

STRATEGIES AND DEVICES FOR APPLYING THE SOCIAL POLICY OF THE EUROPEAN UNION

Ion Daniel POPA*

Abstract: The manner in which are applied the strategies and instruments of social policy at EU level rely on the social dialogue which is the way in which consulting is done at the community level between the social partners and the European Commission, and which facilitates the identification of efficient solutions for the development of the social policies. The European employment strategy is a result of the social dialogue, being conceived as a major instrument for the planning and coordination of the community priorities, whose goal is to control unemployment in the EU member states. Given the special interest for the social policy at EU level, the greatest challenge to access the European Social Fund is to make a portfolio of projects accompanied by a proper financing. These aspects are essential for the proper absorption of the structural funds.

Keywords: social policy, employment, unemployment, European Social Fund, social economy

1. The social dialogue

The social dialogue was initiated in 1985 and promoted in 1986 by the Unique European Act that was consolidated in 1998, is one of the key elements of the European social model.

It represents an inspection procedure at a communitarian level by means of which there are involved the social partners on one side and the European Board on the other. The main actors that are involved are *The European Union Confederation, the Patronage Union from the European Confederation and The European Centre for*

* Expert on social policies and absorption of structural funds, Ministry of Labour, Family and Social Protection, email: iondanielpopa@yahoo.com.

Public Enterprises that represent the employees, patronages and respectively the sector of the liberal activities.

In time, the social dialogue proved to be an efficient method to find mutual solutions for evolving the social politics, having as result a number of mutual points of view and agreements between the social partners and Committee¹.

The opinions represent formal expressions as a result of the social dialogue that do not ask any commitments from the concerned parties and they represent a mutual compromise position about a problem aspect. The collective arrangements have the aspect of a mutual assumed agreement for the interested parties and represent a way of concluding over a solution that solves a common problem². The agreements established till present refer to:

- Parental leave (1996) – includes the possibility for the workers to get parental leave after the child is born and the expiration of the maternity one;
- The part time work (1997) – allows the employees to adapt their work schedule;
- Limited time contracts (1999) – allows the employer to use more contracts on a limited period of time for the same worker;
- The management of the work time of the seaside staff (1999) – that establishes the management of the work time and the alternation of the work hours with the rest ones.
- The succes of this social dialogue merges into the fact that all these agreements were made leading directions. To involve and consult with the decision partners got more and more importance in the positive evolution of the communitarian politics, and, as for the countries to adhere in the future, the dialogue structures building is a must.

2. The European method of engaging the labor force ████████████████████

The European strategy of engaging the labor force was adopted the same time with the adding of the chapter about the labor force's engaging in The Treaty from Amsterdam.

The strategy has as main purpose unemployment control at EU level and was conceived as main guidance instrument of the communitarian priorities in this direction, priorities that will be pointed out by each member state. More precisely, the

¹ *The sector social dialogue in Europe*, European Commission, Office for Official Publications of the European Communities, Luxembourg, 2003, p. 8.

² *The Social Politics of the European Union*, p. 14.

purpose of the strategy is the coordination at a communitarian level of the engaging policies from each state¹. At the beginning, it was elaborated as a five year long strategy and was submitted to evaluation in 2000 and 2002.

Depending on the identified priorities the strategy is structured on four pillars, each of them representing a field of action which evolution contribute to a better engaging of the labor force:

1. The employment – represent a new orientation point concerning the labor force engagement and refers to the ability of having a job, this way contributing to the unemployment control between the young people and to the long term unemployment control;
2. The entrepreneurship – promotes the creation of new work places by encouraging the local evolving;
3. Adaptability – the modernization of the work organization and the promotion of the flexible work contracts;
4. The equal chances provision – to adopt special measures for women on the purpose of reconciliation of the professional life with the personal one².

The way the strategy works is structured in many steps³:

1. To establish some **guiding lines for labor force engaging** (Employment Guidelines), a document elaborated yearly having as a start a motion of the European Committee that is discussed and approved by the European Council;
2. To elaborate some **national plans of action** (National Action Plans) by each member state that describe the way the elements of the previous document are applied at a national level;
3. The elaboration of the Committee and the council of a **common Report about engaging** (Joint Employment Report) that has as a start the national action plans;
4. To establish specific recommendations for each member state (Council's recommendations on the basis of the Committee's suggestions).

The method on which accounts this coordination process of the engaging of the labor force is a method initiated inside The Engaging Strategy and known as the open

¹ *The Social Politics of the European Union*, p. 16

² *The European Social Fund – An overview of the programming period 1994 – 1999*, p. 23.

³ *The European Union Support in the field of the labor force engaging and of the human resources*, The Guidance National Institute, Bucharest, 2000, p. 7 – 9.

coordination method (The Open Method of Coordination)¹. The principles of this method are:

- *The subsidiary principle* – represents the establishment and sharing of responsibilities between the communitarian and the national level and the engagement of the member states concerning the adopted action measures' implementation for their accomplishment at a national level in a detailed manner;
- *The converging principle* – means the following up of the common objectives by correlated actions;
- *The management by means of objectives* – refers to the monitoring and evaluation of the progress by establishing mutual guidance for all the member states. By using the objectives and the guidance the policies' results will be transparent and given to the public's attention;
- *The country surveillance (country surveillance)* – to elaborate reports that register the progress and identifies the good practices at the member state level;
- *The integrated approach* – it supposes the evolution of the common work market direction policies and also in some other policies (social, educational, entrepreneurial, and regional).

Beginning with the year 2005 The European Engaging Strategy will be revised by putting into practice the new coordinating lines from the European's Committee schedule that will be suggested for approval to the Ministers' Council. The coordinating lines room the social policies' field are the following²:

1. The implementation of the engaging policies having as final objective de full engaging, the enriching of the quality of work and the consolidation of the economical and social cohesion. This field's policies have to contribute to a rate of general engaging of 70% in the EU, 60% for women and 50% for the workers with ages between 55 and 64 till 2010.
2. To promote a way of approaching the work field during the whole life time, by means of the following types of measures: to ease the young people access, to reduce the characteristic gaps between the employment and wages payment, the reconciliation of the professional life with the private one and accessible places of work for children and disabled persons caring possibilities, to sustain the active growing old including corresponding work conditions and to discourage the early retirement.

¹ Jones, Robert A., *The Politics and Economics of the European Union*, p. 73.

² *Integrated Guidelines for Growth and Jobs 2005 – 2008* (12. 04. 2005).

3. To assure an inclusive work market, to raise the work activity: active and welcoming measures for the work market – to identify in time the needs, assistance for finding a place of work, orientation and professional guidance as part of the personalized action plans, to create new places of work especially at the local level.
4. A better response at the needs of the work market – to restyle the institutions of the work market especially in the field of the engaging, to give away the obstacles of workers' mobility in EU, efficient management of the economical migration.
5. To promote the flexibility and reduce the segmentation of the work market – to adapt the national legislation in the field of the contractual acceptances and of the work periods of time, to solve the problem of the undeclared work market, the positive management of the changing by anticipating the economical restructuring for minimizing the social costs.
6. The extension and enrichment of the investments in the human capital – inclusive educational policies and actions for facilitating the access to all forms of education and training, to reduce the level of scholar abandon, strategies for studying during the whole life that are open for everybody in schools and in the business field.
7. To adapt the educational and professional orientation systems just to answer to the new competences' demands – to upraise and assure the activity, accessibility and standards of educational quality, to extend the mobility possibilities for students or lecturers, to ease and vary the access to education, training and to get new knowledge by measures of management of the work time, services for family support, vocational counseling and new forms of sharing the costs; to enrich the definition and the transparency of qualifications and competences, their effective recognition and the validation of the informal types.

For estimating the European Strategy of engaging and of the National plans of action, there were established the following objectives:

- To each unemployed there is offered a new start before he or she encounters six months of unemployment when it is about the young and twelve months when it is about the adults, by means of trainings, professional reorientation, apprenticeship time, also combined there where there are certain possibilities benefiting of guidance for finding a place of work;
- 25% of the long term unemployed will take part till 2010 to an active measure rounded as training, reconversion, completion stages or other kinds of measures with the purpose of getting to the highest level of employment as the most advanced three member states;

- The persons that are looking for a place of work are capable to check all the offers that have vacant places offered by the engaging services all over the EU;
- A five year old average age medium at the European level to get out on the work market till 2010 (comparing with 59 years old as limit in 2001);
- To cover the services for children caring to at least 90% till 2010 for children with the age between 3 and 7 and to 33% for the under three years old children;
- A medium rate of scholar abandon in the UE of maximum 10%;
- At least 85% of the 22 year old young people from the EU to have finished the high school studies till 2010;
- The level of participation at the studying programs during the whole life to be at least of 12, 5% from the adult population that is capable of work (the age group 25 – 64 years old)¹.

3. The Social European Fund

The Social European Fund suffered many changes from its foundation till now in accordance with the social and economical context, the changing of the communitarian policies' approach, of the progressive extension of the Union from 6 to 25 members, but mostly by means of the periodical reviews concerning the efficacy, opportunity, its role, management and impact. The importance of maintaining the Fund in a perfect accommodation with the changing needs was recognized by introducing checking amendments for each of its major reforms.

The initial faze (1957-1971)

The European Social Fund (FSE) is the oldest structural fund and was created by the Treaty of Rome (article 123) with the purpose of evolving the employment opportunities inside the Community, by promoting the work force and by raising the geographical and occupational mobility of the persons. The FSE management was handled to the Committee, assisted by the Social Fund Committee which holds the members of the government, patronage associations and the syndicates – institution that is still in function nowadays.

The initial standards (article 125 of the Treaty) offered the possibility for the public authorities from the member states to get drawback guaranties equivalent with a half of the existing costs for the professional orientation and the financial supplements for

¹ *Targets and Benchmarks set in the framework of the EES*, annex 1 to the guiding Lines for the economical advance and work places.

changing the workers' domicile as well as for the allowances for the workers that were affected by wages lowering during the restructuring period programs for the enterprises. As for the restructuring or changing the activity of an enterprise, the financial help was granted only if the Government in service got the approval of the plan from the Committee and all the workers were reemployed in a period no longer than six months.

The objective was to assist the workers that were moving from a place to other looking for a job and of those that needed to get new abilities and qualifications in fields that were changed or changed the production machines¹. The development for activities in the public sector or the public initiative was omitted.

In these early times, the unemployment wasn't a big problem as it was to become later and FSE was supporting a number of policies for sustaining the professional orientation and for the workers' mobility that underlined their rights of free movement and mobility inside the Community. The economical evolving was the one that should solve automatically the unemployment problem without the active social politics from the field of the work market which are more than useful in the last years because of the hardened conditions from the last years².

During the interval September 1960 – December 1973, FSE offered guaranties of 400 millions ECU for the professional reconversion for almost one million persons and the migration of about 700.000 persons. Italy was the main beneficiary with 65% *from the total of the assisted persons*, followed by Germany, France and Belgium. From a *financial* point of view, Germany, with a well oriented professional guiding system and with an extensive program for the rehabilitation of the disabled workers was the major beneficiary getting 24% from the total of the financial support, followed by Italy with 36%. The grant applications raised in number from 8, 2 million ECU in 1965 to 46, 2 million ECU in 1970³.

The fund's weaknesses in the first period of time

The fund was financed in 1969 (then when the Committee's budget was introduced and was counting on "itself resources") by direct contributions of the member states. There was reached an agreement through which some member states contributed relatively more to FSE than others. Expecting that countries that contributed less to be the major beneficiaries, this arrangement speculated the intention to offer FSE a

¹ El – Agraa, Ali M. (2001), *The European Union. Economies and policies*, Person Education Ltd., Essex, p. 415.

² Cram, Laura, *The European Union*, p. 254

³ *The European Social Fund – An overview of the programming period 1994 – 1999*, p. 34.

redistributive role. This was the situation in a certain amount in the first years, but, beginning with 1967, the most prosperous member state, Germany, became the major beneficiary. This failure of the redistribution effect of resources was considered one of the main problems of FSE at the moment of the first balance sheet¹.

The review term was established by the Treaty, at the end of the 12 years transition period for creating the Common Market. The Council was assigned (art. 126) to make changes at this moment inside the FSE's operational system necessary for an as efficient as possible accomplishment of its objectives.

The other important problem that appeared in this first period of FSE was the fact that the retrospective financing system made impossible the Committee's influence on the markets of the national work and over the policies for continuous professional orientation.

The 1971 Reform – the adding of the communitarian dimension

At the middle of the 60's, the first ideas referring to the unemployment's decrease were taken as untrustworthy and then it was understood that the most part of the unemployment problem is owned to the impact of the communitarian policies, especially in the economical field. It became obvious that in some regions the labor force was embarrassed by structural factors. The expectances of a unique labor market didn't manage to come to a point.

In 1969 the Committee expressed its conclusions after the first reform of FSE. The objective was the extension and consolidation of the Fund as instrument that has to rather be on the line with the Committee's policies than with the national objectives by introducing the efficiency and flexibility criteria inside its management. The new fund that appeared (adopted in 1971 and ruled on May the first 1972) had substantially more resources, overcoming in the first two years the entire budget that the antecedent fund had for a period of twelve years.

The new structure was the result of the compromise between the member states that agreed to concentrate only to a certain category of workers and over the structural unemployment in the regions less evolved. The retroactive financing system was replaced by the reform from 1971, by new rules that suggested that the applications have to be put into discussion before the beginning of the operations. The Council's adopted decision in 1971 replaced the stipulations from article 126 of the Treaty with a new system that sustained the following two types of intervention:

¹ Miron, Dumitru, *The European Union Economy*, p. 375

- To improve the level between the supply and the demand of work demand inside the Community or there where the level of engagement was affected by the policies of the Community. The categories of persons implied were established by the Council in the previous decisions, first of all, referring to the persons that desert the agricultural sector. This measure extended over the works of the fabric and leather fields also the moment when the sector of the domestic industry suffered changes to a very high level and also redundancies once the commerce was liberated.
- To assure the support for action inside the national politics for promoting the labor field engaging in the regions less evolved, in the economical sectors and of the firms' groups that suffers changes because of the technological changes as also for the rehabilitation of the disabled persons.

A supplementary innovation was the FSE opening towards the private sector and innovation. For the first time, the private organizations and the pilot activities became eligible for the FSE grants.

The adding from 1977 and 1978

Although the next FSE major review wasn't predicted before the beginning of the 80's, the deterioration of the engagement situation especially between the young persons and in the regions less evolved, led to some amendments. The eligible categories were enlarged in 1977 to include:

- Migrant workers and their families;
- Women under 25 years old without a place of work or who wish to go back in the labor field after a long absence period;
- Young unemployed under 25 as age and especially looking for their first labor place.

The regional aspect

Reflecting over the growing attention over the regional differences that led to the creation of the Regional Evolving European Fund (FEDR) in 1975, the Council adopted a regulation on 20 of December 1977 through which there was granted a great rate of support for the insular French departments, Ireland, North Ireland and the Italian Mezzogiorno. The enumeration of these regions, that hold the generically term of 'absolute priority regions' raises the FSE importance by taking it into consideration between the regional evolving instruments.

Help for creation of labor places

Watching more and more worried the enlargement of the number of unemployed, the European Council from 6 – 7 July from Bremen asked for additional actions from FSE part on this purpose. This led to the introduction of a new type of help meaning the founding of new places of work available from 1979 among the support for the professional orientation and of the form of the work force. FSE was assigned to contribute with over 30 ECU a week for a period of maximum twelve weeks for the persons under 25 years old that are looking for a place of work for their engagement in different areas of activity where to get the necessary experience with the purpose of fixed employment or to integrate the public needs.

The 1983 reform – lowering the unemployment around the young people

The unemployment's situation deterioration especially among the young people had a capital influence in the reviewing of FSE assignation in 1982. That year, the unemployed number from the European Community reached to the number of 10, 5 million from which 42% were under the age of 25. Plenty of youth suffered from the lack of an initial and professional orientation necessary for getting a job. Even the conventional qualifications at the superior level were often unadjusted to the work market's needs. The programs for the young persons met as percentage 44% from the financing actions of FSE in 1982 but the member states created new educational elaborated schemes inducing a raise of the demand for a bigger support from FSE's part.

The Committee reported to the Council that the Fund's structure proved to be too harsh and difficult for suiting the permanent changing needs and suggested a new field that should concentrate on the fight against the unemployment. The committee's objective was to "ensure the support for the implementation of a guaranteed type of training for all young persons and to promote a dynamic reaction to the unemployment's problems among the young ones". This new system that was implemented in 1984 stipulated the fact that the young persons must represent at least 75% from the total of the final beneficiaries of the financed projects through FSE. The priorities for the patterns addressed afterwards to the young people and which were described in the Committee's guide for the Fund's management caught>

- Support for the young persons under the age of 18 that match the professional orientation and work experience that offer employment perspectives;
- The professional guidance for the persons that are between 18 – 25 years old that have inappropriate qualifications for the work places that ask the using of the new technologies;
- The support for making new work places in the regions of absolute priority.

The emphasis of the regional centralization

The new decision presumes an allotment of 40% from the budget to Greece, the insular French departments, Ireland, North Ireland and Italy. The percentage went up to 44, 5 in 1998 when the list was charged with Portugal and some regions in Spain. The left fund were to be concentrated towards similar support operations in the national engagement policies, in areas that were affected by long term unemployment or by industrial restructuring. These areas were mentioned in the Committee's guide for the Fund's management as result of some statistical methods based on the unemployment rate and PIB. These had finally as result a wide extension towards the FEDR eligible assistance regions.

The appliance FSE Guide that also hold the selection criteria granted priority to the projects that were part of integrated operations that included other instruments of the Community, transnational projects and innovative approaches, especially those who applied the alignment of the national practices to the communitarian policies. The guide was also reflecting the regional mission of this Fund; in 1982 almost 42% from the FSE budget was allocated to the project from the regions of absolute priority (where there was also added Greece); less than 10% from the FSE actions were situated outside the less evolved regions.

Some other changes introduced new facilities for professional guidance grants that targeted the evolving of the little and middle enterprises (IMM), support for forming formatives, vocational guidance and experts and specialists placement for evolution in the local initiatives. The resources' proportion for innovative actions for reducing the unemployment and the validation of the FSE supported schemes which rose to 5%.

Special support for Greece in the social field

After Greece's subscription to the European Community, the Greece's Government proposed a series of measurements especially in the social field to assist the integration of Greece. This led to the adoption of the Council's Regulation (EEC) 815/84 that mentioned support of a total value of 120 million ECU for a five year period (which was later extended to 10 years), for the building up, adapting and outfitting professional guidance centers in Athens and also centers for mentally disabled persons from all over the country.

FSE a part of the structural funds in the 1988 reform

A major reform adopted in 1988 changed radically the isolated way in which the Structural Funds operated before, in favor of a global system of integration of their

importance working together to get the social and economical objective of the cohesion. At the moment, the Structural Funds are as follows: The Social European Fund (FSE), The European Fund for the Regional Evolving (FEDR), The European Fund for Guarantee and Orientation in Agriculture (FEOGA). The other financial instruments of the Community such as the European Bench of Investment were included in this coordination method. The total of the structural financing should have been doubled between 1989 and 1993 and there was established a scheme that after some reviews in 1993 represented the basis on which the system started to function until today. The relevant legislation was caught in two regulations that redefined the Fund's obligations, mentioning the field they had to work into and to be linked with each other and other financial instruments. These were charged with separate regulations for each Fund.

A new approach was built on the basis of four principles – concentration, partnership, programming and auxiliary:

- The concentration principle established five directions of action of the Structural Funds as objectives:

Objective 1	<i>To promote the evolution of the regions "less evolved", including the ones with a smaller inhabitant PIB or closer to 75% from the Community's average</i>	FEDR, FSE, FEOGA
Objective 2	<i>To change the badly affected regions by the industrial decline</i>	FEDR and FSE
Objective 3	<i>To reduce the long term unemployment by facilitating the labor reintegration of the persons with an age over 25 years old and to promote equal odds</i>	FSE
Objective 4	<i>To adapt the labor force to the industrial changes and to the production systems' evolution and also support the young people engagement integration</i>	FSE
Objective 5a	<i>To urge the changes from agriculture</i>	FEOGA - The Guidance Section
Objective 5b	<i>To promote the evolving of the rural areas, by redistributing the labor force from agriculture towards jobs characteristic to the rural areas with touring potential</i>	FEDR, FSE, FEOGA

The source: *The European Social Fund – An overview of the programming period 1994 – 1999*, p. 25.

The 3 and 4 objectives were available for all the EU territory and included only FSE.

The Social Fund was also contributing to the regional objectives (1, 2, 5b) that were applied only to the designed regions; their role was to assure the evolving of the human resources necessary for the maximization of the investments in the rural and regional area through FEDR and FEOGA. In reality, it strengthened the FSE traditional roles as most of the financial support for evolving the regions less prosperous were directed towards the persons with a high risk of unemployment, eligible for 3 and 4 objectives.

For a very long period of time, eligibility was limited to the regions with a PIB value under 75% from the EU average covering 21, 7% from the Community's population. The no.2 objective – for the regions with severe unemployment caused by the industrial decline – was limited to 15% of the EU population while the regions of 5b objective that represented deficits of the rural evolution counted no less than 5% from the EU's population.

- The principles of partnership and scheduling were concentrated over the implementation procedures. Each member state brought its own national plans or at a regional level where there was possible, documents that contained an analysis of the situation and a setting of the national and regional strategies in accordance with the targets of the new objectives. On these bases, the discussions were born in partnership involving the Committee's departments to negotiate with the regional/national authorities from each member state. The discussions had as result The Communitarian Support Border (CSC) where there were established the priorities of the Structural Funds assistance joined by distribution guides for each Fund during all the scheduled period 1989 – 1993. The operational PO programs and the global grant schemes were previously established for each field of action. The partnership principles were still to be applied for the implementation and monitoring episodes where the Committee collaborated with the national, regional and local authorities in watching the progress of the different Pos and of the grant schemes just to be able to identify the changes and adjustments that could be made in the future. The partnership in this phase included frequently a wide participation of the social and economical local actors.
- The principle of auxiliary imposed that the Structural Funds should not be used just only for replacing the funds of the national programs. The EU's help growth had to get as results at least an equivalent evolution as contribution of the member states to the laid out schedules having as checking instrument the macro economical considerations and the national budgetary allocation from the years before. The compatibility with other aspects of the Committee's policies as concerning the contest and surrounding environment as for example were also certified.

Eligibility rules and types of assistance

The rules of eligibility for the participants of the grant schemes covered by the new regulation were larger. They included in the regions of the objectives 1, 2, 5b the unemployed; the persons menaced by unemployment, the employee from IMM or integrated schemes for evolution. In the regions of 1 objective the eligibility was even larger extending towards the additional categories from the precedent paragraph. In the regions of 1 objective the eligibility was even larger extending towards the additional categories from the previous paragraph.

Objective no.3 was for the persons that were over the age of 25 and in an unemployment situation for over 12 months, but the minimum period wasn't to be applied for the women that wished to come back on the labor market or in the case of the disabled persons.

The young people eligible for objective no.4 had to have finished the compulsory years of school and to be under the age of 25. Like in the past, the FSE financing was offering support for recruiting in new work places including the free will also (for a maximum period of 12 months; other different types for recruitment were cancelled even since 1992. The professional guidance for trainers and shapers together with the services linked to this such as the vocation orientation, the counseling and mediation, were also sustained.

The education for technical assistance was an important innovation of the system that helps at the standards' evolution and efficacy by indorsing the line up from studying to the execution and viewing of the programs. The level of the local given budget for the technical assistance and for the studies about it was over 0, 3%.

A special attention is granted to the persons with different disadvantages towards the labor market, as concerning the migrant workers or the disabled. The need to promote the integration of women in work places where they are not made present yet was also taken into account. There was some attention given to the creation field of the transnational projects and of the training in advanced technologies

The Community's initiatives

IC is independent programs co financed from the Structural Funds conceived by the European Committee on the basis of the different regional specificity criteria to support the accomplishment of the cohesion policies. The new system assured for the Community's Initiatives the promoting of the communitarian dimension by means of the transnational innovative projects to test the new actions that could have positive influences. There were approved three initiatives for the human recourses – EUROFORM, NOW and HORIZON. These implied especially FSE, counting almost

3, 8% from its total resources for 1989 – 1993 with investments in infrastructure supported by FEDR. EUROFORM (300 million ECU) was oriented towards creation of new qualifications and opportunities of employment for the unique market; NOW (156 million ECU) promoted the opportunities congruency for women as concerns the access on the labor market and HORIZON (304 million) was following to make better the opportunities for employment for the disabled persons or with exclusion risks for employing from other different reasons. FSE also contributed during 1989 – 1993 with a total of 125 millions ECU for the human resources components from some other initiatives especially financed by FEDR.

The 1993 reform

The Edinburgh European Council from December 1992 decided a meaningful raise of the Structural Funds budget. Almost 142 billiards were allocated for the period 1994 – 1999, being actually a double of the total sum from the previous period. Almost 70% from this sum was for the no.1 objective; the Greece's, Spain's, Ireland's and Portugal's support doubled in real terms between 1992 and 1999. Moreover, the decision was practically taken to create the Cohesion Fund for the medium and Trans European transport nets projects' financing from these four countries with a PIB smaller than 90% of the EU medium. A new structural fund was established for restructuring the fishing sector – The Financial Instrument for Fishing Guidance (IFOP). The massive growth of the support especially in the regions less evolved anticipated the additional impulse offered for the economical and social cohesion from The Maastricht Treaty.

The unemployment among young people represented a major preoccupation; FSE had to be used to help the implementation of a system for granting the youngsters' under 18 years old education and orientation; there was also needed a raise of the standards inside the educational system and of an initial professional orientation for encouraging the entrepreneurial spirit among the young. A bigger effort was made to come against long time unemployment among the adults registered or not at the engagement registers sustaining essential activities of training such as caring the children, personal training and evolving.

Two additional essential considerations were underlined and had a very big influence at the 1993 reform. The unpleasant situation of the groups that were at the risk of social exclusion was seriously affected and although all these were eligible in the precedent period of time there was felt even a bigger need of accentuating it. Secondly, there was accentuated the importance of the awareness of the preventive of the fight against unemployment; there were emitted measures for anticipating the changes from the competences' field necessary in industry and services in accordance with the FSE redefining measures from art. 123 of the Maastricht Treaty.

All these considerations had implications for an entire range of aspects in the field of the Structural Funds, especially FSE and profoundly affected by the made changes the rules of the next period, 1994 – 1999. As in the 1998 reform, the legislation border was formed of two common regulations for all the Structural Funds and a specific regulation that concerns each Fund apart. The Council's Regulation (EEC) 2081/93 redefined the Fund's obligations and established how they had to be coordinated. The Council's regulation 2082/93 held additional regulations that could apply FS. The specific FSE regulations were held in EEC 2084/93.

The new objectives

For the period 1994 – 1999 there were established new objectives but the general structure and the established principles in 1988 were kept with just some adjustments taking into account the practical lesson from the previous period and the meaningful evolving policies that are to come.

Objective 1	<i>To promote the structural adjustment and of the "less evolved" regions</i>	<i>The projects' financing is supported through:</i> FEDR, FSE, FEOGA – The guiding section IFOP
Objective 2	<i>Regions' conversion, of the frontier regions or of some parts of the regions (including urban communities) badly affected by the industrial decline</i>	FEDR, FSE
Objective 3	<i>To reduce the unemployment on long term and to facilitate the entrance into the labor field of the young and of the persons that are exposed to exclusion from the labour market</i>	FSE
Objective 4	<i>To facilitate the active population's adapting to the industrial changes and to the changes from the production system, to assure the sexes' congruence</i>	FSE
Objective 5a	<i>To promote the rural evolution by speeding the agriculture and fishing structures' conversion through the common agricultural political reform</i>	FEOGA – Coordination Section, IFOP
Objective 5b	<i>To promote the rural evolution by facilitating the structural adjustment and evolution in the rural areas</i>	FEOGA – Coordination Section, FEDR, FSE
Objective 6	<i>To promote evolution and reduce the unemployment in the regions with a very reduced density of the population</i>	FEDR, FSE, FEOGA – Coordination Section, IFOP

Source: *The Council's Regulation (EEC) 2081/93.*

FSE takes part to all the objectives established with this reform except 5a. A new 3 objective resulted from the accumulation of the old 3 and 4 ones – lowering the rate of long time unemployment and the integration of the young in the labor field. Moreover, there was made a special reference for promoting the equal rights on the labor field for women and men and to create solutions for the persons menaced with the social exclusion. The rules were made more flexible extending the eligibility of the menaced persons with the long term unemployment or with exclusion, no matter if they are busy or not.

The new 4 objective was introduced to sustain the support all over the Union without any regional limitation of the services for regional formation and guidance for the workers from the fields that face industrial changes or of the production systems and for the evolvement or amelioration of the forming structures in this field. A supplementary characteristic that put an accent on the preventive approach was the financing of the outlooks over the changes and of their consequences for the professional qualifications.

The principles of The Structural Funds were maintained and hardened. For example the principle of partnership was enriched to include also the social and the economical partners. As concerning FSE, the social partners have a particular importance for the 3 and 4 objectives. A lot of experience and expertise concerning the solving of the problems about the social exclusion and the industrial changes were outside the public sector and the success from these fields could count on an integrated approach with a full participation of all the relevant actors. The participation of the social partners was also particularly relevant not only in the rescheduling phase but also in the implementation of the FSE projects.

A characteristic of the new rules is the attention granted to **monitoring and reviewing**. It begins with an agreement over the definition, of the initial situation and of the results that have to be obtained to different stages of the programs. The indicators about the initial situation of the region are typed for establishing the plans together with the quantized targets. At a more detailed level, the specific strategy and the political targets are identified for each priority showing the awaited ameliorations and results. The detailed targets are established for each measure including also the physical targets such as the beneficiaries' number. The monitoring committees play an important role in the FSE's surveillance of the support's efficacy and in the suggestion of the possible ameliorations taken into account for changing the programs through the spectrum of a practical and operational experience. This function has a particular importance in the programs' design for the reviewing of the Community's policies.

The 1998 legislation imposed that the financed measures by Structural Funds to be compatible with the other policies of the Community. The new rules maintained this

amendment together with the special adding for keeping the even chances between men and women, the competitors' rules and the environmental policies; the plans have to explain how the national authorities for the environment involve both in scheduling and in the evaluation of the environmental impact of the plans for assuring a sustainable evolution.

The present priorities of FSE may be encountered as follows:

- To make better the access to education and initial guidance, a better quality of these services, a better human potential in research, science and technology. A special attention is granted in helping the young that have or not any qualification to be able to make the transition from school to a place of work;
- To increase the competitiveness and to lower the unemployment level by adapting the labor force to the actual changes, by a systemic approach of the continuous professional orientation;
- To make better the employment opportunities for the long time unemployed and of the excluded persons from the labor market.

The problem of even chances concerns the all three priorities. The equal access to education, orientation and the employment opportunities has to be granted. As an adding for the caring services for the persons that need personal assistance, there is needed for a more flexible orientation and engagement services.

For this scheduling period, there were established the following percentages of allotment for each type of measurements:

FSE allotments on priority themes (1994 – 1999)	All the objectives
1. The integration on the labor market of the young that look for a place of work	20,2%
2. Support for economical and engagement filling	19,0%
3. To reintegrate the long time unemployed	18,8%
4. To make better the systems for professional guidance	12,2%
5. To integrate on the labor market the persons that are menaced with social exclusion	10,8%
6. To adapt at the industrial changes	9,9%
7. Technical support	3,1%
8. To promote the even chances	3,1%
9. To enrich the human potential in research, science and technology	2,4%
10. The guidance of the responsible clerks with the FS implementation	0,5%

Source: *The European Social Fund – An overview of the programming period 1994 – 1999*, p. 30.

The eligible actions	The eligible groups
<p>Inside the no.3 objective</p> <ul style="list-style-type: none"> • Initial and continuous professional orientation • To evolve the basic competences • Guidance and conciliation for the professional career, mediation on the labor market and support at the work place • Temporary unemployment support (even for promoting the geographical or engagement mobility and subventions for the employers) • To enrich the guidance and mediation systems • Specialized services for guidance for the persons that are menaced with social exclusion • Actions for promoting the even chances for women and men especially in the fields where the women are in very little numbers (even for personal evolving or informing campaigns) 	<ul style="list-style-type: none"> • (registered or not) unemployed that are subject to long term unemployment • Young people looking for a place of work • Adults and young persons exposed to exclusion from the labor market <p><i>Examples: old unemployed, disabled persons, parents from single families, ex delinquents, drug addicted</i></p>
<p>Inside the no.4 objective</p> <ul style="list-style-type: none"> • To anticipate the tendencies from the labor market and of the demands from the professional competences • Professional orientation • Requalification • To guide the professional field and reconciliation • Support for evolving and making better the guidance systems 	<ul style="list-style-type: none"> • Employees that deal with industrial changes or of the production systems, especially those menaced with unemployment or already employed in IMMs
<p>Inside the no.1, 2, 5b and 6 (as well as in 3 and 4):</p> <ul style="list-style-type: none"> • Continuous professional orientation • The career's guidance and reconciliation • To evolve the systems of orientation and mediation • The growth of the human potential in research, science and technology (including the preuniversity orientation and the guidance of the managers and technicians from the research institutes) • To enrich the educational and guidance systems • Managers' development • To create nets between the guidance centers, institutions and firms • To support the secondary and university educational centers there where there is a very close link with the labor market, the new technologies or the economical evolution • To guide the involved clerks in the structural and evolving policies' implementation 	<ul style="list-style-type: none"> • The unemployed • The IMMs employ and those menaced with unemployment • The students and the staff from the educational, guidance or research institutions • Public clerks

Source: *The European Social Fund – An overview of the programming period 1994 – 1999*, p. 33.

For this period FSE continued to finance a Community's package of initiatives in the field of the social policies:

1. NOW – to promote the even opportunities for women;
2. HORIZON – to promote the integration in the labor field of disabled persons and of other menaced categories by social exclusion;
3. YOUTHSTART – to integrate on the labor market of the young persons that are under the age of 20, especially of those that do not have proper qualifications;
4. INTEGRA – to eliminate the barriers concerning the employment of the immigrants and refugees;
5. ADAPT – social assistance for the innovative projects for guiding the workers from the fields affected by the industrial changes.

The structural funds in the period of scheduling 2000 – 2006

From the beginning of the FSE financing assistance programs' functioning, the most frequent critiques brought referred to spending the resources on too many projects¹, a problem that the 1999 Structural Funds' reform was going to solve.

In March 1998, The European Committee presented to The European Council the regulations proposals concerning the good functioning of The Structural Funds in the programming period 2000 – 2006. The suggested reform concentrated on the priority of enriching the structural instruments efficiency by concentrating over a smaller number of objectives of the structural policy and by establishing the responsibilities' parting between different subscribers². Also, the Committee recommended firmly to be kept the four main principles of the structural funds – partnership, concentration, alternation, programming – and introduced a new one, respectively efficiency – to ensure the Union's citizens that the public money for the Structural Funds will be properly spend to avoid some other critics.

The rules suggested by the Committee were accepted entirely. As for the **centralization principle**, this redefined the objectives of the structural funds, by reducing them. Also, as the Committee suggested, the IC number was substantially reduced from six to three: Integer, Leader, and Equal. To the European Parliament's urge a forth program was maintained: Urban.

The European Social Fund was going to finance programs from the all three objectives in the limits of eligibility of the suggested measures. The new three objectives are:

¹ Jones, Robert A., *The Politics and Economics of the European Union*, p. 258.

² Miron, Dumitru, *The European Union's Economy*, p. 429.

Objective 1 – to sustain the structural evolution and adjustment of the regions characterized by disparities from the economical point of view, of whose medium PIB per inhabitant is smaller than 75% from the communitarian medium of PIB/inhabitant. This new objective included also the regions of the ex no.6 one which were characterized by reduced density (Finland and Sweden. Almost two thirds from the total of the Structural Funds were intended to this objective and in the near future 20% from the Union's population will benefit from the final results of the projects. The eligibility criteria for object no.1 are the following:

- Reduced level of investments;
- An unemployed level bigger than the European medium;
- The lack of services offers in the business and private areas;
- Reduced basis infrastructure.

Together with FSE all the other funds were taking part to the financing of the evolving policy¹.

Objective no. 2 – to sustain the economical and social reconversion of the areas that are confronted with structural difficulties, some others than the eligible ones from objective no. 1². This objective joins the old ones 2 and 5b and goes towards the regions characterized by economical changes, rural areas, the areas that rely on fishing and the urban quarters that are in decline. FSE, FEDR and IFOP take part to the financing.

Objective no. 3 – the measures for the human resources evolution, by sustaining, actualizing and enriching the educational and professional orientation systems as well as financing the policies for work's engagement from all the EU territory. This objective grants financial assistance outside the readjusted regions by objective no.1 and offers a political reference border for the measures' assembly needed for the human resources' promoting on the national territory without creating prejudices to the characteristics of each region³. This objective includes the old ones 3 and 4, reorganizing the activities that involved till that moment only FSE. Moreover, it represents the reference border of the assembly of the taken measures in accordance with the chapter about the labor force of the Amsterdam Treaty and also of those mentioned in the European Strategy of the labor force engagement by which the member states have to care for their national plans from this field. In all, objective no.3 sustains:

¹ The Council's Regulation (CE) no. 1260/1999 from 21 June 1999 for establishing the general regulations referring to the Structural Funds, art. 3, line 1.

² i.e. art. 4, line 1.

³ i.e., art. 5.

- To fight against the long period unemployment;
- To sustain the young people's entrance into the labor market;
- To support the persons that are in danger of being excluded from the labor market;
- To adapt the human resources to the industrial changes.

During the implementation and scheduling process, there were taken into account **three horizontal priorities** by using them in all the activities concerning FSE:

- To promote the initiatives for local promoting;
- The social dimension and its importance in the informational society;
- Even chances for women and men.

The application field¹ of the financed measures is structured as follows:

- a) To evolve and promote active policies concerning the labor market, with the purpose of fighting against and prevent unemployment, to prevent the long time unemployment inside the labor force for both sexes, to ease the reintegration on the labor market of the persons that were on the social security for a long time and to support the professional integration of the young and of those that get back in the labor field after a long absence;
- b) To promote the even chances on the labor market for all the persons, especially for the persons exposed to social exclusion;
- c) To promote and enrich: the professional studies, training and counseling, as permanent part of the educational policy as concerning:
 - To facilitate and improve the access and integration on labor market;
 - To extinguish and maintain the employment level of the labor force;
 - To promote the professional mobility;
- d) To promote a work force that is qualified and flexible, of the reorganization and adaptability to works restructuring, to evolve the initiative and the conditions that encourages the creation of new places of work, the qualification's completion and also evolving the human potential in the research field, science and technology;

¹ The European and Council's Parliament Regulation (CE) nr. 1784/1999 from 12 July 1999 concerning The European Social Fund, art. 2, line 1.

- e) Specific measures for extending the access and participation of the women on the labor market, inclusively for their support in enriching their professional career just to get the opportunity to benefit of new professional conveniences and to have the possibility to initiate their own business, to reduce the bar of gender criteria on vertical and horizontal plan on the labor market.

The eligible activities are the following:

- a) The professional training and study – including the professional study that refers to mandatory schooling – apprenticeship, the initial professional training, especially to acquire and enrich the professional habits, reemployment in the labor field, measures for raising the employment rate on the labor market, orientation, counseling and continuous training;
- b) To support for the labor force's engagement and for the persons that work on their own;
- c) To evolve in the research field, science and technology, the postuniversity studies and the training of managers and technicians from inside the research institutes and the corporations;
- d) To create new places of work, including the social economy field (the third system)¹.

By the new regulation, FSE was going to sustain financially also the local, regional and national level projects that were on by the Equal communitarian initiative. This appeared as communitarian schedule in year 2000, has an experimental status and holds as basis the communitarian initiatives from previous programming periods, *Adapt and Employment*².

The Equal initiative takes into account:

1. To promote the new fighting ways against any discrimination forms on the labor market by means of the transnational cooperation;
2. To sustain the social and professional integration of the emigrants.

The Romanian social politics

For Romania, a country on verge of adhering to EU and confronted with the changes pressure necessary for the alignment to the communitarian standards, it may be said that the social politics represents a success example in the history of the negotiation

¹ i.e., art. 3, line 1 – 3.

² http://europa.eu.int/comm/employment_social/equal/mainstreaming/index_en.cfm.

process. The 13 chapter for negotiation – Social policies and the labor force's engagement, corresponding to the social policy, were open in the second semester of the year 2001 and temporarily closed in the first semester of the year 2002. As concerns the 21 chapter – The regional policy and the coordination of the structural instruments, this was opened in the Adherence Conference on 21 March 2002 and closed in 2004. It means that there were established bottom elements of all the important fields from this sector although the correlation process with the EU politics still goes on.

The alignment to the communitarian standards according to the commitments from Chapter 13

Started in 1999 by The National Program of Accession to EU, the Romania's adhering process met a structured approach once the negotiation chapters were open (2000). Each negotiation chapter is detailed inside a Position Paper that has inside the aspects over which the respective country has to act upon toward the implementation of the communitarian aquis and to evolve the adequate institutional border. The position paper for the 13 Chapter takes into account the following aspects of the social politics: the legislative reconciliation, social dialogue, even chances for women and men, the fight against discrimination, to engage the labor force, FSE, social security (including the social protection of the old persons and to eliminate the social exclusion), to adapt the disabled persons, public health, health and reliability at the work place, the affiliation to the *European Foundation for the Improvement of Life and Work Conditions*.

The demand were identified in the Invoice for Romania and Bulgaria¹, but structured as priorities on medium term and long term priorities. So, the alignment process to the communitarian standards go on and the priorities underlined before are addressed by adopting the corresponding measures.

For the 2002 – 2003 period and 2003 – 2004 as it is shown in the annual reports of the progress written by the Romanian Government², the gathered accomplishments are structured on the fields of the position Paper, such as:

- Work legislation – there was adopted The Work Code (January 2003) but which is now again under discussion together with the social partners;

¹ Communication from the Commission of the Council and to the European Parliament: *Roadmaps for Bulgaria and Romania* – COM (2002)624 final.

² *A Report about the registered progress in our preparation for adhering to the European Union between 2002 – June 2003*, the Romanian Government, June 2003.

- Even chances for women and men – there was granted as valid the law for even chances (June 2002) and there were pointed out the responsibilities delegated to the following institutions: *The National Agency for the Work Force (ANOMF)*, *The Alimony National House and of other Social Assurance Rights (CNPAS)*, *Work Examination (IM)*, *The National Council for Adults' Professional Orientation (CFPA)*, *The National Institute for Scientific Research in the Work and Social Protection Field* and *The National Institute for Research – Evolution for the Work's Protection*, in the year 2005 being created *The National Agency for Even Chances between men and women*;
- The health and safety at the work place – there were revised the usual work protection regulations and there were laid the directions of 20 European directives from the field of health and safety in work as well as the elaboration of a *National plan of enriching the conditions of work from the sanitary field* (2003);
- The social dialogue – there were adopted legislative measures for: to harden the *Economical and Social Council's* status, to promote the bipartite social dialogue (patronage – syndicate), to create the social partnership in establishing the politics of decision of the minimum wages on the basis of the minimum consumption basket, to elaborate in partnership the *National Plan for Evolution*, to create the *Virtual Forum for Monitoring, accession and debates for the civil society and the social partnership*;
- The public health – there was given attention to the actions of hardening the implementation institutional capacities of the communitarian acquis in the field of the infectious illnesses, of the HIV infection with children, of the drug addiction, smoking, and of the medical services supply;
- To engage the labor force – the main accomplishment was to adopt *the national action plans for work engagement (PNAO)* for the period September 2002 – December 2003, as well as for the period 2004 – 2005. There is added to these *The common Paper for estimating the engagement labor force evaluation* (October 2002) issued after the meetings between the Romanian Government and representatives of the European Committee having as purpose the identification of some priority fields that needs a monitoring of the present progress; on the other hand, in July 2005 there was emitted the project of *The national strategy for professional guidance*;
- Social security, old persons and social exclusion – there were voted measures in the following directions: *social protection* – there was established the project of the Law concerning the occupational optional alimony schemes; *social assistance* – there was approved the border regulation for the organization and functioning of the public services for social assistance (2003) and there was structured the protection activity of the enabled persons;

- The fight against discrimination – The Romania's participation (beginning with the year 2002) to *The communitarian schedule for avoiding the discrimination* (2002 – 2006).

These accomplishments and downfalls are given by the form of coordination of the social politics from Romania and by the creation of new legislative projects and plans of action.

The training for coordinating the European Social Fund in Romania in accordance with the assumed commitments in Chapter 21

Key elements of the preparing for the FSE administration were The national Plan for action for engagement (PNAO) integrative part of the national Plan of evolution, and The common evaluation Paper of the labor force engagement policies (JAP), elaborated by the competent authorities from each participant country together with the experts from the European Committee.

The first National Plan of action for engagement was elaborated by the Ministry of Work, Social and Family's Solidarity inside a PHARE project of institutional brotherhood ran in partnership with the correspondent ministries from Germany and Holland. The result of this institutional brotherhood project was the elaboration of the first national action Plan for engagement through HG no. 759/2002.

The second Action National Plan for Engagement 2004 – 2005 was approved by HG no. 588/2004.

In accordance with the Adhering Partnership's regulations, The Romanian Government established together with The European Committee, The General Engagement Office and Social Businesses a common evaluation of the priorities on short term of the engagement policies for the labor force from Romania by The common evaluation Paper of the engagement policies of the labor force (JAP).

These documents represent the start point for all the future activities concerning the engagement of the labor force, including also the actions as European Social Fund.

The institutional border for the FSE implementation

The same as at the level of the national administrations of the member states, almost entirely, the administration of the European Social Fund is of the ministries competency or of the responsible agencies for the labor force engagement and the social businesses through which there may be found FSE groups, in Romania, The Ministry of Work, Social Solidarity and of the Family was designed as management authority for the operational district program for the enrichment of the human resources.

In this position The Labor Ministry, Social Solidarity and Family has the entire responsibility to check the equity with the communitarian policies and with the national legislation from the field for all the scheduling, administration and implementation of the financial assistance allotted by The European Social Fund (FSE) steps.

According to the complementary position Document from Chapter 21, the intermediary designed organizations are The National Agency for the Labor Force Engagement (ANOFM), for the measures concerning the engagement and the professional orientation of the labor force and The Ministry of Education and Research, for the measures from the education field. The intermediary organizations have the role to implement the measures from the Operational Programs and to get to an end the financed projects from Structural Funds, by attributions delegation from the management authority.

The priorities and the major objectives of evolution established in the scheduled project The National Plan for Evolution (PND) 2007 – 2013 will strengthen and guide the elaboration process of the Operational Programs through which there will be implemented The Structural Funds of the European Union.

Inside PND 2007 - 2013¹, was established as national priority “The Evolution of the human resources, to increase the engagement level and to avoid the social exclusion”. This evolving strategy of the human resources is established in accordance with Lisbon Agenda and with the provisions of the European engagement revised Strategy as well as with the coordinating Lines of the engagement policies of the labor force.

The priority’s objectives “To evolve the human resources, to raise the engagement level and to lower the social exclusion” are:

- The growth of quality and work’s productivity by education and continuous orientation of the labor force, to promote adaptability and entrepreneurship;
- The total engagement of the labor force;
- To promote the social cohesion by raising the social inclusion of the disadvantaged persons and to avoid discrimination;
- To promote the gender equality in all the social and economical life fields.

The biggest challenge for the FSE admission is to make a projects portfolio joined by the adequate co – financing. These aspects are essential to assure the effective absorption of the structural instruments. The development of the projects portfolio will last for a determined period of time while the management authority and the intermediary organizations will analyze the received proposals and will establish a list

¹ The first advisory PND Document 2007–2013, chapter 4 (<http://anaf.mfinante.ro/wps/portal>).

of possible eligible projects for the Operational Program at the beginning of 2006 (when the scheduling process will be advanced and the priorities and the measurements will be more clear).

Following the steps of a good practice from the member states, there is to be expected a more active involvement of the civil society in the scheduling process, respectively of the social partners, of the nongovernmental organizations that are representative for that field, of the research institutes not only as a resulted demand from the communitarian regulations but also like a guarantee that these documents represent the agreement of the great majority of the society. Inside the process of projects' management is taken into the account a tight collaboration with the projects promoters, their involvement in the institutional building projects that are to take place in the PHARE program and to prepare the portfolio that is to suit the eligibility and quality criteria necessary to access The European Social Fund.

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