

## Facts and Figures on Gender Equality Romania

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**LEGAL FRAMEWORK:**

**ILO conventions ratified and Report of the Committee of Experts (2003):**

**No. 100** – ratified in 1957

**No. 111** – ratified in 1973. The Committee notes the new legislation adopted in the field of equal treatment and non-discrimination. However, the Committee asks the Government to provide information on how the legislation is applied and enforced as well as how employers and workers are informed about the legislation.

**No. 156** – not ratified

**No. 183** – ratified in 2002

(**No. 103** – not ratified)<sup>1</sup>

**National legislation:**

In May 2002, the Parliament adopted a *Law on Equal Opportunities and Treatment for Women and Men* as well as the *Emergency Ordinance*, a general non-discrimination ordinance. The *Law on Equal Opportunities and Treatment for Women and Men* prohibits direct and indirect discrimination based on gender in several fields including employment and education. Moreover,

the law states the principle of equal pay for work of equal value, whereas *the Constitution, the Labour Code* and *the Act on Remuneration* only specify equal pay for equal work. The *Criminal Code* has been modified and hence introduces sexual harassments as a specific crime. According to the EU Commission, further steps has to be taken to transpose the *acquis* regarding burden of proof, protection of the rights of pregnant women and free access to night work.

Romania is a country of origin, transit and (to a certain extent) destination for trafficking in women. A draft *Law on Combating Trafficking in Human Beings and Preventing Corruption* was adopted by the Government and is pending to be approved by the Parliament.

In March 2004 Law 25/5th for approving the Ordinance of Government number 96/2003 on protection of the maternity at the working place was enforced<sup>2</sup>.

<sup>1</sup> ILO-Ilolex

<sup>2</sup> ILO-Natlex

**GENDER EQUALITY MACHINERY:**

**The National Agency for Equal Opportunities**

In 1999 the *Direction of Equal Opportunities* was established within the Department for Coordinating the Labor Market and Wages. It was responsible for: (a) the integration of equal opportunities for women and men in social policies; (b) the assurance of equal

access of women on the labor market and the improvement of the working conditions; (c) the harmonization of the national legislation and the monitoring of the application process of the legal provisions; and (d) the development of studies and analyses related to women status, in collaboration with governmental and non-governmental organizations, and

the promotion of solutions to eliminate the resulted negative aspects.

In March 2000 - the *Direction of Equal Opportunities* gains autonomy, being of *Equal Opportunities* became a small Department, with only two employees and no budget.

In October 2003 - *the Ministry of Labor, Social Solidarity and Family* started its activities within the Romanian-Spain Institutional Twinning RO02/IB/SO-01 "The establishment of the National Agency for the Equal Opportunities between Women and Men (ANES)", which became operational in 2004.

### **The Consultative Inter-ministerial Commission on Equal Opportunities for Women and Men (CODES)**

November 1999 - *CODES* set up by government decision, which overall objective is gender mainstreaming. The Ministry of Labor and Social Protection would coordinate *CODES* activities, and the *Direction of Equal Opportunities* would provide secretarial services.

Romania has an Ombudsperson, *the Institution of the People's Advocate*, however not working specially with sex discrimination<sup>3</sup>.

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<sup>3</sup> KARAT/UNIFEM Database

## **SOME BASIC INDICATORS:**

**Female/Male activity rate and unemployment rate:** In 2002, the activity rate (age 15+) was 40.8% for women and 51.9% for men while the employment rate was 37.7% for women and 47.2% for men<sup>4</sup>. In 2003 unemployment rate was 8.9% for men and 7.1% for women<sup>5</sup>.

**Part time employment:** In 2002 proportion of women among part-time employed persons was 50.5% and proportion of men – 44.9%<sup>6</sup>. These figures are among the highest in the region.

**Sex distribution by employment sector:** In 2000, women comprised 49% of total employment in the agricultural sector, 37% in the industrial sector and 50% in the service sector. During the same year, women made up 49% of total employment in the public sector and 43% in the private sector<sup>7</sup>.

**Wage gap:** In 2003, the difference between men's and women's average gross hourly earnings as a percentage of men's average gross hourly earnings was 18%<sup>8</sup>.

**University graduates:** In 2003 46.05 % of all university graduates were women<sup>9</sup>.

**Composition of main national tripartite body:** The Economic and Social Council had 1 female and 26 male members in 2002<sup>10</sup>.

**Retirement:** The retirement age for women is 60 years and for men 65 years, both with at least 15 years of contribution<sup>11</sup>. (No changes)  
In 2002 in Romania were about 4.210.000 pensioners, 56.9% of them being women.

**Maternity and parental leave:** Maternity cash benefit is 85% of the salary and the benefit is payable for 126 days covering the period before and after childbirth. Fathers are entitled to 5 days of paternity leave. Following the maternity leave, either parent can be granted paid leave with 85% of the salary to raise the child until the age of two<sup>12</sup>.

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<sup>4</sup> ILO/Laborsta

<sup>5</sup> SEELINE

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<sup>6</sup> SEELINE  
<sup>7</sup> UNECE  
<sup>8</sup> Eurostat  
<sup>9</sup> SEELINE  
<sup>10</sup> ILO Working Paper 2003

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<sup>11</sup> ISSA  
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KARAT Coalition website, [www.karat.org](http://www.karat.org)