

CONVERGENCE IN THE EUROPEAN SOCIAL POLICY

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The European Union has developed a series of strategies that aim to limit the consequences of non-employment (due to the continuing crisis). These strategies aim by the objectives and mechanisms specific to the eco-social area, to improve the access to employment, social services, professional education and a more efficient European fund management. All this are subordinated to the coupling policy public-private in terms of partnerships both at a national level and European level. The problem is related to differences manifested between the social objectives at the national level and those imposed by the European context. The differences come from different degrees of economic development of the member states, economic development which is reflected on the living standards. The convergence between the social policies is based on the economic convergence, which represents the only way to ameliorate the discrepancies between the united nations of Europe. Social Europe dream or certainty? The answer can be found in the words of Jean Monnet: “we are not bringing together states, we are uniting people”. The efforts to define the four types of actions regarding the free movement of labor force and the correlation of the social security schemes, ensuring equal opportunities, respecting labor rights and the fight against discrimination can be found in the results obtained on these priorities.

Key words: social policy, subsidiarity, economic and social convergence, the workforce flexibility, the continental model of welfare, regulated profession, felxcurity, equal opportunities, social dumping.

JEL Codes: J 01, J 08, J 44, J 64, 65, J 83

National social policies are credited to solve some local social problems. They give evidence of inconsistency or partiality with regard to certain stated objectives, often, electoral. Thus, if at a national level the convergence of the social policy objectives cannot be achieved, the efforts for common approach at the European level will face objective difficulties and precaution measures. The occupational insurance schemes face the economic crisis' effects which affect all levels (for Romania it emphasizes the impediments regarding the labor migration).

The coherence in the European social policies context becomes, currently, a concept based on relativity.

The limited competence of the European social policies is based on the following pillars: legislation, action programs and financial incentives form the structural funds.

Currently, the problematic of the interest zone is reflected in: education and training, health, living and working conditions, social protection, equal payments and equal treatment for all employees, protection of children-the elderly and of the disabled population. To this problematic package the problem with maximum urgency is added regarding the social exclusion at the European level.

The White Paper in the European social policy (published in July 1994) provides a summary of the social policy thinking of the Union, demonstration the role of the social dimension of the E.U. at the end of the 20th century.

The social dialogue, the intervention of the labor management in the social dimension of the Union aims to create a closer union between the populations of Europe. However, the decisions have been taken (based on the subsidiarity principle) far from the will of the citizens of Europe.

Implementing the legislation for equal opportunities leaves much to be desired. The decisions, the recommendations, the opinions are, often, debates reasons which do not materialize, practically in effective measures.

Social policy or social philosophy?

The social affairs and the directions of development of the European social policies for the future are facing, currently, multiple disadvantages. Some areas of the social life have remained untouched by the official regulations, directives, decisions, recommendations and resolutions. This is due to the significant changes at the European labor market level.

The increase in the number of poor people, the increase of unemployment, lower-class extension, are phenomena that contribute to the pressure on the social services.

Promoting competitiveness and social progress are presented as being dependent on the economic prosperity. The approach between the levels of productivity of labor in the EU countries has contributed to the high social standards “reconciliation”. Thus, compliance and economic convergence by similar levels of development, as an effect to the economic growth, will lead to the initiation of programs regarding the flexibility and continuous training of the labor force.

Coordination, monitoring, evaluation of the social partnership are objectives but also urgent tasks due to the aggravation of the work situation on the European labor market. Economic integration cannot be dissociated from the social one. Thus, the problematic package workers-labor market-freedom of movement workforce generates the necessity of a common social policy, coherent and comprehensive.

Something has been done, but enough remains to be done!!!

The “continental” model of the welfare, (as is formulated by theory in this field of study) present doubts and suspicions regarding the harmonization of social policies. For a more efficient process of harmonization two steps must be undertaken: the first concerns the understanding and correct perception of the differences between the national social welfare systems. The second step, finding those common grounds, useful for the removal of the approximately character of social protection harmonization, within the Member states’ framework. Currently, for the case of migrant workers is the exception from the efforts of harmonization of the social systems.

The national cultural tradition is rooted in the national welfare systems. Thus, unity through diversity remains the key to success on a social European level.

The tax system, geographical location, work productivity level, the labor relation climate are factors that worsen (to what extent?) the competitiveness at the European level. The current standardization of the European fiscal system has positive consequences but also negative effects, seen in terms of workforce. Different taxation of the revenues (at the European level in relation to the national one)creates discrepancies but also the interest for finding and employment abroad. These situations can imbalance the labor force, obstruction competition.

The fear that social dumping will become a common practice at a European level, cause the European social policy makers to be more attentive in terms of the origin of the workers, particularly for the southeastern Europe.

The welfare of the state becomes a theoretically exclusivist slogan while the national welfare systems continue to produce measure which, fewer in number, converge towards welfare.

The catalytic effectiveness of the European commission activity for social affairs consists of the efforts for common approach of the social policies. As an institutionalized instrument of coordination within the EU database regarding the essence and the dimensions of the European social policy, the commission aims for the substantiation of a “European society”.

Can we talk about the Pareto Optimum at the formulation level of the social policies at the European level?

The equal opportunities for all idea- is about all Europe’s citizens, without discrimination- represents a principle and elevates to the level of fundamental European value. Equal

opportunities for all represent a goal and one of the base components of democracy everywhere, together with liberty and the respect for human fundamental rights.

An inconsistent state is emerging in terms of the abusive restrictions towards the Romanian and Bulgarian workers. While Italy and Czech republic have informed the European commission that they will lift the restrictions on the labor market for the Romanian and Bulgarian workers, starting with 1st January, other nine member states have notified the EU executive that they will maintain the restrictions until the end of 2013.

These countries are: UK, Ireland, Germany, Belgium, France, Luxembourg, Malta, Netherlands, and Austria²⁰. The concerned countries have argued their position using explanation regarding the evaluation of serious disturbances on the labor market²¹.

Although the European commission should not authorize the member states to continue applying these restrictions, the European Commission Commissioner for Employment, Social Affairs and Inclusion, László Andor, intends to present his own point of view regarding the notification received for the concerned member states and their explanations in a meeting of the EPSCO Council (work, social affairs, health and consumer protection). The treaty of accession of Romania and Bulgaria to the EU, allows the EU countries -25 (the founding countries and those that joined the EU before 1st January 2007) to restrict temporarily the free access of workers from Romania and Bulgaria to their workforce markets, in order to prepare the full freedom of movement within the EU.

The general transition period of seven years is divided into 3 stages (2 plus 3 plus 2 years). During this period, a safeguard clause allows a member state to reintroduce the restrictions, if there are serious disturbances on the workforce market or the threat thereof²². The transitory measures will end irrevocably at 31st December 2013. The current economic crisis represents a challenge for the manner in which each government comprehends to manage and resolve the national emergencies.

A global economic climate, elastic and fluid, will be ensured by the flexible conduct of the population who migrate towards a job that will bring a growth in the income. What should be emphasized is the existing differences between the migration phenomenon of the XVIII-XIX centuries and the workforce migration today. Of course, globalization-regionalization-integration as defining features of the present give a distinctive note to the workforce migration. Substantiation of some policies for combating poverty go hand in hand with the efforts of the countries (not only at an European level) to improve their economic status.

Therefore, a review of the reality with which the labor market faces currently, and the economic and social problems aroused after the wave of emigration-immigration, is a necessity in order to explain the connecting process of the economic performances to the economic and social communication effectiveness.

The professional education- means for approaching the European values

The labor market issue has a large openness towards the economic and social: it is not limited only to dealing with the supply and demand of the labor market in terms of quantity.

Addressing the qualitative side of the labor force requires an interpretative analysis of several components regarding: the qualification level, the creative potential available to the individual, the productivity level that he needs to demonstrate, the skills but also other qualities which he must prove, currently, the bearer of workforce.

²⁰ If such notifications would not have been sent until the early new year, 2012, the Romanian and Bulgarian workers would have had the chance of a place to work within the 9 countries.

²¹ The same way acted Spain on 22nd July 2011.

²² The current economic reality is marked by the globalization that generates new relations of economic forces at a global level: the European countries don't have the economic power to deal individually with the great competitors like USA, Japan or China and India, states which, currently, are in full economic boom.

The confrontation between the workers from east with those from west, professionally trained differently, as a result of some different political, social and educational systems, reveals qualities and weaknesses, mentalities and behavior attitudes opposite if not contradictory, in which competition manifests between employees, for the workplace they applied for.

Shifting to other jobs ability, the labor flexibility dependent on the priorities and sustainable development strategies, concerns in equal measures the labor market at the community and national level.

As regards to the European problematic, it is emerging by maintaining the same aspects but under a different context: increased competition due to pressures from outside the community area²³, alarming aging of the population, the issue on energy in terms of source of origin, prices and the security of production, distribution and use, the ecosystem under ecologic danger etc.

The ambition for exiting the present recession stumbles upon the labor market status, which rises not only the issue regarding the employment but also the issue on education, professional training and qualification.

Reducing unemployment rate from 9% in 2004 to 1% in 2007 involves creating 6 million jobs at the community level, a staggering figure if we consider the possibility of employing these jobs in relation to the professional qualification. The issue regarding higher education diplomas recognition and also of other qualification certificates, within the EU represents another key point in the finalization process of the law on free movement of workforce.

A “regulated profession” involves the recognition of the professional activity in accordance with the laws, the regulations or with other administrative provisions, on the basis of a diploma.

October 20th, 2007 is the deadline for transposing and enforcing the Directive on diplomas recognition, which will operate by incorporating its provisions within the national law.

It shall be added that the Directive for the recognition of qualification 2005/36 of 7th September 2005, contains different provisions for those situations where the profession which will be carried out is not regulated in its home country. In this case, the worker must prove 2 years of professional experience and to conclude professional liability insurance; on top of that, the state where the activity will be carried out can reserve the right to verify periodically the professional skills of the worker.

The recognition of qualifications represents an essential step towards the liberalization in de facto of workforce movement²⁴.

The directive on the recognition of the qualifications within the EU is based on several criteria – duration, frequency, periodicity and continuity of carrying out an activity within the community area.

The provisions relate to 3 different regimes:

- the general recognition of professional qualification*, which provides in the event of mismatch of professional training of the worker, attending a traineeship or an aptitude test;
- the automatic recognitions system of the qualifications acquired through professional experience*, in this category being included a range of industrial, craftsman and commercial activities where professional experience can sometimes be automatically recognized.
- the automatic recognition system of qualification for certain specific professions* such as doctor, nurse, dentist, veterinarian, midwife, pharmacist and architect.

As in other cases, France is the country that has reservations on the opening of the labor market; the recognition processes of qualifications are facing the same obstacles as the freedom of movement of workforce²⁵.

²³ The objective of this Directive is to facilitate the deployment of services and establish the qualifications obtained in an EU state which allows the deployment of activities in another member state. It should be considered the distinction between the applicable regime for carrying out cross-border services and the regime applicable for the settling of the worker in a particular country.

²⁴ The French national assembly approved in 2006, the new legislation regarding immigration, specifying that the provisions were tightened. France will accept only high qualification carriers and for those from outside the European area it insists on specifying the mandatory responsibility of learning French and respecting the French democratic principles.

Qualification means professional training and it manifests as a result of the educational process. The education represents, now more than ever, the safest means of getting closer to the European values.

Felxicurity of the workforce

The new concept, with equal economic and social coverage, is addressing and it's formulated in the interest of workers which are laid off. This socio-economic safeguard measure aims to provide a minimum social security throughout the workforce migration process.

As shown the concept seeks to answer the challenges within the labor market on the flexibility of the workforce, emphasizing the liabilities and responsibilities their employers or the labor market institutions have, in terms of guaranteeing a workplace.

Introducing such concept is due to the German concept and follows the model embraced by this Germany –“the social market economy”.

On the occasion of the summit, in 2007, Angela Merkel argued strongly for the creation of a European system adapted to the human being not only to the business world²⁶. It should be noted that at this summit the *social affairs, the workforce and the equal opportunities* were the three forces that expressed their concern and interest for the fundamental objective: the creation of new jobs in order to modernize the economies.

The arguments and assessments towards this direction are supported by the fact that the EU borders are defined rather by *systems of value than geographical criteria*.

Or, in this view, the differences between the level of performance and the workforce competencies cannot be sensed than in the situation when the worker is put to work. But for this, he must be granted the opportunity and the right to demonstrate what he's capable of.

The reluctance in terms of potential, skills and qualification of the eastern area worker, are nothing but signals of segregationist behavior, totally inappropriate and contrary to the values so assiduously invoked and preached by the EU.

It is not an exaggeration to say that the tensions between the east-west political regimes before '89 take currently the form of some social tensions. However, under these social tensions the whiff of some political confrontation and mismatches of mentality can be sensed. It is an exaggeration to think that the differences in mentalities between the former communist countries and the Western European countries will disappear as if by magic after their integration into EU.

In terms of employment of workforce policy, the European Council recommends that the member states make efforts to change the mentality regarding the work life cycle. This requires an education to accept the transition from one work place to the other or from a position to another within the same company, but also formulating measures through national policies to help the low paid or low skilled employees, the marginalized individuals from the labor market, in order for them to find a decent job in accordance with the living standards.

From all this provisions and recommendations the need for flexibility of the labor force becomes obvious. Perhaps the most pertinent aspect of the new configuration of the labor market is its capacity to face the challenges triggered by research and development.

The labor market manifests a variable geometry which currently, in order to meet the challenges and the objectives of economic growth and sustainable development, must prove mobility. The labor market cannot be flexible if the workforce doesn't prove flexibility and this is under the influence of the individual, of the manner in which they are perceived, understood and accepted the new requirements of the society progress.

²⁵ EU Bulletin, Euractiv 29 march 2007.

²⁶ Hartmuth Kaelble - The study “lived” Europe and “conceived” Europe in the XX century: The social particularities of Europe,pg.45,in his book *Consciousness and European identity in the XX century*. René Girault (coordinator), Curtea veche publishing house, Bucharest 2004.

Although the active workforce is the one that focuses the interest on job offer, however, the reality of the labor market reveals other aspects contributing to the tensions manifested lately.

The population ageing is a phenomenon that in addition to the positive effects of life extension implies also the formulation of some strategies for maintaining the elderly on the labor market. If biology has been successful in geriatrics, they must find resonance on the socio-economic policies of using this segment of labor force.

The gender mainstreaming requires the implementation of the strategies for promoting women within the labor market. The female workforce constitutes an essential factor which must be taken into account when shaping the new culture of the flexible activities. The feminization of the labor force in certain industries and fields of activity represent another step towards the modernization of the labor market. The majority of work places newly created within the EU are held by female graduates of different forms of education.

Although they are helping in achieving the economic targets, they encounter barriers regarding the manifestation of their total potential. In this sense, solving these situations created by employment discrimination fall in the capacity and tasks of the EU Commissioner for employment, social affairs and equal opportunities, job created precisely to prevent and mitigate the frustrating conflicting states endured by the female population.

Is the equality goal achieved?

If the state through its policies opposes to the entry of foreign capital, then, it will be forced to undertake also the protection of those dismissed due to the closure of unprofitable companies. The entry of foreign capital is considered, in this case, as a means for capitalization of the uncompetitive economic agents (or insufficiently competitive on the foreign market).

The state's intervention may be interpreted in this situation as an example of undermining the social responsibilities of the economic agents forced to pay the compensations after layoffs. It is clear that the entry of foreign capital and the mergers between the economic agents are assessed, equally, as a favorable means for economic capitalization and as a globalization factor.

There is, in this direction, a point of view already formulated according to which if "the economic patriotism" exceeds a certain level (we are wondering which level?) it becomes a impediment towards the capitalization of the economic agents. By the government intervention the market is influenced, the European competition can no longer manifest freely and openly. We consider that here, it can be sensed the influence of the political factor, even if this influence is made with the help of another government (third party).

"The economic patriotism" is a formula designed to sensitize the European citizen, with the purpose of blocking the globalization, which disadvantages also the market and the citizen itself. Another example on the opinion polls' effects at the European level is the feedback on the union effectiveness for the EU countries.

The appreciations relating to the European employees claims for the wage growth were made by the president of the European Central Bank, Jean Claude Trichet, in a very categorical manner: Europe cannot afford higher wages if it desires to provide for all its citizens a place to work. If employment is desired (including creating new jobs for immigrants A/N) the claims for wage growth shall be abandoned.

The origin of this contraposition can be found in the interpretation of the correlation between employment and wage increases demanded by the European citizens. It is recognized and appreciated that a moderate increase in labor cost constituted a key factor in the policy for reducing the unemployment at the European level. The opportunity cost of such measure forces to choose between two objectives.

On the same tune, there was formulated a different conclusion: by 2020 EU should establish minimum social standards (without granting compulsory welfare) because this provision is the task and the attribute of each member state.

The intensification of exchanges between the European companies is a means for social and economic integration at the same time. Therefore, the multilingualism appears as a characteristic element of the equality and fairness European culture. The dialogue within the EU constitutes one of the key moments of the community development and progress.

“This vision on social and cultural diversity within the EU is often used as a concept opposed to the political power concentration at Brussels, and economic standardization of the European community. The social and also the cultural are considered to be shelters. The representation of the national or regional social particularities gains more strength”²⁷.

The pragmatism and globalization, phenomena which currently mark our existence, and modify our mentality, attitude and behavior, determined, often, passing the interpersonal communication, in the background. In a world where personal interest dictates where alienation becomes more and more extended due to the online networks, the communication remains the only gateway towards understanding the unity in diversity. Let’s not lose sight that the super-connection is a risk, which doesn’t necessarily means super-communication.

The main tool used for insuring the objectives of the social Europe is the European social fund (ESF). Defined as one of the main financing instruments of the investment in humans, the ESF of over 10 billion € annual expenditure, is oriented towards supporting the workforce and on increasing the professional skills, levers of labor flexibility. Its aim is to reduce the differences between the living standards and the professional skills of the individual, at a European level.

The key words that ensure the effective use of the EFS are the convergence and regional competitiveness and employment.

<i>Time span</i>	<i>Goals and objectives</i>
<i>1957</i>	Joint financing for the programs regarding the increase in of job skills and the development of labor capacity of the workers.
<i>1984</i>	Financing of individual projects of professional training and promoting the workforce.
<i>1989</i>	Financing the strategies for boosting employment and job creation.
<i>1993</i>	Funding integrated programs in the less developed regions with GDP/capita below 75%
<i>2000</i>	Supports the Lisbon Strategy and European strategy on employment according to the objectives on the workforce employment and on the reduction of unemployment.
<i>2007-2013</i>	The allocation of about 75billion € for the regions and EU member states for the objective on professional competitiveness growth with employment purposes.

The operating mechanism of the European Social Fund provides five strategy directions:

- supporting and efficient enabling of the specific labor market policies on:
 - a) fighting and preventing long term unemployment
 - b) supporting professional integration of the young and of the unemployed,
 - c) assisting the individuals with high risk level of becoming unemployed.
- Promoting equal opportunities for everyone, especially for the individuals under social exclusion risk.
- Promoting measures for the improvement of training, education and counseling regarding the learning process throughout life
- Promoting through innovation, free initiative and specialization of the qualified in line with the requirements of technical progress labor force

²⁷ www.europarl.europa.eu- the Report on Employment and social issues in the Annual Growth analysis for 2012.

- Promoting measures for improving the attraction and participation of female labor force, by avoiding gender discrimination.
- As regards to the future project of the EU, the Social European Fund's priorities for 2020 are creating jobs as a result of exiting the crisis, continuous education for the future and social inclusion. The report on employment and the social aspects in the Annual growth analysis for 2012²⁸ includes measures that seek to ensure coherence and the increase in its level in order to ensure the achievement of the Europe Strategy 2020 objectives.

The status of citizen of the European space strengthens, thus, the concept of "European citizenship".

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²⁸ Phd Student of University of Oradea, Faculty of Economical Science, with the thesis: *Business ethics and competitiveness in Romania*, prof. coordinator: prof.univ. dr. Petru Prunea,