DECISION No. 12/2017 of 12 January 2017
on the organisation and functioning of the Ministry of Labour and Social Justice

Text in force starting from 22 November 2018

Pursuant to Art. 108 of the Romanian Constitution, as republished, to Art. 40 (1) of Law no. 90/2011 on the organisation and functioning of the Government of Romania and of the ministries, as further amended and supplemented, to the Government Emergency Ordinance no. 9/2014 approving certain measures for a more efficient structural instruments management system, as approved with amendments by Law no. 133/2014, and to Art. 20 (1) of the Government Emergency Ordinance no. 1/2017 laying down certain measures in the field of the central public administration and amending and supplementing certain laws,

the Government of Romania adopts the following decision.

CHAPTER I
Organisation and functioning of the Ministry of Labour and Social Justice

SECTION 1
General provisions, functions, principles and duties

ART. 1
(1) The Ministry of Labour and Social Justice shall be organised and shall function as a specialist body of the central public administration, with legal personality, under the subordination of the Government.
(2) The Ministry of Labour and Social Justice shall develop national policies, in line with European and international policies in the field of labour, family, social protection and protection of the elderly, and shall fulfil the role of state authority, in charge with strategy, planning, regulation, synthesis, coordination, monitoring, inspection and control.
(3) The Ministry of Labour and Social Justice shall coordinate the implementation of the Government strategy and policies in the field of labour, family, social protection and protection of the elderly, and in the field of social justice.

ART. 2
The Ministry of Labour and Social Justice shall have its headquarters in Bucharest, 2-4 Dem. I. Dobrescu street, district 1.

ART. 3
(1) The Ministry of Labour and Social Justice shall exercise, pursuant to law, in its fields of competence, the following functions:
a) strategy and planning, by which it shall:
   1. develop, update and coordinate the implementation of the strategies, plans and programmes in its fields of activity;
   2. develop public policy documents in its fields of activity;
   3. ensure the development of research, surveys and forecasts to substantiate policies, strategies and programmes in its fields of activity;
4. ensure the legal and institutional framework to obtain and collect the necessary data to fulfil the reporting obligations assumed by Romania at European and international levels, in its fields of activity;
5. ensure the legal and institutional framework to facilitate and foster dialogue on the policies, strategies and decisions arising from its fields of activity;
6. promote strategies and policies supporting social justice in Romania;
b) regulation, synthesis and endorsement, by which it shall:
1. develop draft legislation in its fields of activity;
2. endorse draft legislation developed by other ministries and authorities of the central and local public administration which fall under its area of competence;
3. issue regulatory documents in its fields of activity, pursuant to legal provisions;
4. ensure the implementation of social justice within the policies and strategies developed by the Government of Romania;
c) representation, by which it shall represent the Government in the relationships with the national, European and international bodies, organisations and associations in its fields of activity, and shall promote the national interest;
d) state authority, by which it shall:
1. ensure the implementation of Government policies in its fields of activity;
2. coordinate, monitor and ensure uniform implementation of the national legislation in its fields of activity, harmonised with the provisions and requirements of the European Union legislation, treaties, conventions, agreements, memoranda and protocols to which Romania is a party;
3. coordinate the reporting activity to European and international institutions in its areas of competence;
4. coordinate the development of public policies in its areas of competence;
5. ensure the promotion of specialist surveys necessary to improve activities in its areas of competence;
6. controls the fulfilment of tasks provided by the legal provisions in force for the principal authorising official, delegated, pursuant to law, to the National Employment Agency and to the National Public Pensions Agency;
e) monitoring, inspection and control, by which it shall:
1. control, through its own departments or through institutions under its subordination or authority, compliance with the legislation in its fields of activity, it shall identify cases of non-compliance, it shall apply sanctions and, as appropriate, it shall notify the prosecution bodies, pursuant to the legal provisions in force;
2. perform control and inspections on the activities and services in its areas of competence;
3. perform internal audit and control activities, both within the ministry and within the other entities under its subordination, authority or coordination;
4. control the use of financial resources allocated from the state budget and of resources from national and foreign loans;
5. ensure methodological and procedural guidance on the activities of the structures in charge with the implementation of programmes in its fields of activity;
f) Repealed
g) implementation authority for the financial assistance granted by the European Union under PHARE programmes, for its fields of activity;
h) provider of state aid for training;
i) administration, by which it shall:
   1. rent state-owned real state property under its administration;
   2. rent or receive under administration, for the purposes of undertaking own activities,
      movable and immovable property, representing public or private property of the state;
   3. coordinate the administration of assets owned by the units under its subordination,
      authority or coordination;
j) public information and awareness raising in its fields of activity, by which it shall:
   1. ensure public information and consultation, pursuant to the legal provisions in force,
      in promoting legal and regulatory acts in its fields of activity, at national, European and
      international levels;
   2. make available for the public general information
      and documents of public interest in
      its fields of activity;
   3. organise public information and awareness campaigns on the promotion and
      implementation of policies, strategies and legislation in its area of competence, so as to
      raise awareness and facilitate their understanding and observance.

(2) The activity of the Ministry of Labour and Social Justice relies on the following principles:
a) the principle of social justice;
b) the principle of respect for human dignity, equal opportunities and treatment;
c) the principle of social cohesion;
d) the principle of observing the right of every person to decent labour;
e) the principle of contribution and solidarity in promoting social progress;
f) the principle of compatibility with the legislation of the European Union;
g) the principle of transparency of activity towards the citizens and other institutions of
   the state, of the European Union and towards the civil society;
h) the principle of efficient public funds management;
i) the principle of consultation of social partners;
j) the principle of promoting a balanced society;
k) the principle of strengthening social dialogue at all levels, with a view to increasing
   its contribution to the economic and social development.

ART. 4*)
(1) In exercise of its functions, the Ministry of Labour and Social Justice shall carry out,
pursuant to law, the following general tasks:
   1. It shall identify, develop and promote public policies and legislation in the field of
      labour, family, social protection and protection of the elderly, fully compliant with the
      provisions of the Government Programme and with Romania’s obligations arising from
      its capacity as EU member state, in its fields of activity;
   2. It shall develop monitoring and evaluation reports on the public policies initiated and
      implemented by the ministry;
   3. It shall endorse draft legislation developed by other ministries and bodies of the central
      and local public administration which fall under its area of competence;
   4. It shall organise, together with other ministries and with the specialist bodies of the
      central and local public administration and with other legal persons, as appropriate, the
      promotion of the activities undertaken in its fields of activity;
5. It shall cooperate with professional and employers’ associations in its fields of activity and it shall ensure permanent dialogue with such associations, with the media and with the civil society in general, for the purposes of mutual information and improvement of the existing legal framework;
6. It shall participate in strengthening the administrative capacity of the structures involved in the programmes in its fields of activity, and in strengthening and enlargement of partnerships;
7. It shall participate with designated experts in the meetings of the working groups related to its fields of activity;
8. It shall participate in the exchange of information and experience with national and international institutions and bodies on its fields of activity, pursuant to law;
9. It shall perform quantitative and qualitative surveys, through specialist institutions, so as to substantiate strategic documents, public communication and information campaigns in its fields of activity;
10. It shall procure, pursuant to law, specialist services in order to obtain the documents, surveys, data and information collection necessary to carry out its tasks, as well as consultancy services, including evaluation, forecast and statistics;
11. It shall publish, either directly or through the units under its subordination or authority, specialist publications and publications for information purposes specific to its fields of activity;
12. It shall organise and support, pursuant to law, activities and actions to promote and support projects in its fields of activity, both in Romania and abroad, through exhibitions, symposia, conventions, congresses, conferences and other such events;
13. It shall monitor and evaluate public policies with impact on its fields of activity;
14. It shall receive and solve or, as appropriate, submit for solving to those competent and authorised, the notifications submitted by natural and legal persons, pursuant to the provisions of the Government Ordinance no. 27/2002 regulating petition-solving activities, as approved, amended and supplemented by Law no. 233/2002;
15. It shall ensure protection of classified information, pursuant to law;
16. It shall ensure the implementation of the European Union legislation in its areas of competence, through specific activities, pursuant to law;
17. It shall coordinate the implementation of bilateral assistance programmes and of other financial assistance programmes granted by the European Union, according to its area of responsibility;
18. It shall develop, implement and monitor from a technical perspective the projects financed from European funds or from other sources, international cooperation programmes and bilateral cooperation programmes for its fields of activity;
19. It shall promote public-private partnership in the implementation of programmes and projects in the field;
20. It shall propose that status of public benefit body should be grated to associations and foundations in its fields of activity, as well as prior approval so as not-for-profit foreign legal persons governed by private law should be recognised by order of a court, pursuant to law;
21. It shall collect, process and disseminate statistical data in its fields of activity;
22. It shall ensure liaison with the Parliament, media, the Economic and Social Council and with other representatives of the civil society on issues specific to its fields;
23. It shall develop and substantiate documents reflecting Romania’s position on the EU policy and strategy for its areas of competence and it shall ensure participation in the activities of the European Union institutions; for this purpose, it shall perform its tasks and it shall participate, pursuant to the legislation in force, in the national system for the management of European affairs;

24. It shall ensure permanent consultation of social partners on draft legislation initiated under its scope;

25. It shall ensure liaison with the International Labour Organisation, the United Nations, the Council of Europe, the Organisation for Economic Cooperation and Development and with other international organisations, according to its areas of competence;

26. It shall negotiate and follow-up the conclusion and ratifications of bilateral legal instruments, for its fields of activity;

27. It shall carry out bilateral relations with the ministries and institutions with tasks in the fields of labour, social justice, family, social protection and protection of the elderly from other countries;

28. It shall represent Romania, pursuant to law, in the international activities and European institutions in its fields of activity;

29. It shall ensure protection of Romanian citizens working abroad through labour and social affairs attachés;

30. It shall cooperate in the monitoring and evaluation of the implementation of the Strategy of the Government of Romania for the inclusion of the Romanian citizens belonging to the Roma minority for 2015-2020, for the implementation of the lines of action on employment;

31. It shall ensure the administrative and financial management of the Community programmes and of the projects with reimbursable and non-reimbursable funding implemented by the ministry;

32. It shall ensure pursuant to law, financial means from its own budget for the purposes of adopting the harmonised European standards, according to the area of competence of the ministry;

33. It shall ensure representation before courts on issues falling under the fields of activity of the ministry;

34. It shall exercise control over the activities carried out by institutions under its subordination, authority of coordination;

35. It shall publish newsletters and it shall organise workshops, conferences, thematic exhibitions and other similar actions in Romania and abroad, in its fields of activity; all expenses related to the printing and dissemination of newsletters, and to organising workshops, conferences, exhibitions and other thematic actions shall be covered from the budget allocations approved for the Ministry of Labour and Social Justice;

36. It shall implement and develop the integrated IT system in its fields of activity;

37. It shall substantiate and support draft budgets managed by the ministry or by the institutions under its subordination, authority of coordination;

38. It shall develop the draft annual budget for its own activity and for the activities of its subordinated institutions and the annual and multiannual investment programmes;

39. It shall monitor budget execution and it shall take operational actions to ensure payment of all social protection rights, within the limit of funds approved.

(2) The Ministry of Labour and Social Justice shall carry out the following specific tasks:
a) Social justice:
1. It shall develop the legal framework in the field of social justice;
2. It shall endorse draft legislation in terms of compliance with and implementation of the principle of social justice;
3. It shall develop and monitor national strategies, in terms of compliance with and implementation of the principle of social justice;
4. It shall ensure inter-ministerial coordination of the process of development, monitoring and evaluation of the implementation of the National Strategy for social justice 2018-2025, by creating the institutional framework for monitoring objectives and reporting on social justice, in line with the European and international initiatives in the field;
5. It shall ensure regulation, coordination, planning, monitoring and evaluation of policies and actions which ensure the implementation of social justice, as well as its implementation and promotion within the entire society, in the context on re-balancing resource distribution;
6. It shall request central public administration authorities, as appropriate, reports on the objectives of the National Strategy for social justice 2018-2025 and shall propose the review of the action plans to reach the targets set by the strategy;
7. It shall ensure reporting on indicators on social justice to the European and international bodies, based on data provided by the other authorities responsible with the implementation of the National Strategy for social justice 2018-2025 and of other sectoral strategies in the field.

b) Protection of the rights of the child and adoption:
1. It shall endorse the regulatory framework in the field of the protection of the rights of the child and adoption and of harmonisation of national legislation on the protection of the rights of the child and on adoption with the rules and principles provided by the international treaties and conventions to which Romania is a party, as well as for the purposes of their effective enforcement;
2. It shall coordinate and approve the National Strategy for the protection of the rights of the child and adoption;
3. It shall coordinate and monitor the implementation of policies and strategies on the protection of the rights of the child and adoption;
4. It shall initiate draft legislation on quality assurance in social services in the field of the protection of the rights of the child and adoption;
5. It shall accredit the social services aimed at preventing the separation of the child from his/her parents and at special child protection organised, pursuant to law, by authorised public authorities or private bodies.

c) Social assistance and social inclusion:
1. It shall coordinate the national social assistance system according to the responsibilities laid down by the legislation in the field;
2. It shall develop the legal framework on the provision of social assistance benefits and of social services, and on the organisation, functioning and development of the national social assistance system;
3. It shall fund the social assistance benefits, as well as the programmes aimed at the development and sustainability of social services provided from own budget;
4. It shall collect national data on poverty and social exclusion, it shall analyse and identify the factors which contribute to preventing and fighting social exclusion, it shall draft recommendations and proposals for a more efficient decision-making process in the field of social inclusion and it shall develop the national reports on social inclusion;
5. It shall develop the cost standards for social services and it shall monitor their observance by the public providers;
6. It shall develop the criteria, the performance indicators and the quality standards for social services, for the accreditation/re-accreditation of providers and of services provided by them, it shall monitor and check compliance with legal provisions on quality assurance in the field;
7. It shall monitor the implementation of the strategies of the local public administration authorities for the development of social services;
8. It shall provide methodological coordination of the activity of public social assistance services at territorial level and it shall cooperate permanently with the local public administration authorities;
9. It shall provide guidance and it shall monitor the activity of the authorities and institutions with responsibilities in the field of social assistance and of public and private providers of social services;
10. It shall ensure the operation of the technical secretariats of the national/inter-ministerial committees, organised pursuant to law;
11. It shall coordinate and monitor the development of documents in the field of social inclusion by the ministries with tasks in this field;
12. It shall coordinate the activity of the National Committee for social inclusion;
13. It shall coordinate and carry out the accreditation of social services providers;
14. It shall coordinate the setting-up, administration, monitoring and management of the national records of social services providers and of social services and of the single electronic register of social services;
15. It shall ensure permanent liaison with social services providers with a view to ensure a more efficient process of accreditation, to provide counselling and methodological guidance;
16. It shall develop programme documents on family policies, demographic policies and birth rate increase policies;
17. It shall inform citizens on their rights in the field of social assistance.

d) Equal opportunities:
1. It shall coordinate the development of governmental policies and national action plans in the field of equal opportunities for men and women;
2. It shall endorse draft legislation initiated by the other ministries and specialist bodies of the central public administration, with a view to the integration of and compliance with the principle of equal opportunities and treatment for women and men;
3. It shall initiate draft legislation in the field of equal opportunities and treatment for women and men;
4. It shall monitor and evaluate the implementation of policies and strategies in the field of equal opportunities for men and women;
5. It shall coordinate the activity of the National Committee in the field of equal opportunities for women and men (CONES). The president of CONES is the president of the National Agency for Equal Opportunities for Women and Men.
e) European Funds:
1. It shall develop public policies in the social and employment fields which may be financed from European Structural and Investment Funds;
2. It shall ensure the implementation and monitoring of the financial assistance granted by the European Union under PHARE programmes it benefits from in its capacity as implementation authority;
3. It shall ensure the implementation and monitoring of the financial assistance granted by the European Union through the programmes financed under the European Social Fund, pursuant to the delegation agreement concluded with the Managing Authority, according to Art. 15 of the Government Decision no. 398/2015 laying down the institutional framework for the coordination and management of European Structural and Investment Funds and ensuring continuity of the institutional framework for the coordination and management of structural instruments 2007-2013, as further amended and supplemented;

f) Labour legislation:
1. It shall organise and coordinate the systematisation, modernisation and improvement of labour legislation by the development and endorsement of the legal framework on labour relations;
2. It shall monitor and transpose into national legislation the Community legal provisions in the field of labour legislation;
3. It shall ensure uniform enforcement of legal provisions in the labour field.
4. It shall ensure enforcement of the legislation on collective agreements and collective labour disputes.

g) Employment and training:
1. It shall develop and promote draft legislation and policy documents necessary to achieve the strategic objectives in the field of employment and training;
2. It shall develop, promote and update the national strategic framework in the field of employment and training, based on national and European requirements, together with the institutions and bodies involved in the field;
3. It shall analyse, propose amendments and approve annually the National Employment Programme and the National Training Programme, initiated by the National Employment Agency;
4. It shall set the performance indicators and their levels, based on which the annual management performance agreement is concluded with the National Employment Agency;
5. It shall monitor, control and evaluate the implementation of employment and training policies by the National Employment Agency;
6. It shall develop policies and national strategies on human resources development, including for adult training and qualifications, based on the national development plans, national action plans, government programmes and sectoral strategies;
7. It shall set up authorisation committees for training providers at county level and for Bucharest municipality, under its subordination, without legal personality, and it shall issue the decisions on the setting-up of such committees;
8. It shall coordinate and control at national level the authorisation of adult training providers;
9. It shall develop the Regulation on the organisation and functioning of the authorisation committees for training providers at county level and for Bucharest municipality, and of their technical secretariats;
8. It shall manage the national registers of adult training providers;
9. It shall manage at national level the register of adult training providers evaluators and of adult training programmes and the register of specialists by occupational fields which may be appointed in the committees for assessment of training programmes graduates;
12. It shall regulate the quality assurance system in adult training;
13. It shall develop and update the Nomenclature of qualifications for which training programmes may be organised and qualification certificates may be awarded upon programme completion;
14. It shall develop and update the Classification of Occupations in Romania, upon proposals by various users;
15. It shall coordinate at national level the European Network for Career Counselling and Information;
16. It shall develop and promote public policies on mobile workers/migrants and it shall initiate legal and/or administrative measures for the social and professional integration of immigrants in Romania, ensuring the promotion of policies on the training, employment and fight against immigrant workers discrimination;
17. It shall apply, in its capacity as provider of state aid for training, the state aid legislation;
18. It shall analyse the documentation and it shall issue the certificates for the recognition of qualifications acquired abroad, outside the education system, by Romanian citizens or by citizens of other members states of the European Union or of countries from the European Economic Area who are willing to undertake economic activities in Romania;
19. It shall cooperate with other ministries and institutions in the development of the Romanian National Qualifications Register;
20. It shall analyse and evaluate the compliance with the authorisation requirements by the temporary work agents and issues the operation permit to applicants;
21. It shall monitor and update the National Register for authorised temporary work agents;
22. It shall represent Romania in the operational committees and working groups in the field of employment and free movement of workers, at EU and international levels;
23. It shall develop and promote the legal framework necessary to achieve the strategic objectives in the field of labour mobility, free movement of workers who are citizens of the European Union and of the European Economic Area, it shall transpose Community legislation into the national legislation;
24. It shall promote the research-development priorities in the field of labour so as they should be included in the Sectoral Research-Development Plan of the ministry;
25. It shall develop policies and strategies in the field of social economy;
26. It shall promote and support social enterprises, pursuant to law;
27. It shall provide information to those interested in the field of social economy, pursuant to law.

h) Pensions and other rights provided by special laws:
1. It shall develop draft legislation and the methodology for the enforcement of the legal provisions on pensions, other social security entitlements and rights granted by special laws, upon proposal of the National Public Pensions Agency;
2. It shall cooperate with other ministries and institutions in the development of the legal framework in the field of compulsory social contributions;
3. It shall cooperate with other ministries and institutions to ensure the implementation of the international regulations on social security to which Romania is a party, as well as the Community regulations;
4. It shall develop the legislation to create the institutional framework necessary for the implementation and operation of the private pensions system;
5. It shall ensure, through the National Public Pensions Agency, the information and consultation of insured and retired persons on issues related to their interests;
6. It shall monitor and evaluate the implementation of policies on pensions and other rights provided by special laws, by the National Public Pensions Agency.

i) Family protection:
   1. It shall initiate and endorse, as appropriate, draft legislation with impact on the field of family protection;
   2. It shall accredit social services for the protection of domestic violence victims.

j) Protection of persons with disabilities:
   1. It shall initiate and endorse, as appropriate, draft legislation with impact on the protection of people with disabilities;
   2. It shall monitor and evaluate the implementation of policies and strategies on the protection of people with disabilities;
   3. It shall accredit the social services for the protection of persons with disabilities.

k) Protection of the elderly:
   1. It shall initiate and endorse the legal framework on the protection of the elderly;
   2. It shall develop and monitor the national strategies on the elderly and the national programmes on population development, in the context of demographic ageing;
   3. It shall monitor at national level the implementation of the European Regional Strategy for the implementation of the international action plan on ageing, and of the Action Plan on ageing adopted in Madrid in 2022, and it shall develop the national reports;
   4. It shall ensure the operation of the technical secretariat of the National Committee for Population and Development;
   5. It shall ensure the regulation, coordination, planning, monitoring and evaluation of policies and actions on active ageing and it shall support the promotion of the concept of active ageing;
   6. It shall develop long-term care policies and programmes, including to create the unitary long-term care system.

l) Wages:
   1. It shall develop and promote public policies and draft legislation for the implementation of the Government Programme and of the strategic objectives in the field of wages;
   2. Repealed
3. It shall develop proposals in the wages system for contract employees in the public system, it shall cooperate with the National Agency of Civil Servants on the wage system for civil servants;
4. It shall propose strategies on wage policies in the autonomous companies, national companies and state-owned companies or companies with majority public shareholding;
5. It shall develop the wage-adjustment system based on the evolution of macroeconomic indicators;
6. It shall develop the calculation methodology and it shall propose the national guaranteed gross minimum basic wage;
7. Repealed
8. It shall analyse and check the compliance with the regulations in force in the development of the draft revenue and expenditure budgets developed by the public institutions and authorities;
9. It shall endorse draft Government decisions approving the framework regulations laying down the positions, personnel categories and amount of the bonus for working conditions, according to Art. 23 of the Framework Law no. 153/2017 on the wages of staff paid from public funds, as further amended and supplemented;
10. It shall substantiate the nominal value of the meal vouchers, pursuant to Law no. 142/1998 on meal vouchers, as further amended and supplemented, and of the gift vouchers and childcare vouchers, pursuant to Law no. 193/2006 on gift vouchers and childcare vouchers, as further amended;
11. It shall process statistical data in the field of activity of the ministry, in order to reach the objectives on wages;
12. It shall ensure liaison with the Parliament, media, the Economic and Social Council and with other representatives of the civil society on issues specific to the field of wages;
13. It shall ensure, on behalf of the Government of Romania and of the Romanian State, representation in the field of wages, at national level and abroad;
14. It shall develop and substantiate documents reflecting Romania’s position on the EU policy and strategy for its areas of competence and it shall ensure participation in the activities of the European Union institutions;
15. It shall develop and substantiate documents reflecting Romania’s position towards the international financial bodies for the field of wages;
16. It shall analyse and solve issues related to employment relationships (wages, pensions, substantive rights, other rights) of all categories of personnel in the field of defence, public order and national security and other related structures;
17. It shall analyse and present proposals on the draft legislation developed by the institutions from the field of defence, public order and national security and other related structures;
18. It shall equivalate the education of military personnel, police personnel and civil servants with special status from the prison administration, upon discharge, so as they may be employed as civilians;
19. It shall draft proposals on documents to be presented to the Government, Parliament, Supreme Council of National Defence, and to other institutions in the field of defence, public order and national security and other related structures;
20. It shall ensure specialist assistance and it shall solve issues notified by representatives of public institutions, economic operators and petitioners.
m) Occupational health and safety:
1. It shall develop the strategy and the legal framework in the field of occupational health and safety;
2. It shall ensure the necessary measures to enforce the European Union legislation harmonising the conditions for the marketing of products in the following fields: vehicles, personal protective equipment, equipment and components intended for use in potentially explosive atmospheres, explosives for civil uses and pyrotechnic articles;
3. It shall develop the legal framework on insurance for accidents at work and occupational diseases;
4. It shall acknowledge and appoint compliance evaluation bodies for the areas of competence of the ministry;
5. It shall promote the research-development priorities in the field of occupational health and safety so as they should be included in the Sectoral Research-Development Plan of the ministry.

n) Social dialogue:
1. It shall coordinate social dialogue at national level, pursuant to law;
2. It shall prepare, develop, negotiate and follow-up the conclusion of agreements between the Government and representative social partners at national level, pursuant to law;
3. It shall initiate, coordinate and follow-up the implementation of social partnership development programmes in cooperation with the central and local public administration authorities, employers’ associations, trade unions, associations, foundations and other structures of the organised civil society, and with the international bodies and institutions in this field;
4. It shall organise the meetings of the National Tripartite Council for Social Dialogue, pursuant to law;
5. It shall inform the Government on the requests presented by social partners - trade unions, employers’ associations - so as to analyse possible solutions;
6. It shall support the social dialogue activity carried out by the central and local public administration;
7. It shall coordinate and manage the database and the records on employers’ associations and trade union organisations;
8. It shall support the activity of employers’ associations and trade union organisations in its fields of activity;
9. It shall draft quarterly, half-yearly and annual statistical reports on the number of collective labour disputes, the number of employees who participated in strikes, and the number of collective agreements concluded at company level;
10. It shall keep records of reports in the territory on stressful circumstances which might lead to disputes, to inform decision-makers so as to defuse them.

*) Pursuant to Art. 4, corroborated with Art. 3 of the Government Decision no. 917/2018, within 90 days after the order of the ministry of national education and of the ministry of labour and social justice approving the Methodology for the development, updating and management of the National Qualifications Register enters into force, Art. 4 (2) letter g) item 13 of the Government Decision no. 12/2017 shall be repealed.

ART. 5
The Ministry of Labour and Social Justice, through its structures, shall monitor the uniform enforcement of the legal provisions in its fields of activity, in companies in the public, mixed and private sectors, pursuant to the duties laid down by law.

ART. 6
In exercise of its powers, the Ministry of Labour and Social Justice shall cooperate with the other ministries and specialist bodies subordinated to the Government, with other public authorities and with governmental and non-governmental organisations.

ART. 7
The ministries, the other authorities of the public administration, public institutions and economic operators have the obligation, pursuant to law, to make available to the Ministry of Labour and Social Justice, upon request, the necessary documents, data and information to fulfil its functions.

ART. 8
The Ministry of Labour and Social Justice shall carry out any other tasks in its fields of activity, as laid down by legal provisions.

SECTION 2
Organisation of the Ministry of Labour and Social Justice

ART. 9
(1) Annex 1 presents the organisational structure of the Ministry of Labour and Social Justice.
(2) The Ministry of Labour and Social Justice has a maximum number of 424 positions, financed by the state budget, excluding high officials and the minister’s cabinet positions.
(2^1) The maximum number of positions provided at para (2) shall be supplemented by 20 fixed-term contract employee positions, until 31 August 2019, to ensure the activities related to the Romanian Presidency of the Council of the European Union.
(3) The organisational structure of the Ministry of Labour and Social Justice shall include the high official cabinets, under the subordination of the minister and of secretaries of state.
(4) The tasks and responsibilities of the functional components of the Ministry of Labour and Social Justice shall be laid down in the regulation of the organisation and functioning of the ministry, approved by order of the minister of labour and social justice.
(5) By order of the minister of labour and social justice, the organisational structure may include units, offices and other departments and may stipulate the number of positions for each, within the maximum number of positions approved.
(6) The payroll and the structure of positions by functions shall be approved by order of the minister of labour and social justice.
(7) The minister of labour and social justice shall issue, pursuant to law, administrative documents on staff employment, appointment, on the amendment or termination of employment contracts or civil servants’ contracts, as appropriate.

ART. 10
(1) The Ministry of Labour and Social Justice shall include, pursuant to law, project management units, hereinafter called PMUs, and project implementation units, hereinafter called PIUs, with a view to ensure a uniform framework for the management
and implementation of projects financed by foreign reimbursable loans or from foreign non-reimbursable funds.

(2) The organisational structure, the number of positions and the regulation on the organisation and functioning of the units mentioned at para. (1) shall be established by order of the minister of labour and social justice.

(3) The minister of labour and social justice shall appoint the personnel of the units mentioned at para. (1) and shall establish the powers of the PMUs and PIUs managers.

(4) The personnel expenditure shall be financed from the project budgets, from the amounts allocated for this purpose, and from the budget of the Ministry of Labour and Social Justice, pursuant to law.

ART. 11

(1) The organisational structure of the Ministry of Labour and Social Justice shall include, pursuant to law, the management unit for state aid for training, hereinafter called SAMU.

(2) The organisational structure, the number of positions and the regulation on the organisation and functioning of SAMU shall be established by order of the minister of labour and social justice.

(3) The minister of labour and social justice shall appoint the personnel of SAMU and shall establish the powers of the managers of such units.

ART. 12

(1) The Ministry of Labour and Social Justice shall include the Unit for labour and social affairs attachés, who shall represent the ministry in diplomatic missions abroad.

(2) The Ministry of Labour and Social Justice shall appoint, upon approval by the Ministry of Foreign Affairs, by order of the minister of labour and social justice, from among its specialists or the specialists of institutions under its subordination or authority, representatives in charge with labour and social affairs, hereinafter called labour and social affairs attachés, within Romanian diplomatic missions abroad.

(3) The personnel appointed according to para. (2) shall have the following duties:
   a) to support and protect the interests of Romanian workers abroad;
   b) to promote workers mobility within the European Union;
   c) to inform workers on the risks of illegal work.

(4) The personnel provided by para. (2) shall be under the authority of the head of the diplomatic mission where they undertake their activity and shall act under their guidance to fulfil their duties according to the specific fields of activity stipulated by the sending authority.

(4^1) The personnel provided by para. (2) shall undertake such activities for a 4-year period which may be extended up to 18 months.

(5) The personnel of the Ministry of Labour and Social Justice sent to the Romanian diplomatic missions abroad for matters related to labour and social affairs shall be subject to the legal provisions in force on the personnel sent for permanent missions abroad. During their mandate and when they return to Romania, they shall be part of the contract employees subject to the legislation in the field or, as appropriate, to the rules applying to civil servants.

ART. 13

The expenditure for the operation of the Unit for labour and social affairs attachés shall be covered from the budget approved for the Ministry of Labour and Social Justice.

ART. 14 Repealed
ART. 15
(1) The Ministry of Labour and Social Justice shall include the Technical-Economic Committee.
(2) The membership and the regulation on the functioning of the entity stipulated by para. (1) shall be approved by order of the minister of labour and social justice.

ART. 16
(1) Annex 2 presents the units under the subordination, authority or coordination of the Ministry of Labour and Social Justice.
(2) The organisational structure, the allocation of the maximum number of positions, the payrolls and the regulations on the organisation and functioning of the units under the subordination of the Ministry of Labour and Social Justice, as stipulated by Annex 2, point I, shall be approved by order of the minister of labour and social justice, within 30 days after this decision has entered into force, upon proposal of their managers, as appropriate.
(3) The managers of the units stipulated by Annex 2 shall be appointed and dismissed by order of the minister of labour and social justice, or by decision of the prime minister, upon proposal by the minister of labour and social justice, pursuant to law.

SECTION 3
Management of the Ministry of Labour and Social Justice

ART. 17
(1) The Ministry of Labour and Social Justice shall be managed by the minister of labour and social justice.
(2) The minister of labour and social justice shall represent the ministry in the relations with other ministries, other public authorities and national and international organisations, and with Romanian and foreign legal and natural persons.
(3) In exercise of his powers, the minister of labour and social justice shall issue orders and instructions.
(4) The minister of labour and social justice shall be the chief authorising officer and shall carry out the general tasks provided by Art. 53 (1) of Law no. 90/2001 on the organisation and functioning of the Government of Romania and of the ministries, as further amended and supplemented.
(5) The minister of labour and social justice shall delegate the duties provided by the legal provisions in force for the chief authorising officer of the unemployment insurance fund to the president of the National Employment Agency, except for the clearance for all projects co-financed by the financial assistance of the European Globalisation Adjustment Fund - EGF, and for the chief authorising officer of the public social insurance fund to the president of the National Public Pensions Agency, pursuant to law.

ART. 18
(1) The minister of labour and social justice shall be assisted in the managing activities by 5 secretaries of state, by the secretary-general and by 2 deputy secretaries-general.
(2) The minister of labour and social justice may delegate tasks, pursuant to law, to the secretaries of state, to the secretary-general, to a deputy secretary-general and, as appropriate, to other members of the staff of the ministry and/or of institutions under the subordination or the authority of the ministry.
(3) The minister of labour and social justice shall propose and, as appropriate, appoint Government representatives in tripartite structures, pursuant to law.

(4) The minister of labour and social justice shall carry out any other specific tasks, as laid down by legal provisions.

ART. 19

(1) The College of the ministry shall operate as an advisory entity for the minister of labour and social justice.

(2) The membership and the regulation on the functioning of the entity stipulated by para. (1) shall be approved by order of the minister of labour and social justice.

ART. 20

(1) The secretary-general and the deputy secretary-general of the Ministry of Labour and Social Justice shall fulfil the duties and responsibilities provided by Art. 49 (2) of Law no. 90/2001, as further amended and supplemented. They may carry out other tasks provided by the Regulation on the organisation and functioning of the Ministry of Labour and Social Justice or entrusted by the minister of labour and social justice.

(2) The managers of the institutions under the subordination, authority or coordination of the ministry shall exercise all duties provided by law, and those delegated by order of the minister of labour and social justice.

CHAPTER II

Final provisions

ART. 21

(1) The Ministry of Labour and Social Justice may rent facilities for own needs, pursuant to law.

(2) The Ministry of Labour and Social Justice may rent or make available for free to institutions of public interest certain facilities in the buildings under the public or private property of the state, where they undertake their activity and which the manage, pursuant to law.

(3) The rent received for the facilities rented according to para. (1) and (2) shall be fully transferred to the state budget.

ART. 22

(1) The number of vehicles for the transportation of high officials and for the car park shall be established pursuant to the Government Ordinance no. 80/2001 laying down expenditure rules for the public administration authorities and for public institutions, as approved and amended by Law no. 247/2002, as further amended and supplemented.

(2) By way of exception from the provisions of para. (1), the Ministry of Labour and Social Justice shall have available 7 vehicles for specific activities with a view to compliance with law in its field of activity, of which 2 vehicles purchased from non-reimbursable foreign funds.

ART. 23

For the purposes of achieving its overall and specific objectives and tasks, the Ministry of Labour and Social Justice may cooperate with specialists in various fields of activity, by concluding part-time individual employment contracts, within the maximum number of positions approved for the ministry, or service agreements, as appropriate, pursuant to law.
ART. 24
(2) Prefectures, together with county councils, the General Council of Bucharest Municipality and local councils, may support the provisions of adequate facilities for the activities of territorial institutions subordinated to the Ministry of Labour and Social Justice.
(2) In those localities where the territorial institutions subordinated to the Ministry of Labour and Social Justice do not have available proper facilities, the local councils shall support such institutions by making available, pursuant to law, locations to build own facilities.
ART. 25
Civil servants with general functions, civil servants with specific functions and contract employees shall be appointed and employed, respectively, by the Ministry of Labour and Social Justice, who shall be remunerated pursuant to the legal provisions in force on the wages of staff paid from public funds.
ART. 26
Employment according to the number of positions and to the organisational structure shall be performed in compliance with the deadlines and the procedure applicable to each category of personnel, by order of the minister of labour and social justice, within at least 30 days after this decision has entered into force.
ART. 27
ART. 28
Annexes no. 1 and 2 shall form an integral part of this decision.
NOTES
   “ART. II
   The Ministry of Labour and Social Justice shall hand over to the Ministry of European Funds a number of 19 positions and their personnel, by takeover protocol concluded within 30 days after the date when this decision enters into force.”
   “ART. III
   The Ministry of Labour and Social Justice shall take over from the Ministry of Public Consultation and Social Dialogue a number of 27 positions and their personnel, by takeover protocol concluded within 30 days after the date when this decision enters into force.”
2. We quote below the provisions of Art. II of the Government Decision no. 801/2018.
   “ART. II
   The personnel shall be employed according to the maximum number of positions within at least 30 days after this decision has entered into force, subject to the legal provisions and to the legal regime applicable for each category of personnel.”
ORGANISATIONAL STRUCTURE
of the Ministry of Labour and Social Justice

The maximum number of positions is 424 (excluding high officials and the minister’s cabinet positions). The maximum number of positions shall be supplemented by 20 fixed-term contract employee positions, until 31 August 2019.

| MINISTER | ._. | MINISTRY COLLEGE* |
| MINISTER CABINET |

| INTERNAL PUBLIC AUDIT **) | ATACHEES FOR LABOUR AND SOCIAL ISSUES** |
|COMMUNICATION, MASS-MEDIA AND PUBLIC RELATIONS***) |
|UNIT FOR INFORMATION TECHNOLOGY***) |

| GENERAL DIRECTORATE CONTROL, IMPLEMENTATION NATIONAL ANTICORRUPTION STRATEGY | GENERAL DIRECTORATE EUROPEAN AFFAIRS AND INTERNATIONAL RELATIONS OF THE COUNCIL OF THE EUROPEAN UNION***)/****) |
|COUNSELLORS FOR PREPARING |

| SECRETARY OF STATE | SECRETARY OF STATE | GENERAL | SECRETARY | SECRETARY | SECRETARY | SECRETARY |
| CABINET | CABINET | CABINET | CABINET | CABINET | CABINET |
| SECRETARY | SECRETARY | SECRETARY | SECRETARY | SECRETARY |
| OF STATE | OF STATE | OF STATE | OF STATE | OF STATE |

| DEPUTY | DEPUTY |
| SECRETARY | SECRETARY |
| GENERAL | GENERAL |

| EMPLOYMENT POLICIES DIRECTORATE, SKILLS AND PROFESSIONAL MOBILITY |
| DIRECTORATE FOR SOCIAL INSURANCE |
*) This shall be organised by minister order.
**) This shall be organised at department level.
***) This shall be organised at office level.
****) 20 fixed-term contract employee positions, until 31 August 2019.

ANNEX 2

Institutions under the subordination, authority and coordination of the Ministry of Labour and Social Justice

I. Institutions under the subordination Ministry of Labour and Social Justice
   1. Labour Inspection (2,526 positions)
   2. National Agency for Payments and Social Inspection (1,409 positions)
   3. National Authority for the Protection of the Rights of the Children and Adoption (69 positions, excluding the high official)
   4. National Agency for Equal Opportunities for Women and Men (50 positions, excluding the high official)
   5. National Authority for Persons with Disabilities (62 positions, excluding the high official).
II. Units which benefit from foreign and national funding*)
   1. Project management units (PMU);
   2. Project implementation units (PIU);
   3. Management Unit for State Aid for Training (SAMU).

III. Institutions under the authority of the Ministry of Labour and Social Justice
   1. National Public Pensions Agency;

IV. Units under the coordination of the Ministry of Labour and Social Justice

*) The number of positions is included in the maximum number of positions approved.