

"Perspective of Flexicurity in south-eastern countries of Europe – A regional approach"

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Abstract:

In this paper we tried to draw the currently image of *flexicurity* in four south-eastern European countries: the understanding and approaches; the debates around the concept, extension and divergent positions; the perspectives of its development/inclusion in their labour law and the transit from the academic/theoretical interest to the real life/labour market.

Mention: it seems there is not much interest in the flexicurity issues; the debate is determined mainly by the social and political (European) context.

This is an attempt to answer few questions arisen after analysing the European Commission's initiatives on the labour market's modernising, in the context of the reality and perspective of "flexicurity", perceived in the south-eastern region of EU.

1. European labour market reforms' initiatives

As it is already well known, recently, the European Commission has had few initiatives in the labour market reforms' area and published two important documents with arguments in favour of the "flexicurity" approach, respectively the "*Green Paper: Modernising labour law to meet the challenges of the 21st century*" and "*Towards Common Principles of Flexicurity: More and Better Jobs Through Flexibility and Security*"¹.

These documents indented to present what is "flexicurity" and how should it be implemented at the European and national levels.

"*Flexicurity* is generally understood as a policy which makes compatible flexibilisation (= deregulation) of labour markets *with* the European tradition of welfare state. For this purpose, flexibilisation is supposed to be compensated with advantages in social security and employment security, resulting in a kind of *trade-off*.

Flexibilisation is expected to improve firms' performance and increase in the competitiveness of European economy. In turn, it should foster production and stimulate labour markets, creating 'more and better jobs', as declared at the EU Lisbon summit 2000. The 'better jobs' should meet the ILO (1999) concept of decent work, combining promotion of rights at work; employment; social protection; and social dialogue.

The reforms enhance labour market flexibility, in particular making dismissals easier, and at the same time provide some advantages for certain types of employees.

¹ The *Common Principles of Flexicurity* were accepted by the Business Europe-CEEP-CES-UEAPME on November 29, 2007, and by EU Employment and Social Affairs Ministers on December 5, 2007, whose decision has been ratified by the Council of Europe on December 14 (Institut de la Protection Sociale Européenne 2007). The last word was left to the European Parliament.

These examples should convince other Member States to pursue the flexicurity policy and to implement corresponding legislation reforms”.²

In both documents, the Commission refers particularly to the Danish *Golden Triangle* (weak employment protection, intensive active labour market policies, and generous social security) and to three examples of reforms: Dutch Flexibility and Security Act 1999, Austrian Severance Act (*Abfertigungsrecht*) 2002, and the June 2006 Spanish decree which eases the conversion of temporary labour contracts into open-ended labour contracts with reduced dismissal costs.

In the “*Towards Common Principles of Flexicurity...*” eight ‘common principles of flexicurity’ are listed. They refer to the issues of: ‘flexible and reliable contractual arrangements’, ‘comprehensive lifelong learning strategies’, ‘effective active labour market policies’, ‘modern social security systems’, ‘balance between rights and responsibilities’, ‘secure transitions from job-to-job’, ‘gender equality’, ‘climate of trust and dialogue’.

Besides the general guide-lines, the document suggests four *pathways*, respectively, four scenarios to implement ‘flexicurity’ at the national level, by:

- tackling contractual segmentation: scenario addressed to the countries with a large fraction of atypical workers;
- developing ‘flexicurity’ within the enterprise and offering transition security: this pathway is designed for classical European welfare states with a high proportion of stable jobs backed up by generous social security;
- tackling skills and opportunity gaps among the workforce: scenario addressed to countries with ‘illiteracy and innumeracy problems among the adult population’ and a large unskilled workforce;
- improving opportunities for benefit recipients and informally employed workers: this pathway is addressed to transitional economies ‘which have experienced substantive economic restructuring in the recent past’.

Our region of research interest is the south-eastern part of Europe, respectively the EU member states located in this area (**Bulgaria, Cyprus, Greece and Romania**). Giving their specific labour market characteristics and following the ideas of the Commission document, it seems that for them it should be applicable mainly the *third* and *fourth* scenarios to implement the ‘flexicurity’.

2. ‘Flexicurity’ concept in the region

The intention of the authors of this paper was to try to investigate and draw the real, currently image of “flexicurity” in these countries (the understanding and approaches; the debates around the concept, extension and divergent positions; the perspectives of its development/inclusion in their labour law and the transit from the academic/theoretical interest to the real life/labour market); and, at the end, to try to assess if the Commission proposed pathways are suitable or not, are matching or not to the real national conditions.

Therefore, few *questions* appeared and we tried to find and organise their answers, using the literature.

² *Towards Consistent Implementation of Flexicurity*, Andranik Tangian, Hans Böckler Foundation, Düsseldorf, Germany, January 22, 2008

2.1 Understanding of flexicurity and approaches of this concept

For the main question of ‘what understanding of flexicurity and what approaches of this concept exist in these countries’, we hardly found answers.

It is difficult to find a definition of flexicurity that is commonly accepted, even if its components are listed in the Commission documents. Actually, the debate on flexicurity seems to be more at the theoretical level and, in some way, looks imposed by the social and political context.

In the literature of the region we found only few direct references to “*flexicurity*” and not as an extendedly used and debated concept.

In **Cyprus** – is not much interest on the issue: “new forms of work organisation as a whole are still in the first stages of development and study, and have not been a particular subject of discussion between the social partners. In the same line, neither the employer organisations nor the trade unions have formed a framework of positions and proposals to directly address the question of flexicurity. As a result, despite the weaknesses of the present system, the reform of labour legislation in order to better protect better all workers or to better conciliate flexibility and security for all, is not part of the public discussion.”

In **Romania** “during this legislative process, striking a *balance between flexibility of labour relations and protection of workers* has been a very important and intense subject of discussions for employers, employees and Government’s representatives.” Nevertheless “the debate on *flexicurity* in Romania has been determined mainly by the social and political (European) context”.

In **Bulgaria** seems to be an interest (at least theoretical) for *flexicurity*: “the labour market policies should be developed which aim at the successful integration of the local labour market to the European labour market. The solution of this task sets as a *constant political priority the dynamic balancing of labour flexibility and security*. As a whole, the policies should be further developed in the context of the national specifications regarding the external impacts and combination of the measures both for internal and external flexibility. Important preconditions for *flexicurity* to work are sound macro economic policies and a favourable business environment realising and supporting the full growth potential and ensuring the necessary financial basis for public services and labour market policies. Furthermore, *flexicurity* needs to be accompanied by the provision of good working conditions and quality of jobs. Quality of work means: ensuring career and employment security, maintaining and promoting the health and well-being of workers, developing skills and competencies, and reconciling working and non-working life. In addition, pay, equality and diversity of work.”

In **Greece**, the term of “flexicurity” became subject of discussions between the social partners, mainly because the “Greek industrial relations lacks a tradition of collective bargaining and a ‘culture’ of social consensus...more specifically, the climate of tension between social partners is reflected in their diametrically opposed views on modernizing labour law around the concept of *flexicurity*. Thus, the Economic and Social Council (OKE) of the country decided, instead of attempting to make a synthesis of social partners’ views, to simply outline their two divergent positions on modernizing labour law along the European Commission’s line of argumentation.

The General Confederation of Greek Labour argues that changes presented in the Green Paper on modernising labour law would ultimately lead to labour market deregulation, thus undermining individual workers' employment protection. At a national level, the Greek Confederation maintains that higher level of flexibilisation in the labour market would entail a faltering social protection system, where massive lay-offs and corporate reorganisation costs would be transferred from profit-making private entities to society as a whole. At the core of the Greek Confederation's opposition to the Green Paper is the idea that the concept of *flexicurity* contains an inherent contradiction: namely, flexibility aims at increasing corporate competitiveness by lowering labour costs, whereas security ultimately entails a reinforcement of employees' rights contrary to market pressures and hence increased labour costs."

2.2 New forms of labour, their extension and the role of the labour law

Going back down with the investigation, we tried to find answers to "the sense and meaning of new forms of labour, their extension and the role of the labour law", with the intention to understand the phenomenon of modernisation of labour market from its roots and its necessity of flexibility.

The concept of "new forms of labour" is really very sensitive, taking into account the diversity and mobility of terms/definitions, labour law and social reality: employment contractual relationships - employment status, labour law - work organisation - labour arrangements, typical - atypical work, "old" - "new" forms of labour.

According to a recently published comparative research on *flexicurity* in Central and Eastern Europe, in many countries of the region "traditional atypical work" – e.g. *fix term*, *part time* or *agency work* – is still quite limited, compared with the "new forms of atypical work" - mostly *self employment* performed by *economically dependent workers*, which play a crucial role.

E.g.: statistics from Employment in Europe 2007 reveal that in **Romania**, in 2006, *self-employed* people represented 43,2% from the total employment, comparing with the EU-27 average of "only" 16,6%. In the opposite position are the employees by *fixed term contracts* (1,8% - Romania, 14,4% - EU-27) and the *part-time employed* (9,7 % - Romania, 18,1% - EU-27).

National studies express the idea that *the 'new forms of labour' development is related to the need of flexibility, but they are not necessarily representing a "new" form of labour.* Thus:

Overtime work and work at 'unsocial' hours, are the main forms of internal labour flexibility,... the means through which **Greek** enterprises adjust to market pressures. (Wage-earners prefer overtime work as well. It has been reported that one-third of dependent employees seek overtime work as the only way to supplement their relatively low wage income.)

Another main source of flexibility in the formal labour market is *self-employment that is based on 'contracts for services'*, and it registers in **Greece** the highest figure of the EU15 (25.87 % compared with 12.54%) ... the government passed legislation to restrain this form of atypical employment; its effectiveness, however, is seriously limited by an inefficient Labour Inspectorate and by the fact that the employed person himself has to take on the burden of proof to demonstrate the 'subordinate' content of his/her contract for services.

The other main source of flexibility in the labour market is *undeclared work*. In **Greece**, the phenomenon of alarmingly high levels of undeclared work (estimate at over 20% of GDP) is interwoven with a monstrous underground economy (estimated between 25% and 40% of the official GDP)...this kind of activity still “well accepted by employers and employees, also as expressing the prevailing ‘culture’ of working in a shadow economy”.

In fact, the dimension of *undeclared work* seems to be significantly also in **Romania** (“situated somewhere around 22-23% of GDP, representing about 1-1.2 million persons involved in these activities, mainly in the building/construction sector”) and **Bulgaria** (“the share of the grey / shadow economy varied from 32 to 35 per cent”).

The reality expressed in different studies is that the increasing use of new forms of labour has caused extensive debate among academics, practitioners and politicians over the past two decades, in the European Union; but, by contrast, in countries of the region, the public dialogue and published research on labour flexibility and atypical work are less developed: “this stems from the fact that in the advanced economies the issue of workplace flexibility was associated with workers’ adaptability to an ongoing wave of organizational restructuring of big corporations”, a trend that has not been so discernable in this region, yet... therefore, *predominant atypical forms of employment, such as part-time work and temporary agency employment, have thus far exhibited a very low incidence ...* (European Commission, 2006; Arrowsmith, J., 2006; Bergstrom, O. and Storrie, D., 2003).

“Nonetheless, labour market reforms adopted since the early 2000s (in **Greece**, or preparing the joining of EU as member states, for **Bulgaria, Cyprus and Romania**) initiated an embryonic public dialogue... among social partners, followed by published empirical investigation of labour flexibility and atypical work (Politis, T., 2000; Sabethai, I., 2000; Kouzis, Y., 2001; Mihail, D., 2003; Gavroglou, S., 2003; Mihail, D., 2004; Gavroglou, S., 2006; Ciuca, V., Lincaru, C., Mladen, L., 2005, 2006).”

Indeed, joining the EU, the governments sought to modernize the labour market institutions in European “style”, in order to face the challenges of unemployment and declining economic competitiveness, by enhancing contractual flexibility and securing as possible the workers’ rights, aspiring that the new institutional developments concerning non-standard work will promote *flexicurity* conditions in their countries labour market.

Studies from **Cyprus, Bulgaria and Romania** underlined that their countries experienced a diversification in terms of employment contracts and a modernisation of the labour law, due to cope with *new forms of labour developing on the market*, but also to answer to the *EU acquis requests, the transposition of EU labour law directives or framework agreements (part time, fix-term, etc)*.

In all our cases, the new form of labour is *not* a phenomenon really extended in the region, and in terms of atypical and typical forms of labour, *full time open ended contract remain dominant*.

Nevertheless, important figures are for *self-employment* and *undeclared work* (in **Greece, Romania, Bulgaria** - as already mentioned). Undeclared work is not a “new” form of labour, but its dimension imposed it, because in countries (as Greece) where it has since years been significant, now there is no important decrease, and in new member states, it significantly increases the level compared with the situation before the transition.

It is interesting to mention the fact, underlined by the Greek national experts, that even if the new forms of labour are not very extended, it doesn’t mean that *flexibility* of labour

market is very low; its source is the *internal flexibility, the overtime and the undeclared work*.

2.3 New forms of labour un-/covered by labour law

We tried to find also if “work and labour relationships, particularly the new forms of labour are covered by labour law/social security law” and if the “labour law is adapting in order to include these new social realities”.

In the region we found two different situations: in **Greece, Bulgaria and Romania**, the *labour law used to play an important role*, labour law has traditionally been the main source of regulating industrial relations, whereas collective bargaining and thus collective agreements have played a secondary role in regulating labour relations. In opposition, in **Cyprus**, *labour legislation traditionally plays a secondary role*; one notes also “the absence of a general employment protection law, guaranteeing basic core rights for all workers, irrespective of their employment status (which as a result emphasises discrimination law as a key tool of legal redress in a number of circumstances)”.

Regarding the *inclusion of new forms of labour* in the labour law, the situation is variable, from case to case; e.g. **Romania** is presented as having a “protective” system for employees, for all of them; in **Cyprus** the legal regulation is not so extensive; the new **Bulgarian** Labour Code can not solve the problems of the new forms of employment.

In Bulgaria - With the common efforts of the social partners, the Government and external technical support, the labour and social legislation was reformed and now includes clauses on balancing employment flexibility and security.

Its labour legislation has gone through substantive changes in the past ten years... but the recent agreed amendments to the Labour Code cannot solve the problems arising from the new forms of employment.

In Cyprus - the regulation of new forms of labour through law or collective agreements is not very extensive....and the labour legislation traditionally plays a secondary role.

In Romania - currently, the Labour Code in force – Law no. 53/2003 regulates in detail several forms of individual labour contracts: fixed term individual labour contracts, part-time work, work at employee’s domicile, temporary work. As well the Labour Code and secondary legislation provide for the possibility to negotiate and agree on specific arrangement related to the duration of work, work scheduling, professional mobility. Distinct chapters are allocated to the specific individual labour contracts of professional training, including the apprenticeship contract. The Romanian expert affirms clearly that “the Romanian legislation is extremely protective for the employees and, therefore, use of new forms of labour is allowed only in restrictive conditions”, to protect them of abuses. Even “the transposition of such European legislation always took into account the principle of workers’ protection....although in line with the European directives in the area, the Romanian legislation is generally more protective for the employees.”

In Greece - statutory labour law has traditionally been the main source of regulating industrial relations, whereas collective bargaining and thus collective agreements have played a secondary role in regulating labour relations.

Regarding legislative interventions in regulating the main new forms of contractual flexibility, part-time work is the most fully-regulated non-traditional form of employment in Greece.

However, the reality is not so “equal” and *differences do exist in practice* between traditional employees with open-ended full-time contracts and the new groups employed with atypical contracts.

In a Bulgarian article is clearly mentioned: “the change from permanent to fixed-term contracts leads to more flexible forms of employment and labour market mobility, but at the expense of employment protection.

Another problem is that shift from permanent to fixed-term contracts may work against functional flexibility of labour within enterprisesand such workers are trapped in a vicious circle of excessive employment flexibility and a low level of skills and professional mobility, which aggravates their employment insecurity.”

Actually, for the fundamental labour rights formulated for all workers, by law, in many countries of the region, in practice there are *ways to elude them*; in the literature we found few of these examples in temporary agencies work, undeclared work, unpaid overtime work, civil contracts (for self-employed people), triangular agreements contracts (by agencies or contractors, for liberal profession for example):

It is important to mention also that for the *self-employed persons*, the labour legislation is not covering their cases, their contracts being for services and acting under other provisional laws. We already mentioned the extremely important dimension of the self-employed people (43.2% of total employment in **Romania** and in **Greece**, 25.87 %, compared with 12.54% in EU15 and Norway) and the recognised importance of self-employment as source of flexibility on labour market.

We found interesting to mention here that *the modernisation of labour law could, sometimes, to determine a higher strictness and a less flexibility of labour market*. This is the case in **Romania**, demonstrated by a tendency to decrease the fixed term contracts percentage in total employment (from 3.0% in 1999 to 1.8% in 2006 – Employment in Europe 2007, figures), contrary to the increased European-27 tendency (respective, from 11.8% to 14.4%). Anyway, the level of expansion of this kind of activity/contract is very down, in this country, and the gender structure is different (in 2006, 2% of employed males and 1.6% of females held fixed-term contracts) comparing with the fixed-term employment in EU-27 (14.9% for women and 13.9% for men).

The idea of a higher strictness of employment protection legislation (EPL) for regular and temporary jobs was demonstrated also by “the overall assessment of EPL for Romania, which indicates a reduction of this indicator from 3.24 - at the date the new Labour Code came into force, to 2.8 - after the successive amendments of the law (Vasilica Ciuca, Cristina Lincaru, Luise Mladen, 2005). The second component of the indicator that regards regulation of temporary forms of employment decreases from 1.25 to 1.20. The score represents a relative stricter regulation compared with the most of EU countries.”

Concluding, one could agree that the question of labour law efficiency in regulating atypical work, taking in account the reality of new legal rules and the lack of efficient workplace monitoring, was colourful summarized in a few words: “Greek *labour legislation produced a ‘de jure over-regulation’ of the labour market and at the same time it has encouraged its ‘de facto deregulation’*.³

³ Mihail, D., ‘Atypical working in corporate Greece’, *Employee Relations*, Vol. 25, No.5, 2003

3. Perspective of “flexicurity” in the region

Regarding the perspective of “flexicurity” in the region, we tried to find ‘how important the relationship between social dialogue and new forms of employment is’.

We should mention that experts refer to “*social dialogue*” in their countries from different points of view, as a *traditional* way of debate (e.g. **Cyprus**) or as an *institutionalised* action/activity (e.g. **Greece, Romania**), developed or not at different levels.

They have, also, diverse comments about the relationship between social dialogue and the new forms of employment in their countries, particularly about the ‘*flexicurity*’ approach and the existing debates around this issue or the related ones (including about the necessary enforcement of labour law, the expectations for the social dialogue, etc).

In **Romania** – “it must be highlighted that the *Economic and Social Council* has a very important and influential role in elaborating and amending the labour legislation, although its advice has consultative character.

The *Economic and Social Council* is an autonomous public institution of national interest, established for the purpose of facilitating the social dialogue at the national level and ensuring the stability and social peace environment. It is a tripartite institution, being composed by an equal number of representatives of the employers, employees and Government. The representatives of the employers and employees are appointed by the trade unions and employers’ associations that meet the representation criteria at the national level. The Economic and Social Council examines and formulates advisory opinions on draft normative acts (laws, Government decisions and ordinances), and on draft programs and strategies, the initiators of any normative act being obliged by the law to request the advisory opinion of the Council; signals to the Government the occurrence of social and economic processes calling for the elaboration of new laws and regulations; upon request of the Government or Parliament or on its own initiative elaborates analyses and studies in the area of social dialogue.

All projects of new normative acts and amendments to the legislation in force have been debated between the social partners, as well as with the input of other institutions, employers or employers’ organisations not affiliated to the employers’ associations that are representative at the national level. Over the past years, the legislator took into account the agreements reached between the employers and employees organisations representative at the national level, although not stated in writing.

Such *debates* took place both within the statutory organisations (e.g. the Economic and Social Council) and during *public debates* organised by the social partners or non-governmental organisations.”

In **Greece**, “statutory labour law has traditionally been the main source of regulating industrial relations, whereas collective bargaining and thus collective agreements have played a secondary role in regulating labour relations. Based on the above institutional framework, major issues such as *flexibility and security in the labour market*, the *impact on non-standard employment relationships on workers’ collective rights* and the emergency of a *segmented labour market* tend to overwhelm an *embryonic social dialogue*. Unlike social dialogue structures in many EU15 Member States, in Greece it is extremely difficult to find collective bargaining between social partners at various levels that include work reorganisation issues on their agenda...

Institutions of social dialogue were established only during the last decade ⁴. Nevertheless, social dialogue remains underdeveloped mainly because of a poor tradition of collective bargaining and social consensus combined with the state's autocratic behaviour that conditions a climate of suspicion and conflict among the social partners. ... More specifically, the climate of tension between social partners is reflected in their diametrically opposed views on modernizing labour law around the concept of *flexicurity*. Thus, the *Economic and Social Council (OKE)* of the country decided, instead of attempting to make a synthesis of social partners' views, to simply outline their two divergent positions on modernizing labour law along the European Commission's line of argumentation.

The *General Confederation of Greek Labour* argues that changes presented in the Green Paper on modernising labour law would ultimately lead to labour market deregulation, thus undermining individual workers' employment protection. At a national level, the Greek Confederation maintains that higher level of flexibilisation in the labour market would entail a faltering social protection system, where massive lay-offs and corporate reorganisation costs would be transferred from profit-making private entities to society as a whole. At the core of the Greek Confederation's opposition to the Green Paper is the idea that the concept of flexicurity contains an inherent contradiction..."

Also, in **Greece**, "the *enforcement of labour law* and regulations in the labour market are generally perceived to be inadequate to face the daunting task of combating undeclared work, among other things ... This shortcoming represents a crucial issue of the labour flexibility *debate* in the country, with trade unions launching their criticism of totally *inefficient workplace inspection mechanisms and institutions*. It must be noticed that the problem of monitoring undeclared work has recently assumed dramatic proportions with the huge influx of illegal immigrants that have already constituted some 10.3% of total population in Greece."

In **Cyprus** – "in the present industrial relations system ... and though law does *not institutionalise bodies of social dialogue, social dialogue in Cyprus is rather firmly established*. In the same context, the social partners participate to almost all policy making organisations (i.e. Human Resources Development Authority), a condition that makes possible an important and timely intervention in labour and social policy issues, while it's clear *that almost all the social and labour issues are subject of social dialogue* (i.e. the adoption of the EU *acquis*)."

On the other hand, in Cyprus, "the new forms of work organisation as a whole are still in the first stages of development and study, and have *not* been a *particular subject of discussion between the social partners*. In the same line, neither the employer organisations nor the trade unions have formed a framework of positions and proposals to directly address the question of *flexicurity*. As a result, despite the weaknesses of the present system, the reform of labour legislation in order to better protect all workers or to better conciliate flexibility and security for all, *is not part of the public discussion*."

In this framework, the *main issues of concern* refer to the following:

- The problem of labour law violation and in particular the inadequacy of the available tools and mechanisms to *enforce the existing legislation*, an issue that has also been of particular concern for both trade unions and employer organisations in the past;

⁴ Since mid-1990s important institutions promoting social dialogue were established, such as the Economic and Social Council (OKE), the National Committee of Dialogue for Employment, and the National Committee on Dialogue for Social Protection.

- The debate over *part-time work* and in particular with regard to its role as a facilitator for the promotion of labour flexibility in general;
- The debate over *cross-border mobility* and its adverse effects on labour market regulation;
- The *trade unions' demand in modernising the industrial relations system* and more specifically ensuring in practice the right to organise, as well as the obligation of employers to apply collective agreements and accords for all employees.”

In **Bulgaria** – the comments about social dialogue are not very positives, but they are big expectations for the future: “In general, *social dialogue* at the national level, directed towards improvements in labour legislation in favour of higher employment security for workers, by restricting civil contracts and promoting job preservation in privatised enterprises has been *only partially successful*. ...As per UPEI, an employers’ organisation, the main barrier for the complete application of the different form of “flexible work” is the *lack of social dialogue on the issue*.”

In the ‘Pact for the Economic and Social Development of Republic of Bulgaria’, concluded by the Government and all representative of trade unions and employers’ associations, is underlined to be achieved, until the end of 2009, the objective of realising an “*effective social dialogue*”.

The Bulgarian expert emphasized also on “the need to *promote social dialogue* as a mean of achieving the aims to: define social groups largely using disguised or ambiguous work through exploring the spheres and activities where these forms of work are used, their productivity and the status of workers; improve understanding of the nature and character of temporary employment relationships; study and define the role of family SME business, which represent the main environment where unidentified labour relations tend to be developed.”

In few countries, the experts recognise the necessity of ‘*soft law*’, *codes of conduct*, etc. as a solution, but not necessarily as a unique answer to the developing problems on the labour market, and it is also mentioned the *changing role of the State* and *of the level of regulations' decentralisation*.

As final, conclusive question: Regional/national diversity or common trends and answers?

Trying to analyse carefully the national literature from the region about “flexicurity” and related issues, we found identical or similar aspects and also specific, diverse elements, experiences, realities and ways to tackle the issues, however not necessary identical with the European Commission suggested pathways.

Regarding this topic, the region itself is diverse, even if geographically the countries are ‘neighbours’ and have some mutual historical experiences; but this is part of the diversity of the EU and the right answers to the new challenges (including labour market modernisation) should be searched jointly, for the European common interest.

References

- [1] Industrial Relations Developments 2006-Bulgaria, EIROOnline, 03'2007, Eurofund;
D-r Iskra Beleva, D-r Vasil Tzanov, "Labour market flexibility and Employment Security", Bulgaria, Employment paper 2001/30, International Labour office, Geneva.
- [2] Katya Ribarova, "Bulgarian Transition and employment relations", South-East Europe Review No 4, 2002;
- [3] Undeclared work in an Enlarged Union, an Analysis of Undeclared Work, An In-depth Study of Specific Items, Employment&social affairs, EC, 2003.
- [4] Soumeli E. (2004), "Industrial relations and undeclared work: the case of Cyprus", eironline, <http://www.eurofound.europa.eu/eiro/2004/06/tfeature/cy0406104t.htm>
- [5] Soumeli E. (2007), "Economically dependent workers in Cyprus", eironline, <http://www.eurofound.europa.eu/eiro/2007/02/articles/cy0702019i.htm>
- [6] EIRO, *Non-permanent employment, quality of work and industrial relations*, European Industrial Relations Observatory, 2002,
<http://www.eurofound.europa.eu/eiro/2002/02/study/tn0202101s.htm>
- [7] European Commission, *Employment in Europe 2006*, Office for Official Publications of the European Communities, Luxembourg, 2006.
- [8] Karakioulafis, C., *Thematic Feature on Temporary agency work in an enlarged European Union –The case of Greece*, European Industrial Relations Observatory, 2005,
<http://www.eurofound.europa.eu/eiro/2005/06/word/gr0506105t.doc>
- [9] Kouzis, Y., *Economically dependent workers*, European Industrial Relations Observatory, 2002;
<http://www.eurofound.europa.eu/eiro>
- [10] Kretsos, L., *Thematic feature- industrial relations and undeclared work*, European Industrial Relations Observatory, 2004b;
<http://www.eurofound.europa.eu/eiro/2004/06/tfeature/gr0406104t.htm>
- [11] Kretsos, L., *Thematic feature - collective agreements on changes in work organisation*, European Industrial Relations Observatory, 2004c,
<http://www.eurofound.europa.eu/eiro/2004/09/tfeature/gr0409103t.htm>
- [12] Mihail, D., 'Atypical working in corporate Greece', *Employee Relations*, Vol. 25, No.5, 2003, pp. 470-489
- [13] Soumeli, E., *Trends in part-time work in Greece*, European Industrial Relations Observatory, 1997,
<http://www.eurofound.europa.eu/eiro/1997/05/feature/gr9705113f.htm>
- [14] Al. Athanasiu, M. Volonciu, L. Dima, O. Cazan, *Labour Code Comments*, C.H.Beck, Bucharest, 2007
- [15] Vasilica Ciuca, Gheorghe Raboaca, Cristina Lincaru, Luise Mladen, *The impact of Employment Labour Protection over the general employment performances of the labour force*, published in the Supplement of the "Romanian Statistical Review" no.1/2005, The National Institute of Statistics (INS) and the Romanian Statistics Society (SRS), Bucharest, 2005
- [16] European Commission (2006a) *Employment in Europe 2006*. Luxemburg, European Communities
http://ec.europa.eu/employment_social/employment_analysis/employ_2006_en.htm
- [17] European Commission (2006b) *Green Paper "Modernising labour law to meet the challenges of the 21st century"* Brussels, 22.11.2006, COM (2006) 708 final
http://ec.europa.eu/employment_social/labour_law/docs/2006/green_paper_en.pdf
- [18] European Commission (2007) *Towards Common Principles of Flexicurity: More and Better Jobs Through Flexibility and Security*. Brussels, 27.06.2007, COM (2007) 359 final.
http://ec.europa.eu/employment_social/employment_strategy/flexicurity%20media/flexicuritypublication_2007_en.pdf