> <p><u>B.1 Technical Assistance (IB)</u></p> <ul style="list-style-type: none"> • Setting-up of the National Fund for work accidents and occupational diseases; • Favourable reports of Labour Inspection concerning the improvement of working conditions; • Decrease of the work accidents and occupational diseases number; • Improvement of the medical, functional and social rehabilitation services for the work 	<ul style="list-style-type: none"> • Number of work accidents and occupational diseases; • Number of persons trained during the whole programme; • Number of persons involved in audit programme; • Actuarial prognoses; • Data on employers and employees 	<ul style="list-style-type: none"> • Statistics and reports at national and regional levels on work accident and occupational diseases; • Assessments reports on the developed training; • Technical parameters on the information system, .PAA and technical assistance reports 	

<p>accidents and occupational diseases victims.</p> <p><u>B.2 Investment component</u></p> <ul style="list-style-type: none"> • Improvement of the information system for data bases concerning: information about work accidents, occupational diseases, costs and benefits; • Improvement of database to keep records for employees and employers. <p><u>C. Social security for migrant workers</u></p> <p><u>C.1 Twinning RO 02/SO-02</u></p> <ul style="list-style-type: none"> • A functionable Romanian social security system for migrant workers; • 480 trained persons in the Ministry of Labour and Social Solidarity, the National Agency for Employment, National House for Pension and other Social Insurance Rights, National House for Health Insurance and their local entities, for the implementation of Regulation no. 1408/71 and Regulation no. 574/72; • A functionable Information and Documentation Center's for migrant workers including a database network and a web site with information concerning the free movement of workers and coordination of social security systems, leaflets, brochures, other publications on the free movement of workers. 	<ul style="list-style-type: none"> • Draft projects of normative acts (orders of the minister of labour and social solidarity, minister of health and family, president of the National House for health Insurance) in order to improve the implementation of the the acquis in the field of co-ordination of social security schemes; • training packages • number of trained persons • numbers of workshops wishing arising awareness of the personnel in the institutions concerned, related to the challenges posed by the free movement of workers and the co-ordination of the social security schemes; 	<ul style="list-style-type: none"> • Monitoring by EC Delegation • Web page • comparative studies and proposal for the adaptation of the institutions and structures existing in Romania in the field of co-ordination of social security systems. • questioners 	
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<p>C.2 Investment component</p> <ul style="list-style-type: none"> • database of the Information and Documentation Center for migrant workers; • web site with information concerning the free movement of workers and co-ordination of social security systems 	<ul style="list-style-type: none"> • complete database of the Information and Documentation Center for migrant workers; • number of entries on the web site containing information concerning the free movement of workers and co-ordination of social security systems. 		
Activities	Means		Assumptions
<p>A. The National Agency for Equal Opportunities for women and men; A.1 Twinning Ro 02/SO-01 A.1.1 Institutional improvement</p> <ul style="list-style-type: none"> • collecting of information on the similar institutions in EU Member States; Study visit for 10 persons regarding the application of the acquis in the field of gender equality; • comparative studies and proposal for the adaptation of the Romanian institutions and structures in Romania in the field of gender equality. • elaboration of the proposals for the improvement of the status of functions, and regulations for the implementation of the attributions of the National Agency for equal opportunities for women and men; • procurement and delivery of the technical equipment (computers, network 	<ul style="list-style-type: none"> • Twinning covenant (two PAAs, 6 short term experts) • Study tour in EU members states • Drafting studies and regulations 		

<p>connections, faxes, copy machines) to the institutions National Agency for equal opportunities for women and men and its local units;</p> <p>A.1.2 Training of the staff and dissemination of information</p> <ul style="list-style-type: none"> • identification, designation from the specific authorities and selection of persons from the target groups for training; • provide training package for the personnel; • Four regional training courses, joining representatives from two neighboring regions, (three days each); • Four workshops for practical exercises and simulation of legislation application (three days each); • Edition and publication of a Practical Guide on equal opportunities for civil servants; • Public campaigns and debates for promotion the implementation of equal opportunities principle • Dissemination of results by media. <p>A.2 Investment component</p> <ul style="list-style-type: none"> • Procurement and delivery of technical equipment (computers, network connections, faxes, copy machines) to the National Agency for equal opportunities for women and men and its local units; 	<ul style="list-style-type: none"> • Drafting training package • Seminars, workshops, • Program of training for civil servants • Drafting, editing, publishing Practical Guide on equal opportunities for civil servants; • Drafting, editing, publishing leaflets, • Public debates <ul style="list-style-type: none"> • Contracts of purchase of technical equipment 	<p>Assessment reports on prevention programmes and audit programmes;</p> <ul style="list-style-type: none"> • Reports on actuarial calculation in the pilot 	<ul style="list-style-type: none"> • Correct data and correct technical design;
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<p><u>B. Creation and implementation of the insurance system of work accidents and occupational diseases</u></p> <p><u>B.1 Technical Assistance</u></p> <p>B.1.1 Improvement and development of the legislative framework (contribution methodology, prevention guide etc.);</p> <ul style="list-style-type: none"> • Familiarisation with Accident Prevention and Insurance System in EU Member States; • Training courses in actuarial services to build a solid and efficient infrastructure and legal framework for accident prevention and insurance services; • Training on prevention methods in order to reduce the number of work accidents and occupational diseases. <p>B.1.2 Identification and implementation of economic incentives ways (premiums, e.g. bonus molus system)</p> <ul style="list-style-type: none"> • Indicators for reducing or increasing the level's contributions; • Establishment of the risk categories for enterprises; <p>B.1.3 Staff training in the specific fields of insurance of work accidents and occupational diseases, mainly accident prevention system</p>	<ul style="list-style-type: none"> • Study tours, study tour report, dissemination of information • Technical assistance contracts • Purchase of equipment • Training package • Seminars • Workshops 	<ul style="list-style-type: none"> project; • Reports on development of the information system; • Reports on the whole development of the project (every 6 months); • Reports on the project expenditures. 	<ul style="list-style-type: none"> • Availability of the proposed budget and of the Romanian internal resources; • Proper human resources dedicated to the project
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<ul style="list-style-type: none"> • Staff training on health and safety management, consultation techniques and implementation strategies; • Training program on risk assessment and auditing; • Training on prevention contracts, prevention methods. <p><u>B.2 Investment Component</u></p> <p>Development and improvement of the information system</p> <ul style="list-style-type: none"> • Improvement of the information system for data bases concerning: information about work accidents, occupational diseases, costs and benefits; • Improvement of database to keep records for employees and employers. <p>The technical solution for information system design will be based on a three tiered architecture (Web Browser/Site, Oracle Relational Database, Web Server) and for physical implementation of Information System is necessary a HP Server, WIN 2000 Professional Operating System, Oracle Standard DBA Server 7.3.4, Oracle Web Server 4.0 or Oracle 8i. List of necessary equipments: 100 computers</p>	<ul style="list-style-type: none"> • Twinning covenant (two PAA, 6 ten short term experts) • Study tour in EU members states • Drafting studies and regulations 		<ul style="list-style-type: none"> • inefficiency in communication
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<p>movement of workers and co-ordination of social security schemes;</p> <ul style="list-style-type: none"> • comparative studies and proposal for the adaptation of the institutions and structures existing in Romania in the field of co-ordination of social security systems. • procurement and delivery of the technical equipment (computers, network connections, faxes, copy machines) to the institutions concerned: Ministry of Labour and Social Solidarity, Ministry of Health and Family, Ministry of Education and Research, National Agency for Employment, National House for Pension and other Social Insurance Rights, National House for Health Insurance and their territorial entities; <p>C1.2 Training of the personnel</p> <ul style="list-style-type: none"> • provide training package for the personnel and training of 30 trainers in the Ministry of Labour and Social Solidarity, Ministry of Health and Family, Ministry of Education and Research, National Agency for Employment, National House for Pension and other Social Insurance Rights, National House for Health Insurance and their territorial entities; • delivery of training by the trainers mentioned above for 300 persons in the Ministry of Labour and Social Solidarity, 			
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<p>Ministry of Health and Family, Ministry of Education and Research, National Agency for Employment, National House for Pension and other Social Insurance Rights, National House for Health Insurance and their territorial entities;</p> <ul style="list-style-type: none"> • seminars for 150 persons aiming arising awareness of the personnel in the institutions concerned (Ministry of Labour and Social Solidarity, Ministry of Health and Family, Ministry of Education and Research, National Agency for Employment, National House for Pension and other Social Insurance Rights, National House for Health Insurance and their territorial entities), related to the challenges raised by the free movement of workers sector and the co-ordination of the social security schemes; <p>C1.3 Information and Documentation Center for Migrant Workers:</p> <ul style="list-style-type: none"> • mapping and building up of the database; • create and maintain a web site with information concerning the free movement of workers and co-ordination of social security systems; • provide information to the Romanian and foreigner workers, institutions and employers about the general framework in which they could carry out their activities. 	<ul style="list-style-type: none"> • Supply contract 		
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<p>their social security rights and obligations, administrative procedures etc.;</p> <ul style="list-style-type: none"> • collection of data concerning the information and documentation necessary for the application of the European regulations in the field of movement of workers and co-ordination of social security systems; • public campaign regarding the existing means, goals, and ways of free movement of workers and co-ordination of social security systems; • leaflets, information papers concerning the free movement of workers and co-ordination of social security systems. <p><u>C.2 Investment component</u></p> <ul style="list-style-type: none"> • Procurement and delivery of the technical equipment (computers, network connections, faxes, copy machines) to the institutions concerned: Ministry of Labour and Social Solidarity, Ministry of Health and Family, Ministry of Education and Research, National Agency for Employment, National House for Pensions and other Insurance Rights, National House for Health Insurance and their territorial entities and for the Information and Documentation Centre for Migrant Workers; 			
			Preconditions

For the B component the approval of the Law on the insurance against work accidents and occupational diseases by the Romanian Parliament

C3			D	D	D	D	C	C	C	I								I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I
	<p>D = Design C = Contracting I = Implementation</p>																																										

TITLE "SUPPORT FOR IMPLEMENTATION OF SOCIAL AND EMPLOYMENT ACQUIS"
ANNEX 3: CUMULATIVE CONTRACTING AND DISBURSEMENT SCHEDULE (MEURO 7.20)

DATE:	31/03/03	30/06/03	30/09/03	31/12/03	31/03/04	30/06/04	30/09/04	31/12/04	31/03/05	30/06/05	30/09/05	31/12/05
COMPONENT A												
CONTRACTED		0,56	1,12	1,68	1,80							
DISBURSEMENT		0,24	0,48	0,66	0,92	1,12	1,32	1,46	1,64	1,80		
COMPONENT B												
CONTRACTED		1,5	2	3	3,7							
DISBURSEMENT		0,7	0,92	1,30	1,76	2,14	2,74	3,04	3,34	3,7		
COMPONENT C												
CONTRACTED		1,7										
DISBURSEMENT		0,3	0,52	0,68	0,82	0,92	1,08	1,30	1,56	1,7		
TOTAL												

NB: 1. All contracting should normally be completed within 6-12 months and **must** be completed within 24 months of signature of the FM.
2. All disbursements **must** be completed within 36 months of signature of the FM.