



The Issue of Digitalization and Decent Work from the Perspective of the Recent Evolutions of the Romanian Labour Law

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Abstract

In this short paper, we present the implementation of decent work principles in Romania in the light of the evolution of labour law in recent years. Three very important issues will be analysed. Firstly, we present the amendments to the Romanian Labour Code that have been made since 2020 and have played an important role in the strengthening of digitalisation.

Then, we will examine the impact of Directive (EU) 2019/1152 on transparent and predictable working conditions and Directive (EU) 2019/1158 on work-life balance for parents and carers.

Finally, we will also look at the changes in the regulation of social dialogue in Romania, which is a priority of the Decent Work Agenda.

Keywords: decent work, Romania, digitalisation, work-life balance, labour contract

1. Introductory remarks and the legal framework. Directions of decent work in the Romanian labour law

The last decade of Romanian labour law has been marked by a series of innovations and amendments under the banner of flexibility. In the case of both individual and collective labour law, the acceleration in the introduction of more flexible regulatory elements has been caused by the economic crisis that started after 2006, although there are also strong voices in the literature that the reference to the global economic crisis is not always tenable and has sometimes served as a good excuse for introducing

certain legislative changes.¹ Legislative interventions in the field of individual labour law have in many cases led to genuinely positive results, filling necessary gaps. In contrast, from the point of view of collective labour law and social dialogue, the introduction of the new code has had a disastrous effect, and it is not by chance that the literature has called the consequences of the 2011 legislative changes a ‘post-earthquake’ situation.²

All these legislative changes of the individual labour law in Romania point in the direction of decent work, but of course decent work should always be seen in a broader context. Decent work is linked to meaningful work, gender equality in the labour market, and in this context to work-life balance, but also to worker security, maybe even job security and employability. The notion of decent work is much broader than being understood as the opposite of precarious work.

The main topic of this study is to analyse the issue of digitalisation and decent work in Romania. We are concerned of three aspects regarding this very complex issue. First of all we must present the utmost important amendments of the Romanian Labour Code in the period of the Covid-19 pandemic, brought in force especially in year 2020, but not only, leading to digitalisation of labour law. The changes that occurred during the pandemic period have had a particular impact on the field of labour law, as the place and methods of working has undergone significant changes due to the requirement of social distancing and the use of teleworking. In Romania, the dramatic impact of this should be assessed in the light of the fact that the legal framework for telework itself was relatively young, with the entry into force of the Telework Law only in 2018, and by that time the practice of telework was still limited. However, we must admit that the Romanian legislator was relatively quick to bring the existing legal framework up to date with the new requirements, amending both the Telework Law and the Labour Code. Since 2020, there have been entering in force about 30 different pieces of legislation that affected the Labour Code to a greater or lesser extent, and a considerable number of amendments include new norms that specifically promote the digitalisation of labour law.

The second direction of our analysis is going to deal with the very recent amendments which are the result of the EU harmonization requirements Romania had to comply with. From this perspective, as regards the issue of decent work, we believe that the recent amendment of the Romanian Labour Code by Law 283/2022, which aims to implement two EU directives, is of a great interest. These two are Directive (EU) 2019/1152 of the European Parliament and of the Council of 20 June 2019 on transparent and predictable working conditions in the European Union and Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and

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¹ Nicolae VOICULESCU: Considerații privind dispoziții referitoare la flexibilizarea și securitatea relațiilor de muncă în Legea nr. 40/2011 pentru modificarea și completarea Legii nr. 53/2003 Codul muncii. *Revista Română de Dreptul Muncii*, No. 3. (2011) 48–57.

² Felicia ROȘIORU: Collective Bargaining in Romania: The Aftermath of an Earthquake. In: Sylvaine LAULOM (ed.): *Collective Bargaining Developments in Times of Crisis. Bulletin of Comparative Labour Relations*. Alphen aan den Rijn, Kluwer Law International, 2018. 73.

carers. This amendments could be analysed from the perspective of the decent work pillars of the ILO's Decent Work Agenda too, for trying to bring in light some conclusions regarding the compliance of the Romanian regulation with it.

As social dialogue is one of the four pillars of the Decent Work Agenda, we consider that the analysis of the Romanian developments considering decent work would not be complete without this issue. For this reason, the third field of our research examines the recent changes of the Romanian collective bargaining system. The previous Social Dialogue Act (Law no. 62/2011) was strongly criticized by scholars and social partners, considering that it played a major role in weakening the powers of trade unions and that of the role of collective bargaining. But in the last days of 2022 this law was repealed by Law no. 367/2022, the new Social Dialogue Act, and that raises the question whether this would be the first step towards the strengthening of the role of social dialogue in Romania, and how can that help to achieve the goals of decent work.

2. Digitalisation of the Romanian labour legislation in the shadow of the Covid-19 pandemic

The Covid-19 pandemic, which started in 2020, hit Romanian labour law in a phase of development that strongly emphasised flexibility and shaped the rules of individual and collective labour contracts accordingly. This process, in our opinion, has been accelerated by this unforeseen situation. The mass shift of workers to teleworking has made it necessary to rethink the regulation of teleworking. Only in the period between 2020 and 2021 about 18 pieces of legislation were published that have amended, supplemented or in some way affected the provisions of the Labour Code, and the line of the amendments is in process nowadays, too. One piece of legislation with a significant impact, the Emergency Government Decree No. 36/2021 introduced the rules on electronic signatures and electronic contracts of employment, but it also redefined the concept of teleworking in a simpler form than before, and introduced simplifying novelties in terms of labour protection issues, allowing the use of digitalisation tools.

By this time, the issue of the digitisation of labour law has become a focus of interest in the domestic labour literature. Studies on the subject focus mainly on the positive benefits of digitalisation, but the negative effects are not forgotten. For example, the authors Magda Volonciu and Marioara Tichindelean specifically highlights the consequences of remote work that can jeopardise work-life balance. They argue that teleworking, for example, undermines the confidentiality between employer and employee, but can also cause ongoing stress for the employee because there is no clearly defined work schedule.

Such a worker is more independent, but not necessarily happier. However, they argue that finding a work-life balance in the digital work environment depends on the employee's sense of responsibility³.

Alexandru Țiclea considers that an important step in the digitalisation of labour law in Romania is the introduction of the possibility of electronic signatures for labour documents and information to employees, and it is certain that workers will increasingly need technical skills and digital competences, while some of the work will inevitably be taken over by robots⁴.

It should be noted, however, that although the digital skills of the younger age group are presumably better than those of the older age group, it is youth unemployment that is still significant in Romania. According to data from the National Institute of Statistics, this rate was around 20.9% in 2021, compared to 6.8% for 25-34 age group and 4.1% for those aged 55 and over⁵. As one aspect of Goal 8. of the Agenda of Sustainable Development, entitled 'Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all' is to achieve by 2030 full and productive employment and decent work for all women and men, *including for young people* and persons with disabilities, and equal pay for work of equal value and to reduce substantially by 2020 *the proportion of youth not in employment*, education or training, obviously Romania has a lot to do in the future. All the more so as the importance of the workplace lies in the fact that it is the main means available to workers and society in general on fighting poverty⁶.

In the context of digitalisation Laura Georgescu turns her attention towards the issue of jobs and the place of work. She considers that many jobs have already disappeared and will disappear from the labour market, but new types of work will emerge that can create new jobs. She considers that given that personal qualities such as determination, creativity, inventiveness and cooperation are the most sought-after in today's labour market, training structures are the cornerstone of job retention and employability⁷. As the author says: „[T]he need for new skills to develop new jobs is great. Thus, vocational training is a key to the development of these jobs and obviously of the economy.”⁸

As we can see from the examples above, the impact of digitalisation is at the heart of labour law and can be approached from a variety of angles. For the purposes of our study, we need to understand the contribution of digitalisation to the achievement of the decent work objective. From the point of view of the Romanian labour law, in addition to the emergence of the regulation of teleworking, the Romanian Labour Code has introduced the regulation of electronic signatures on labour documents as a step towards digitalisation. Article 16(1¹-1²) of the Labour Code states that the

³ Magda VOLONCIU – Marioara Țichindelean: Aspecte privind rolul muncii digitale în reconcilierea vieții profesionale cu viața privată. *Revista Română de Dreptul Muncii*, no. 5. (2021) 28–32.

⁴ Alexandru Țiclea: Roboții și forța de muncă. *Revista Română de Dreptul Muncii*, no. 4. (2021) 24–32.

⁵ National Institute of Statistics: Romanian Statistical Yearbook 2022. https://insse.ro/cms/sites/default/files/field/publicatii/anuarul_statistic_al_romaniei_carte-ed.2022.pdf

⁶ Alexandru Țiclea: Promovarea angajării și a muncii decente într-o lume în schimbare. *Revista Română de Dreptul Muncii*, no. 6. (2021) 18.

⁷ Laura GEORGESCU: Locurile de muncă în contextul actual al digitalizării. *Revista Română de Dreptul Muncii*, no. 4. (2021) 46–51.

⁸ Ibid. 51.

parties may choose to use the advanced electronic signature or the qualified electronic signature when concluding, amending, suspending or, where appropriate, terminating the individual employment contract. The employer may choose to use the electronic signature, advanced electronic signature or qualified electronic signature or the employer's electronic seal for the preparation of all documents/documents in the field of labour relations resulting from the conclusion of the individual employment contract, during its execution or upon termination of the individual employment contract, under the conditions set out in the internal regulations and/or the applicable collective labour agreement, according to the law. In the same time though the employer may not oblige the person selected for employment or, where applicable, the employee to use an advanced electronic signature or a qualified electronic signature when concluding, amending, suspending or, where applicable, terminating the individual employment contract, and when concluding, modifying, suspending or, as the case may be, terminating the individual employment contract, the parties shall use the same type of signature. As another field of digitalisation the regulation of the Labour Code says that every employer is obliged to set up a general register of employees, which is an electronic register, and is accessible online for employees or former employees in respect of data concerning them. The right of access is limited to viewing, downloading and printing this data, as well as generating online and downloading an extract from the register.

Of course, an individual employment contract could be signed electronically even before the amendment of the Labour Code by Emergency Ordinance 36/2021, being applicable the regulations of Law 455/2001 on electronic signature. This law states that when written form is required as a condition of proof or validity of a legal act, a document in electronic form fulfils this requirement if an extended electronic signature, based on a qualified certificate and generated by means of a secure signature creation device has been incorporated, attached or logically associated to it.

As stated in the Romanian labour literature, in an initial form of the Emergency Ordinance No. 36/2021, the employment relationship documents were to be signed only with qualified signatures, but later the authorities changed their mind and established that advanced signatures can also be used in this process. With this extension, the state practically grants the value of handwritten signatures and advanced signatures in the field of labour relations, but this recognition applies only on the territory of Romania, which means that employment documents signed with these instruments will not be implicitly recognised abroad⁹. At the same time, the author also points out that not only individual employment contracts and additional acts can be concluded by using the electronic signature, but also other acts drawn up by employers, such as summoning the employee to disciplinary investigation, cancellation of disciplinary sanctions, and others. Also, if the employee has an advanced or qualified

⁹ Dan Țop: Digitalizarea contractului individual de muncă, încheierea, derularea și încetarea în format electronic a acestui document, cu semnătură electronică. *Revista Română de Dreptul Muncii*, no. 4. (2021) 38.

signature, he or she will be able to send, for example, the notice of resignation to the employer electronically¹⁰.

However, since still only a few people have an electronic signature, which can be obtained through a quite complicated procedure, and since cannot be a real expectation every employee to have such an electronic signature, we believe that it is very important that the law specifies that the employer cannot force the employee to use electronic signature.

Thanks to digitalisation efforts, teleworking opportunities have become more widespread from 2023 onwards, thanks to the entry into force of Law 241/2023. This legislation amended the Labour Code and thus brought clear practical benefits for workers. As Professor Dan Țop points out, „lately employers, under the influence of the impact generated by the pandemic, coupled with the desire of employees to have more flexibility in terms of organising their work, are focusing on the implementation of hybrid work schedules which essentially involve a given time frame (usually referred to as the working week) for employees to work from jobs organised by employers as well as from other jobs of their choice.”¹¹ Thanks to this joint demand from employers and employees, the Romanian legislator has added Article 118¹ to the Labour Code, which broadens the practical possibilities for workers with children to switch to teleworking on a temporary basis. What does this new option look like, how and under what conditions can workers take advantage of it?

There are some essential conditions for switching to teleworking under the law. Firstly, it must be taken into account that only employees with children under 11 years of age are entitled to telework for a maximum of 4 days per month and that the other parent of the child must declare on his/her own responsibility that he/she has not requested teleworking during the period in question. The question arises as to whether an employee can request to telework if his or her spouse is on parental leave for another child. However, since the law does not consider this case as an exception, the literature and case law consider that it is possible.¹²

The employer can only refuse a request to switch to telework if the nature of the work does not allow it. However, if accepted, the employment contract must be completed and entered in the electronic registration system.

Although, as has been shown, this new possibility of teleworking requires a relatively large number of administrative conditions to be fulfilled, it can certainly provide workers with an effective means of more flexible scheduling of their work programme.

¹⁰ Ibid. 42.

¹¹ Dan Țop: *Puncte de cotitură în legislația muncii din România (2022-2023)*. Târgoviște, Zven, 2023. 207–212.

¹² Ibid. 210–211.

3. Transformation of the Romanian labour legislation due to implementation of EU Directive 2019/1152 on transparent and predictable working conditions and EU Directive 2019/1158 on work-life balance for parents and carers

As the Communication from the Commission to the European Parliament, the Council and the European Economic and Social Committee on decent work worldwide for a global just transition and a sustainable recovery stated, the Covid-19 pandemic has exacerbated income and labour market inequalities and disproportionately affected women and vulnerable and disadvantaged groups. Although the two EU Directives, we are focusing on, were published in 2019, the implementation process of these directives has happened exactly in the post-pandemic period. Even so, the scope of the two directives fits in with the objectives of decent work, as they contribute to promote rights at work, to encourage decent employment opportunities and to enhance social protection.

In order to properly implement the provisions of Directive 2019/1158 on work-life balance into Romanian law, several amendments to the existing legal framework had to be made, including, where appropriate, the adjustment of the legislation containing the norms of application. As a result, the Labour Code, Law 210/1999 on paternity leave, Emergency Ordinance 111/2010 on childcare or even Law 202/2002 on equal opportunities and equal treatment between women and men have been amended and supplemented. None of the above norms, apart from the equal opportunities rules, was enacted by the August 2022 deadline, despite the fact that only the legislation amending the provisions of the Labour Code and the Administrative Code was passed as a law in the ordinary parliamentary legislative procedure. For the other pieces of legislation the government undertook to draft the legislation, and, as we see in the case of the regulation regarding childcare, explicitly under the emergency procedure.

In our view, in the case of paternity leave and childcare, the implementation of the Directives has in fact only resulted in the adaptation of some parameters of the previous legislation, as the existing norms were basically in line with the Directive requirements. In terms of improving working conditions and work-life balance, for women employees in the first instance, the more substantial impact of Law 283/2022, which supplemented the provisions of the Labour Code and the Administrative Code, is outlined. The institution of carer's leave, which did not previously exist in Romanian labour law, was introduced. However, under the current rules, the employer is obliged, upon the written request of the employee, to grant him/her 5 working days of carer's leave per year in order to provide care or personal assistance to a relative or a person living in the same household who needs care or assistance only because of a serious health problem. This period will not be included in the annual leave.

A similar innovation for the Romanian labour law is the introduction of rules on time off from work on grounds of *force majeure*. In unforeseeable cases requiring the immediate presence of the worker, which constitute a family emergency due to illness or accident, the worker has the right to take time

off from work, subject to prior notification to the employer and full compensation for the normal work schedule. Absences for such reasons may not exceed 10 working days in a year and must be made up in full by mutual agreement between the employer and the worker.

Parallel with the implementation of Directive 2019/1158 on work-life balance for parents and carers, the impact of the implementation of Directive 2019/1152 on transparent and predictable working conditions has had a broad impact on labour law, which perfectly fits into the decent work paradigm. In the course of the parliamentary procedure, the draft law suffered numerous modifications comparing with the provisions originally drafted. The Legislative Committee, although ultimately gave a favourable opinion on the draft law, criticised it on several points, pointing out shortcomings and inconsistencies. These, such as the outlining of the requirements for new definitions, have finally been adequately corrected.

Analysing the amendments of the Labour Code, we consider that there can be found two clear features of the legislator's approach to labour law. One is the broadening of the applicability of labour law. This trend did not appear, of course, only in the above presented process of implementing the Directive. This trend can be seen, for example, in the attention paid in recent years to the regulation of atypical forms of work (day labourers, domestic workers, but also teleworking). The other characteristic, in our opinion, is that Romanian labour law continues to follow a relatively rigid regulatory line in terms of flexible working, which is not necessarily detrimental to workers' security. In the context of the Directive, this approach can be seen in relation to unpredictable working hours and on-call contracts, which have not been taken over in Romanian labour law.

The Romanian legislator has, however, transposed provisions on protection against unfair treatment and consequences, which result in a higher level of protection for workers in Romanian labour law, and can add a contribution in achieving the aim of decent work. Previously, the Labour Code regulated the prohibition of discrimination in general, the principle of dignity at work, prohibition of harassment and, since its amendment by Law 151/2020, it has regulated the issue of direct and indirect discrimination, too. The new complementary norms added to the Labour Code the regulation of the measures necessary to protect workers, including those who are workers' representatives, from any adverse treatment by the employer and from any adverse consequences resulting from a complaint lodged with the employer or resulting from any proceedings initiated with the aim of enforcing compliance with the rights provided for them.

There are three areas of the Directive 2019/1152 which have not been implemented, despite the fact that, in some cases, the legislator had originally intended to introduce them under the draft law. The first such field is the regulation regarding the maximum duration of any probationary period. The Romanian legislator adopted no change in the existing regulation, as the Directive does not make the probationary period compulsory, it only sets the maximum period, and the Romanian legislation is in line with this. The draft would have added a final paragraph to Article 31, according to which a longer

probationary period than the main one could be provided for by a special law, depending on the nature of the work or the interests of the employee, but this provision was not included in the final version of the amendment to the Labour Code.

Regarding the minimum predictability of work the starting point of the regulation is that the employer is obliged to take into account, as far as possible, the request of an employee to transfer from a full-time to a part-time job or from a part-time to a full-time job, or to increase his/her work schedule, if the possibility arises. This article was to be supplemented by three new articles in the draft transposition law, which would have defined the concept of part-time worker with an unpredictable work schedule, the concept of unpredictable work schedule and the conditions for working in an unpredictable work schedule. A similar provision would have been included in Article 278² for employment relationships not based on an employment contract. Finally however the regulation of entirely unpredictable or mostly unpredictable working pattern was not adopted, and it is still not possible in Romanian labour law to conclude such kind of employment contracts.

Finally the Romanian legislator also omitted to regulate the on-demand employment contracts, as this possibility is completely alien to the Romanian labour law traditions.

The impact of the transposition of the two directives on the development of Romanian labour law will be felt in everyday labour law practice only in the future. However, we consider that all the changes in the legislation brought about by the implementation of these two directives can be considered as a step towards reaching the goal of decent work, while flexibility and the consideration of workers' security remained in the focus of the attention.

4. The role of social dialogue in achieving the goal of decent work in Romania

The fourth pillar of the ILO's Decent Work Agenda emphasises the utmost important role of social dialogue. Since 2011, the social dialogue system in Romania has been governed by Law 62/2011, which has had a disastrous impact on the development of social dialogue and the social partners' capacity to assert their interests. In a study elaborated in 2016, researcher Victoria Stoiciu concluded that "[T]he 2011 labour law reform considerably diminished employees' freedom of association and restricted the right to form unions to an extent that the ILO has criticized as non-compliant with its standards."¹³

Last year, however, a new law on social dialogue, Law 367/2022, entered into force as a 'Christmas gift', which, although the effects of the marginalisation of the role of the social partners have not disappeared without a trace, can be seen as a promising step forward, at least in some respects.

¹³ Viorica STOICIU: *Romania's Trade Unions at the Crossroads. Challenged by Legislative Reforms, Economic Crises and a Power-loss of 60 per cent.* Berlin, Friedrich-Ebert-Stiftung, Dept. for Central and Eastern Europe, 2016. <https://library.fes.de/pdf-files/id-moe/12924-20161123.pdf>

Without analysing the law exhaustively, we would like to highlight below only some of the provisions of the new law on social dialogue which we consider to be in line with the objective of achieving decent work in Romania.

An extension of the scope for compulsory collective bargaining between the social partners is certainly part of decent work. Thanks to the new legal provisions, collective bargaining is now compulsory at company level for 10 employees instead of 21, but it is also compulsory at sectoral level. At least as important is the fact that the law once again allows the parties to conclude a collective agreement at national level, which was not possible under the previous legislation. However, in order to ensure that negotiations can be concluded in a meaningful, fair and reasonable period of time, the legislator has reduced the deadline for the conclusion of collective bargaining from 60 to 45 days. The new law sets out five elements that the parties could negotiate and include in collective agreements. These are measures adopted for the counselling and professional assessment of employees, measures to harmonise family life with professional objectives, working time and rest period, regulations on working conditions and those relating to the health and safety at work of employees or the arrangements for informing and consulting employees. Future collective labour agreements could also include clauses establishing the application of minimum hierarchical coefficients by category of employees or workers and taking into account occupational standards. Last but not least, the law creates a more favourable situation for workers' representatives and trade unions in several respects. For the latter, the representativeness threshold has been reduced from 50% plus one to 35%, and the initiative of 10 workers is sufficient to form a trade union. In the absence of trade unions, employee representatives are responsible for defending the interests of employees. In the case of employee representatives, the law also clarifies that employers are prohibited from interfering in the election of representatives by employees.

To what extent the new Romanian Social Dialogue Law will finally contribute to the re-establishment of a real social dialogue between the social partners in Romania remains to be seen. One thing is for sure, in order to revitalise the social dialogue, it was absolutely necessary to transform the legal framework, and this has started with the entry into force of the new law, albeit with shortcomings or even mistakes. Broadening social dialogue can contribute to achieve the objective of decent work.

Although the introduction of the new law has given rise to optimism among the social partners and experts, one year on, the practical impact of the law has not yet lived up to expectations. If we look at the official data published by the Ministry of Labour and Social Solidarity, we see that while there is still no collective bargaining at national level, the number of collective agreements concluded at regional or company group level has not increased significantly, compared to previous years. This obviously means that the number of economic sectors covered by collective agreements

has not increased either. In practice, such collective bargaining and contracting has continued to take place only in the fields of health and pre-university education.¹⁴

5. The path to decent work in Romania in the age of digitalisation. Some concluding remarks

Over the past two decades, it has become increasingly common to hear the verdict that labour law is in crisis, finding it difficult to fulfil its main task of protecting workers and creating decent work conditions for them. This is happening first and foremost because since classical labour law rules were established, society as a whole has undergone a profound change, with the labour market shifting towards production and the economy, globalisation, digitalisation and flexible work. The pace of change in our world seems to have accelerated in recent decades, and this is not anything new. Change is the new constant, it is the measure of our individual and collective existence, by which we try to be present in the present, plan our tomorrows, dream our futures. We seek security amidst the forces of change and stability that so often oppose each other. Labour legislation seems to reflect these trends, with employment flexibility gaining prominence, often referred to as the key to work-life balance, but often at the expense of workers' social security, and with its many other drawbacks increasingly visible beneath the surface of a beautiful future. They already exist in the present, and the future will unquestionably bring with it forms of work that maximise this flexibility, while taking advantage of the opportunities that under-regulation can bring to the detriment of those who do the work. Meanwhile, and we must not forget this, the starting point remains that the employment relationship is the cornerstone of society and of modern labour law.¹⁵

We still seek the path to achieve the ideal of decent work, the ILO Decent Work Agenda pointing the direction we must follow.

In this short study, we examined whether the recent development of Romanian labour law follows the pattern set by the decent work agenda. We therefore looked at how the regulation of individual labour law has changed in the last two to three years in line with the requirements of digitalisation and how Romania has implemented the Directive 2019/1158 on work-life balance for parents and carers, and Directive 2019/1152 on transparent and predictable working conditions. Our conclusion is that the implementation of the two directives into national law has resulted in legislative changes that meet the requirements of decent work and may facilitate its achievement. In the final chapter of our study, we looked at the issue of social dialogue and sought to assess the potential impact of legislation changes in this area. It would be difficult to draw any valid conclusions in this area at the moment,

¹⁴ <https://dialogsocial.gov.ro/sector-de-activitate/#>. (Accessed on 15.12.2023)

¹⁵ Simon DEAKIN: *The many futures of the contract of employment*. University of Cambridge, ESRC Centre for Business Research, 2000. 10.

both because the law itself has only been in force for a few weeks and because the draft law amending the new social dialogue law, with which the legislator is trying to correct the errors and contradictions in the law, which unfortunately abound, is already under discussion. However, we are optimistic about the new possibilities for the development of social dialogue, and we hope not without reason, at least when comparing the new legal framework with the previous one that existed in Romania.