

**SECTION INTERNATIONAL BUSINESS, EUROPEAN
INTEGRATION, FOREIGN LANGUAGES AND BUSINESS
ENVIRONMENT**

**LEGAL MIGRATION – RIGHTS AND BENEFITS IN THE
EUROPEAN SOCIAL SECURITY SYSTEM**

Nicoleta ANDRICA ¹, Andreea-Florina FORA²

¹Doctoral School of Economic Sciences, Faculty of Economic Sciences, University of Oradea, Oradea, Romania

*²Department of International Business, Faculty of Economic Sciences, University of Oradea, Oradea, Romania
nicoleta_mester@yahoo.com
andreea.fora@gmail.com*

Abstract: *In the present paper we are discussing about legal migration inside U.E and the rights it confers. All the states members are facing migration, which is a complex of challenges, including demographic, political and economics -one of the most important, the decrease in the labour market. Every country needs to attract skills and knowledge from abroad. Innovation and transition to a green and sustainable economy is a priority for all. We also approach the peculiarities and the characteristics of European digitalisation in social security coordination in all institutions in E.U., including Romania. In 2023, more than are 17 million of Europeans citizens are working or living abroad. European Union provides information for all the workers: equal treatment, E.U. legislation, rules for each one, rights in each country and also for family members. The countries implement the European interoperability for social security institutions, to make easier the electronic exchange between the institution from all Europe. Using this type of communication, mandatory for all members countries, gradually will be removed the documents on paper support by electronic one. This is part of green economy. EESSI (Electronic exchange of social security information) is use in different branch of social security such as unemployment, old age pension, accidents at work or sickness benefits, family benefits, or maternity and paternity benefits. Labor migration is a very important aspect of European Politics. Thus, the growing flow of foreign workers, who must benefit from all the rights conferred by European citizenship, accelerate the process of using these programs, to facilitate access to all this in shortest possible time and no additional costs.*

Keywords: migration; social security; workers; E.U. legislation; rights

JEL Classification: J61; F66.

1. Introduction

Romania's integration into the EU offered all Romanians access to a free European labor market, without restrictions or discrimination regarding nationality. The phrases

"European citizen" and "European citizenship" are more and more common these days. From these arise both rights and obligations, which all citizens should know. Specialized bodies regularly deal with information on these aspects, using as many channels as possible: media, online, flyers. Integration into the E.U. made European directives and regulations transposed into our legislation. Starting from free movement, aspects regarding regulations at the educational level, which allow the recognition of studies and courses throughout the EU. and last but not least, aspects regarding the social insurance system.

Migrants are not only looking for a job, they want a lifestyle, which pleasantly combines both the part regarding work and the rights regarding access to education, health and social insurance offered by the host country.

Migration has both a positive and a negative impact on the economy of our country. If in the short term these are positive (decrease in unemployment, remittances, capital contribution in local investments), in the long term we can also anticipate some negative effects such as the aging of the population, the decrease of the active population, the reduction of the labor force and implicitly lower social security contributions to the state budget.

European Commission adopted the introduction of a minimum wage at the E.U. level. All these provisions are provided in the Directive 2019/1162 on the adequate minimum wage in the E.U. and entered into force in October 2022. Member States have two years to transpose the provisions into national legislation. Although they wanted the minimum wage to be at the level of the E.U. and sector of activity, the final form stipulates that each state will establish its level taking into account the directive provisions but also the economic and social conditions, macroeconomic indicators and implicitly the value of the consumption basket. Thus, it is desired that the value of the consumption basket represents 60% of the median salary or 50% of the average gross salary in the economy. In România it will start by July first 2024 and will be around 722 euro.

2. The average salary at the level of the E.U.

The average salary at the EU level can vary significantly depending on the level of economic development of each country. Analyzing this aspect, we can observe a considerable difference between the Western countries and those of Central and Eastern Europe. In countries such as Luxembourg, Denmark and the Netherlands, the average gross monthly salary can exceed 2500 euros, and in our country, among Bulgarians and in Hungary, the average gross monthly salary is significantly lower, such as - 477 euro Bulgaria, 633 euro-Romania and Hungary-697 euro.(Minimum wages, January 2024-Eurostat)

Starting from the average salary at the level of each country, we end up at the pension system. Just like the amount of the salary, the level of pensions differ depending on the country. Being influenced by several factors, among which we mention the contribution to the pension system, the calculation system, the economic power of the respective country, we conclude that the level of pensions in Romania is on average lower than in Western countries. Over time, the pension system in Romania has faced equity and sustainability issues. Integration into the E.U. of Romania helped to adopt measures to help European citizens who have worked in

one of the member countries and be able to receive their rights from each country (Reg. (EC) NR. 883/2004 of the European Parliament).

3. Electronic Exchange of Social Security Information – EESSI

One of the most important steps for digitalization in all the sectors of activity providing benefits or services in the following branches of social security:

- family benefits
- sickness, maternity, and equivalent paternity benefits
- old-age pensions and disability benefits
- benefits for unemployment
- benefits for survivors
- benefits in case of accidents at work and other occupational diseases (www.europa.eu)

To make more easily the connection between social security institutions across Europe, the European Commission implements the EESSI - Electronic Exchange of Social Security Information. Starting by June 2023, the system interconnects, 3,400 institutions in 32 participating countries: the 27 EU Member States and the following: Iceland, Liechtenstein, Norway, Switzerland, and the United Kingdom (European Commission).

EESSI works as an IT System used by all the institutions to communicate regarding social security files. In this case it can be selected every country that takes part of a file, and the documents are sent to the correct destination in the right institutions.

The Electronic Exchange of Social Security Information (EESSI) system offers several benefits, such as improved efficiency in exchanging social security data across EU countries, reduced administrative burden for social security institutions, enhanced data accuracy, and quicker processing times for social security claims. By streamlining the process and making it more efficient, EESSI can help identify and prevent fraudulent activities more effectively.

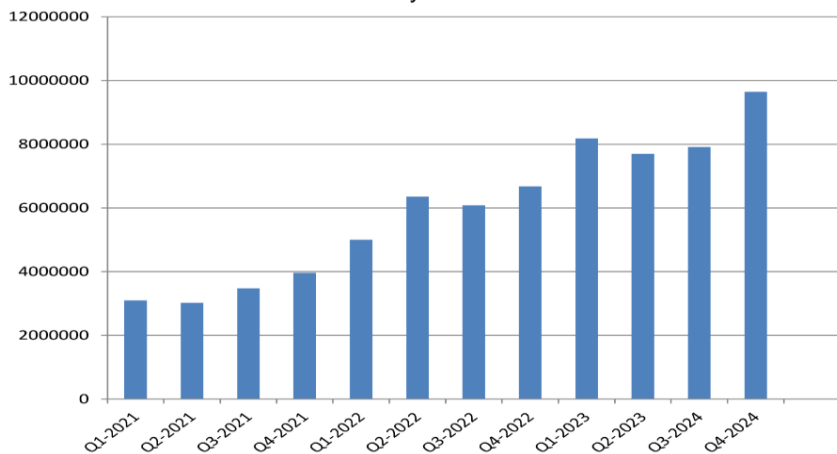


Figure 1: The number of business messages exchanged across Europe starting 2021

Source: www.europa.eu [05 April 2024]

Each year the number of business messages is growing (Q1-2021 3.095.211 at 9.643.798 at the end of Q4-2023) and this is a very good thing in implementation of EESSI. Using it by every country and all the competent institutions, the time for processing files is reduced, the information are correct, response times are shortened and the environment is protected by eliminating paper forms. 17 millions of europeans lives and works in other country of the U.E. and almost 5 milions romanian lives abroad (european-union.europa.eu).

4. Conclusions

Traditional methods of exchanging social security information often involve physical mail and courier services, which contribute to carbon emissions. EESSI's electronic system minimizes the need for these services, thereby lowering the carbon footprint associated with the transportation of documents.

Romania's membership in the EU brought a series of benefits both economically and socially. European regulations and directives transposed into Romanian legislation provide a transparent legislative framework, legislative stability in a European framework, for all economic agents.

On the social level, the transposition of the directives leads to a series of rights conferred on the state of "European citizen", both regarding the educational system, the health system and the social system. Each country has its own system, but must corroborate them with European regulations, so that "European citizens" benefit from the legislative provisions of the country in which they carry out their activity, just like all other citizens.

Helped by the digital communication system, european citizens manage to obtain their benefits in a much shorter time, and the instrumentation institution and those in question can keep contact regarding the situation of each person.

EESSI offers a wide array of benefits such as security, transparency and efficiency of social security coordination across the European Union. By using this digital technology, EESSI improves the operational effectiveness of social security institutions and provides important advantages for citizens, particularly for those with cross-border social security needs and for those who have worked in multiple EU countries.

EESSI ensures that pension rights are accurately tracked, claims are promptly processed, and pensioners get their benefits without delays. This system simplifies the coordination and portability of their pension entitlements.

The system's contributions at environmental sustainability, cost saving and better resource utilization further underscore its value in modernizing and optimizing social security systems within the E.U.

Digitalisation is the biggest challenge in the public administration system, both national and European. Romania, as a member of the U.E. is taking important steps to progress as quickly and as well as possible. The EESSI implementation is one of them.

References

1. Berinde, M. and Giurgiu, A., (2007) *Aderarea României la UE*, Oradea: Editura Universității din Oradea.
2. Pîslaru, D.N., Botezatu, E., Popescu, A., Stăniloiu, I., (2019) *Pilonul european al drepturilor sociale: reducerea inegalităților și a decalajelor sociale în România. Evoluții ale politicilor și inițiativelor europene din domeniul tineretului*, Institutul European din România,
3. Directive 2041/2022 on Adequate Minimum Wages
4. Regulation (EC) No. 883/2004 of the European Parliament and the Council of 29 April 2004
5. www.consilium.europa.eu/ro/policies/adequate-minimum-wages/ [06 April 2024]
6. www.cursdeguvernare.ro [03 April 2024]
7. www.ec.europa.eu [05 April 2024]
8. www.eur-lex-europe.eu [07 April 2024]
9. www.eurostat.eu [03 April 2024]