

STUDIES AND COMMENTS

The conciliation of collective labour conflicts

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Abstract

The present article envisages presenting the conciliation as a resolution procedure for the conflicts of interests/collective labour conflicts. The conciliation was stipulated as a resolution procedure for the conflicts of interests/collective labour conflicts even from the first acts that regulated this domain, being foreseen as a mandatory phase within the process of solving this type of conflicts. The subject of conciliation was approached before within the doctrine, from this juridical institution development point of view, the used research methods being the observation and the comparative analysis. The legislator adapted the procedure for the resolution of conflicts of interests/collective labour conflicts in accordance with the social and economic development of the labour relations and identified other means of resolution, such as the mediation, the arbitration or the strike, when the conciliation didn't lead to the end of the conflict. The present paper aims is to realize an assessment over the historical development of the labour conflicts conciliation and to draw up a study on the statistical data concerning these conflicts. The study may be used within the research activity, its contribution being set up by the updated presentation of the statistical data and on the legislation within the field of labour conflicts conciliation.

Keywords: *the legal framework, amiable resolution procedure, mediation, arbitration, strike.*

JEL Classification: K31

Introduction

The labour conflicts represented and still represent an issue that affects the good functioning of an institution.

The subject of conflicts of interests/collective labour conflicts' resolution was permanently debated within the doctrine, as a result of the economic, social and legislative changes in the field of labour relations.

The conciliation, as an amiable labour conflicts' resolution procedure was regulated from the first acts that created the legal framework in question.

Even if the subject of labour conflicts conciliation was inevitable approached within the analysis of the amiable resolution procedures for these types of conflicts, the legislative amendments operated by the Labour Code² and by the

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² Law no. 53/2003, republished within the Romanian Official Journal no. 345/18.05.2011.

Law no. 62/2011³ require a study on the impact of these amendments on the labour relations.

The present paper envisages presenting on a hand an analysis on the evolution of the legal framework regulating the conflicts of interests/collective labour conflicts and the recent legal provisions and on another hand the statistical data concerning the conciliation of this type of conflicts.

1. The development of the legal framework related to the labour conflicts

1.1. The Law from 1920 concerning the regulation of the collective labour conflicts⁴

The first law having as aim the regulation of the collective labour conflicts, the Law from 1920 was foreseeing that in case of a collective labour conflict, the parties are obliged to follow the amiable procedure, similar to the present conciliation procedure.

During the amiable procedure, if the parties reached an agreement, the conflict ended. If the parties didn't achieve a settlement, they could either use the arbitration procedure (except the case when the arbitration was mandatory), the arbitration commission's decision putting an end to the conflict, or they could decide on collectively stop working.⁵ The strike couldn't take place unless the amiable procedure was followed.⁶

Even from the early legislation on labour relations, by foreseeing amiable resolution procedures for the collective labour conflicts, the legislator, at that time, underlined the importance of the amiable resolution procedure for the collective labour conflicts and didn't prioritised the regulations concerning the strike.⁷

1.2. The Law from 1929 on the collective labour contracts⁸

With a view to the amiable resolution of the collective labour conflicts, art. 84 of the above-mentioned Law was stipulating that the refusal of one party to participate to a conciliation or arbitration procedure, in all cases when those were mandatory, was representing a justified reason to put an end to the individual labour contract.⁹

³ Published within the *Romanian Official Journal* no. 322/10.05.2011, republished within the *Romanian Official Journal* no. 625/31.08.2012.

⁴ The Decree no. 3.703/4.09.1920, published within the *Romanian Official Journal* no. 122/5.09.1920.

⁵ Monica Gheorghe, *Căi amiabile de soluționare a conflictelor colective de muncă*, Publisher: Universul Juridic, Bucharest, 2010, p. 51.

⁶ Art. 4 of the Law from 1920; Constanța Călinoiu, *Jurisdicția muncii-aspecte teroretice și practice*, Publisher: Lumina Lex, Bucharest, 1998, p. 81.

⁷ Monica Gheorghe, *op.cit.*, p. 51.

⁸ Published within the *Romanian Official Journal* no.74/5.04.1929.

⁹ Monica Gheorghe, *op.cit.*, p. 51.

1.3. The legal framework on the collective labour conflicts before the year of 1989

The specificity of the historical periods of time, starting with 1938, engaged a restrictive perspective especially with the view to the collective labour conflicts, reaching the point when those conflicts weren't recognized at all.¹⁰

With the view to the labour conflicts, the strike and the lock-out were forbidden by the Decree-Law¹¹ adopted on 24th of July 1940 for establishing the working regime within exceptional conditions.¹²

The amiable procedure was set up as a method of settlement for the collective labour conflicts, in which the labour inspector was assigned to participate.¹³

If the amiable procedure didn't put an end to the collective labour conflict, the conflict would be mandatory solved following the arbitrage procedure, either in accordance with the provisions of the Law from 1920 concerning the collective labour conflicts, or in compliance with the procedure foreseen by the Decree-Law from 1940, the strike being forbidden.¹⁴

The labour legislation from within the period 1950-1990, both the Labour Code from 1950¹⁵ and the Labour Code from 1973¹⁶ no longer contained provisions related to the collective labour conflicts, only containing dispositions in what concerned the resolution of the individual labour litigations or the collective labour contracts.¹⁷ The strike not being foreseen, therefore it was considered being illegal.¹⁸

1.4. The Law no.15/1991 for the resolution of the collective labour conflicts¹⁹

The Law no. 15/1991 comprised only procedures for the amiable resolution of the collective labour conflicts, the individual labour conflicts' settlement representing a prerogative of the judicial authorities.²⁰

The Law stipulated that the conciliation of the collective labour conflicts was a mandatory procedure.²¹ The conciliation could intervene before the conflict arisen (direct conciliation) or after its initiation (indirect conciliation, organised by the Ministry of Labour and Social Protection).

¹⁰ Ion Traian Ștefănescu, *Tratat teoretic și practic de drept al muncii*, Publisher: Universul Juridic, Bucharest, 2012, p. 842.

¹¹ Published within the *Romanian Official Journal* no. 169/24.07.1940.

¹² <http://www.mmuncii.ro/nou/index.php/ro/presa/23-minister/istoric>.

¹³ Monica Gheorghe, *op.cit.*, 55.

¹⁴ *Ibidem*, pp. 55-56.

¹⁵ Law no. 3/1950, published within the *Romanian Official Buletin* no. 50/5.06.1950.

¹⁶ Law no. 10/1972, published within the *Romanian Official Buletin* no. 140/1.12.1972.

¹⁷ Monica Gheorghe, *op.cit.*, p. 60.

¹⁸ Ion Traian Ștefănescu, *op.cit.*, p. 843; Monica Gheorghe, *op.cit.*, p. 60.

¹⁹ Published within the *Romanian Official Journal*, Part I, no. 33/11.02.1991.

²⁰ Monica Gheorghe, *op. cit.*, p. 65; after 1989, the legal acts concerning the trial commissions and other institutions with jurisdictional competencies were rendered obsolete.

²¹ Monica Gheorghe, *op.cit.*, p. 66.

In all cases when there existed the premises of starting a collective labour conflict within an unit, the trade union organisation or the designated employees' representatives would inform the unit's management about that situation.²² The direct conciliation didn't assume the intervention of a third party.²³

If the unit's representatives wouldn't have answered to all the requests or, even if they would have answered, the agreement wasn't reached, the collective labour conflicts would have been considered initiated.²⁴

Once the collective labour conflict triggered, the parties could solve the conflict by using the conciliation organised by the Ministry of Labour and Social Protection.

Only after covering the two phases of the mandatory conciliation procedure, the strike could be started as a collective and voluntary stop of work.²⁵ The strike would have been considered illegal if the conciliation procedure wouldn't have been covered.²⁶

The Law no. 15/1991 didn't regulate, in any way, the collective labour conflicts' mediation, no matter their phase of development (before or after the strike's initiation).²⁷

1.5. The Law no. 168/1999 concerning the labour conflicts' resolution²⁸

The Law no. 168/1999 represented, within the period of time between its approval to coming into force of the Law no. 53/2003-the Labour Code, the only regulation applicable to the domain of labour conflicts' resolution, in compliance with the civil procedure provisions.²⁹

Unlike the Law no. 15/1991, which only referred to the collective labour conflicts, the Law no. 168/1999 contained provisions related to conflicts of interests and conflicts of rights (that could be individual or collective).

The conciliation procedure, as it was presented by the Law no. 168/1999, was foreseen only as a method of resolution for the conflicts of interests.³⁰

1.6. The Social Dialogue Law no. 62/2011

The Social Dialogue Law defines the labour conflicts and their resolution procedures. The Law no. 62/2011 rendered obsolete a series of legal acts, with the purpose of creating a unitary system for regulating the field of social dialogue.

²² Art. 7 paragraph 1 of the Law no. 15/1991.

²³ Monica Gheorghe, *op.cit.*, p. 66.

²⁴ Art. 9 of the Law no. 15/1991.

²⁵ Monica Gheorghe, *op.cit.*, p. 68.

²⁶ *Ibidem*, p. 66.

²⁷ Șerban Beligrădeanu, "Examen de ansamblu asupra Legii nr. 168/1999 privind soluționarea conflictelor de muncă," *Revista Dreptul* no. 1/2000, p. 7.

²⁸ Published within the *Romanian Official Journal* no. 582/29.11.1999; The Law no. 168/1999 expressly rendered obsolete the Law no. 15/1991.

²⁹ Monica Gheorghe, *op.cit.*, pp. 70-71.

³⁰ Raluca Dimitriu, *Legea privind soluționarea conflictelor de muncă. Comentarii și explicații*, Publisher: C.H. Beck, Bucharest, 2007, p.20.

2. The present legal framework for the collective labour conflicts

2.1. The concept of collective labour conflict

Currently, the collective labour conflicts are being exhaustively regulated by the Labour Code, within Title IX, art. 231-232 and in extenso by the Law no. 62/2011 (art. 156-180).

The regulation of the collective labour conflicts as it's comprised by the Law no. 62/2011 widens the Labour Code's concept also on the employment relations.³¹

In what concern the renouncement to the distinction operated between the conflict of interest and the conflicts of rights regulated before the approval of the Law no. 40/2011³², for the amendment of the Labour Code and of the Social Dialogue Law no. 62/2011, within the doctrine there were expressed opinions in accordance with which this represents a fundamental wrong option chosen by the legislator. Only formally there are no longer conflicts of interest; in fact from the analysis of the labour conflicts' definition it's clear that these are precisely conflicts of interests.³³

The article 1 letter o) of the Law no. 62/2011 defines the collective labour conflict as the being the labour conflict that intervene between the employees and the employers with connection to the initiation, development and closure of the negotiation of the collective labour contracts/agreements.

The article 161 of the law establishes that the collective labour conflicts may arise in the following situations: the employer or the syndicate refuses to start the negotiation of the collective labour contract/agreement, when such a contract/agreement doesn't exist or the previous one expired; the employer or the syndicate doesn't accept the employees' requests; the parties don't reach to an agreement concerning closing a collective labour contract/agreement until the jointly established date for finalising the negotiations.

2.2. The concept and the characteristics of the conciliation

The conciliation (settlement, agreement, unification) consists in the direct dialogue between the employer or syndicate organisation and the delegates of the representative trade union or the employees' representatives, having as purpose the resolution of the collective labour conflict.³⁴

³¹ Ion Traian Ștefănescu, *op.cit.*, p. 844.

³² The Law no. 40/2011 for the amendment of the Law no. 53/2003 – the Labour Code, Published within the Romanian Official Journal, Part I, no. 225/31.03.2011.

³³ Alexandru Țiclea, *Tratat de dreptul muncii – Legislație. Doctrină. Jurisprudență* -, Edition VI, revised and completed, Publisher: Universul Juridic, Bucharest, 2012, p. 261; Alexandru Athanasu, *Aspecte teoretice și practice privind jurisdicția muncii în lumina Legii nr. 40/2011 și a Legii nr. 62/2011*, in Alexandru Athanasu (coordinator), *Modificările Codului muncii și ale Legii dialogului social*, Publisher: Universul Juridic, Bucharest, 2011, pp. 187-188.

³⁴ Ion Traian Ștefănescu, *op.cit.*, p.848.

The characteristics of the collective labour conflicts' conciliation:

a) The conciliation is **mandatory** on the basis of art. 168 of the Social Dialogue Law.

b) The conciliation is **an amiable resolution procedure** for the collective labour conflicts because the decision concerning the collective labour conflicts' defuse belong to the involved parties, in accordance with their settlement, the delegate from the ministry or the territorial labour inspectorate not having the legal competency to solve the collective labour conflict.³⁵

The mission of the public authority' delegate is to abide that the parties' actions to determine the resolution of the labour conflict through conciliation.³⁶ The delegate has the prerogative to guide the social partners with a view to the appropriated applicable legal provisions in questions and to the possible settlement methods that could lead eventually to the resolution of the labour conflict.³⁷

c) The conciliation represents a procedure through which the parties reach an agreement by mutually waiving their demands. Within the field of collective labour conflicts, the conciliation is an **extra-judiciary procedure**, that doesn't involve a judge.³⁸

As a phase in solving the collective labour conflicts, the conciliation neither replace, nor preclude a jurisdictional action, taking into consideration that such an action would be anyway impossible. The conciliation (mandatory) actually precludes the development of the conflict that could extent to extreme manifestations, such as the strike.³⁹

d) The conciliation **takes place between the parties**⁴⁰, in the presence of the delegate of the Ministry of Labour and Social Protection or the territorial labour inspectorate. It can be asserted that the presence of the delegate could indicate the state's interest in encouraging the social dialogue.⁴¹

e) The conciliation procedures are usually based on the **principle of balancing the interests**.⁴²

f) During the conciliation, the parties are placed on **equal positions**, the employer couldn't exercise its' guiding, decisional and control attributions.⁴³

g) The conciliation is a **soft procedure**, accomplished with a minimum of costs and formalities.⁴⁴

³⁵ Monica Gheorghe, *op.cit.*, p. 383.

³⁶ Art. 171 paragraph 1 of the Law no. 62/2011.

³⁷ Alexandru Țiclea, *op.cit.*, p. 265; Ion Traian Ștefănescu, *op.cit.*, p. 849.

³⁸ Claudiu Ignat, Zeno Șuștac, Cristi Danileț, *Ghid de mediere*, Publisher: Universitară, Bucharest, 2009, p. 111.

³⁹ Raluca Dimitriu, *op. cit.*, pp. 70-71.

⁴⁰ Art. 167 of the Law no. 62/2011: „The conciliation, mediation and arbitrage of the collective labour conflicts take place only between the conflict's parties.”

⁴¹ Monica Gheorghe, *op. cit.*, p. 383.

⁴² Raluca Dimitriu, *op. cit.*, p. 69.

⁴³ Idem; See also Olia-Maria Corsiuc, *Soluționarea conflictelor de muncă*, Publisher: Lumina Lex, Bucharest, 2004, p. 98.

⁴⁴ Raluca Dimitriu, *op. cit.*, p. 70.

2.3. Novelty elements concerning the conciliation procedure in the light of the Social Dialogue Law no. 62/2011

The Social Dialogue Law contains several new elements related to the conciliation procedure.

Taking into consideration that the Social Dialogue Law operates a distinct classification of the labour conflicts than the Law no. 168/1999, a first difference can be noticed in what concerns the conciliation's field of applicability. Thus, if in accordance with the Law no. 168/1999 the conciliation procedure was applicable to the conflict of interests, in compliance with the Law no. 62/2011 the conciliation is used as an amiable procedure for the collective labour conflicts' resolution.

Another novelty element is represented by the fact that the delegate that participates to the conciliation is designed by the Ministry of Labour and Social Protection, in case the collective labour conflicts take place at the group of units' level or at sectorial level and if the collective labour conflicts are initiated within an unit, the delegate comes from the territorial labour inspectorate.⁴⁵ The previous provisions of the Law no. 168/1999 rendered the Ministry of Labour and Social Protection the general obligation to assign a delegate to participate to the conciliation of the conflicts of interests no matter the level they arise.⁴⁶

In accordance with the Law no. 62/2011, the mandatory characteristic of the conciliation procedure is expressly foreseen within the conciliation chapter.⁴⁷ The analysis of the legal text of the Law no. 168/1999 leads to the conclusion that this mandatory attribute emerged from the art. 41 content, namely: "the strike could be declared only if, previously, there were exhausted all the procedures foreseen by the present law in order to solve the collective labour conflicts."

It can also be noticed the change of calculating the call date from 7 calendar days to 7 working days⁴⁸ and in connection to delegate's assignment day⁴⁹ and not in relation with the conflict's registration moment.⁵⁰

The Law no. 62/2011 removes the age and criminal record conditions⁵¹ for the delegate of the representative trade unions/employees assigned to participate to the conciliation.

2.4. The conciliation procedure as it is foreseen by the Social Dialogue Law no. 62/2011

The written notice for the collective labour conflict contains the following mandatory elements:⁵² the employer or the syndicate organisation, the headquarters and the contact details; the object of the collective labour conflict and its

⁴⁵ Art. 168 paragraph 2 of the Law no. 62/2011.

⁴⁶ Art. 17 of the Law no. 168/1999.

⁴⁷ Art. 168 paragraph 1 of the Law no. 62/2011.

⁴⁸ Claudia-Ana Moarcăș Costea, *Dreptul colectiv al muncii*, Publisher: C.H. Beck, Bucharest, 2012, p. 239.

⁴⁹ Art. 168 paragraph 3 of the Law no. 62/2011.

⁵⁰ Art. 19 of the Law no. 168/1999.

⁵¹ Claudiu-Ana Moarcăș Costea, *op. cit.*, p. 239

⁵² Art. 166 of the Law no. 62/2011.

justifiability; the proof of fulfilling the legal requirements; the nominal appointment of participants to the conciliation procedure, as persons delegated by the representative trade union's organisation or the employees' representatives.

According to the art. 168 paragraph 2 of the law no. 62/2011, within 3 working days from the notice's registration, the Ministry of Labour and Social Protection or the territorial labour inspectorate is appointing its' delegate in order to participate to the conciliation of the collective labour conflict.

Through the Decision no. 189/2007⁵³, the Constitutional Court rejected the unconstitutional exception in what concerns the art. 19 of the Law no. 168//1999 (currently art. 168 paragraph 5 of the Law no. 62/2011). The obligation imposed by the legal text to the working agents⁵⁴ to register a conflict of interests (collective labour conflict), even if the collective labour conflict was initiated without complying with the legal requirements, was considered to be against the Fundamental Law.⁵⁵

Nevertheless, the constitutional authority underlined that the obligation to register the collective labour conflict exists only if the conciliation notice comprise all the requirements prescribed by the art. 18 of the same law (currently, art. 166 of the Law no. 62/2011).⁵⁶

In order to support their interests within the conciliation procedure, both the representative trade union/employees representatives and the employer/syndicate organisation will assign for each party a delegation composed of 2-5 persons, which will have the mandate to participate to the conciliation.⁵⁷

The absence of the employer's representatives may lead the conflict toward the next phase, the employees having the prerogative to even declare strike. By contrary, in case of no show for the employees, they are not entitled to initiate the strike in accordance with the legal conditions, because, *nemo auditor propriam turpitudinem allegans*.⁵⁸

2.5. Statistical data –instrument for measuring the conciliation efficiency⁵⁹

From the interpretation of the statistical data concerning – the evolution of the conflicts of interests/collective labour conflicts within the period 2002-IIIrd trimester of 2012, it can be noticed a general descending trend in connection to the total number of conflicts. The year of 2008 represented a rising point of the conflicts in comparison with the descending trend from the period subjected to analyse.

⁵³ Published within the *Romanian Official Journal* no. 252/16.04.2007.

⁵⁴ Presently named agents for social activities.

⁵⁵ Ion Traian Ștefănescu, *op. cit.*, p. 849.

⁵⁶ *Idem*.

⁵⁷ Art. 168 and art. 170 of the Law no. 62/2011

⁵⁸ Raluca Dimitriu, *op. cit.*, p. 77.

⁵⁹ www.mmuncii.ro, www.insse.ro

Chart no. 1 – The evolution of the conflicts of interests/collective labour conflicts within the period 2002- 2012

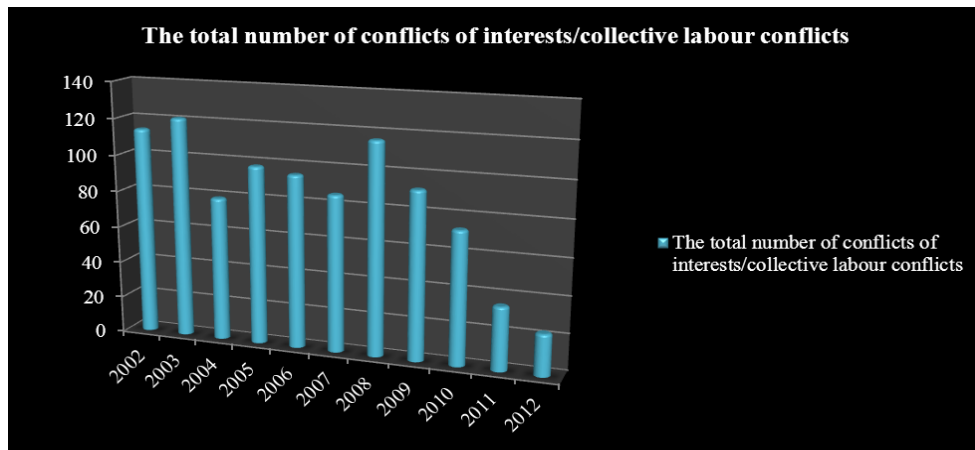
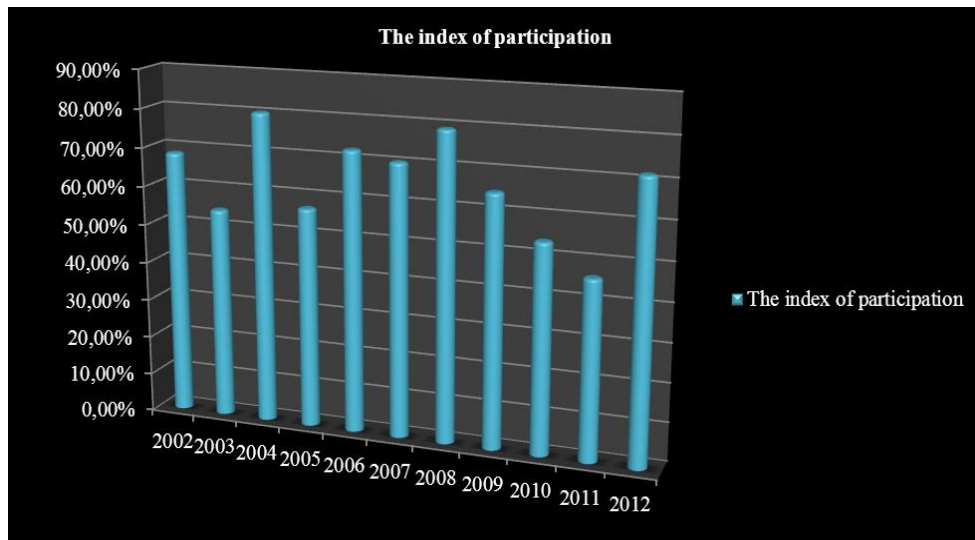


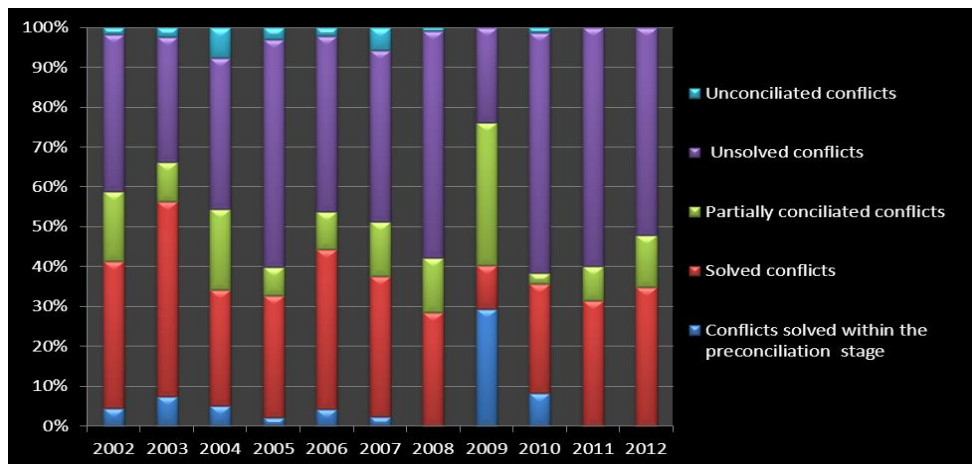
Chart no. 2 – The index of participation of the employees to the conflicts of interest/collective labour conflicts within the period 2002- 2012



During the period between 2009 and 2011, the index of participation of the employees was characterised by a decrease of the participation of the employees to these conflicts.

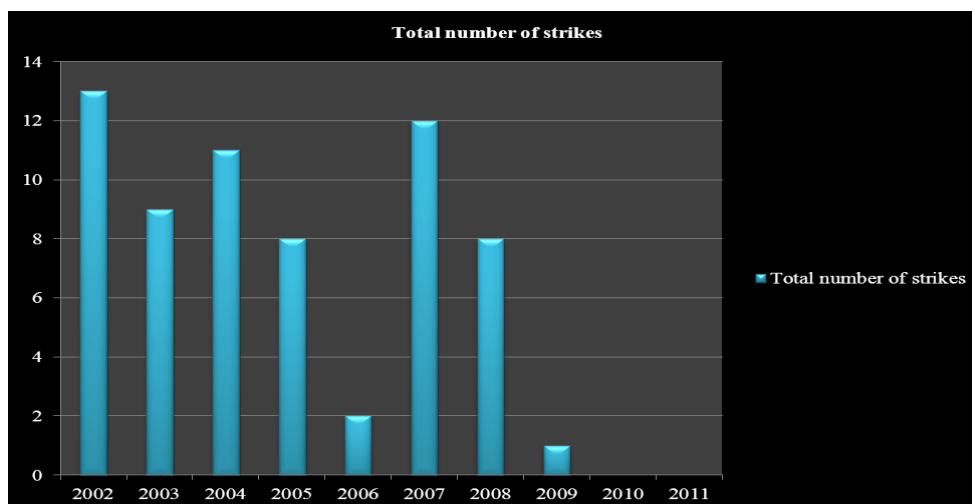
Even though within the 3 trimesters of 2012 there were only registered 23 collective labour conflicts, continuing the decreasing tendency of the total number of conflicts, the index of participation follows an ascending line comparing with the period of time 2009-2011.

Chart no. 3 – Statistical data concerning the conciliation of conflicts of interests/collective labour conflicts within the period 2002-2012



From the interpretation of the statistical data subjected to the assessment it may be observed that even though a good part of the conflicts of interest/collective labour conflicts are being solved through conciliation, there are also a significant number of conflicts left unsolved. Moreover, even if the conciliation procedure is mandatory, it can be noticed that there are some unconciliated conflicts.

Chart no. 4 – The total number of strikes within the period of 2002-2011



The number of strikes knew a descending predisposition within the period of time 2005-2006 and after the year 2007, reaching the years of 2010 and 2011, which were defined by the total absence of strikes at national level.

Taking into account the fact that the conciliation procedure didn't lead to the resolution of all conflicts, it means that the parties reached to an agreement by using other methods of settlement, others than the strike (negotiation, mediation or arbitration).

With regard to the right of strike, within the doctrine there are opinions supporting the idea that by adding supplementary requirements for declaring strike, the Law no. 62/2011 rendered more difficult the employees' access to exercising the right to strike.⁶⁰

Conclusions

The conciliation as an amiable method for the resolution of the collective labour conflicts represents an efficient procedure, making possible the total or partial settlement of a significant number of conflicts.

Nevertheless, from the analysis of the statistical data we can conclude that the conciliation procedure can not represent the only instrument for solving the litigations between the social partners, a fact also supported by the development of the legal framework, the legislator foreseeing other resolution procedure for the collective labour conflicts (the mediation, the arbitration and the strike).

The absence of strikes within the years 2010 and 2011, on a hand could indicate a result of the efficiency of the amiable resolution procedure for the conflicts of interest/collective labour conflicts and on another hand it could suggest a tendency of obtaining the social peace by imposing certain supplementary conditions for participating to strike (supplementary conditions inserted by the Law no. 62/2011).

Even if the Social Dialogue Law is pretty recent, presently there are taking place activities envisaging setting up the amendment of this law. On 12th of October 2012, in response to the Project of Emergency Ordinance for modifying the Social Dialogue Law no. 62/2011, issued by the national representative trade union confederations and by four syndicate confederations, the European Commission and the International Momentary Found expressed their concern towards the weakening of the procedures foreseen in the present legislation, destined to avoid the strikes' proliferation care.⁶¹

Bibliography

1. Athanasiu, Alexandru (2011), Aspecte teoretice și practice privind jurisdicția muncii în lumina Legii nr. 40/2011 și a Legii nr. 62/2011, in Alexandru Athanasiu (coordinator), *Modificările Codului muncii și ale Legii dialogului social*, Bucharest: Universul Juridic.
2. Beligrădeanu, Șerban (2000), Examen de ansamblu asupra Legii nr. 168/1999 privind soluționarea conflictelor de muncă, *Revista Dreptul*, nr. 1/2000, pp. 3-24.

⁶⁰ Ion Traian Ștefănescu, *op.cit.*, p. 859.

⁶¹ <http://www.ces.ro/proiect-ordonanta-urgenta-pentru-modificarea-legii-62-2011/ro/84>

3. Călinoiu, Constanța (1998), *Jurisdicția muncii-aspecte teroretice și practice*, Bucharest:Lumina Lex.
4. Corsiuc, Olia-Maria, (2004), *Soluționarea conflictelor de muncă*, Bucharest: Lumina Lex.
5. Dimitriu, Raluca (2007), *Legea privind soluționarea conflictelor de muncă. Comentarii și explicații*, Bucharest: C.H. Beck.
6. Ignat, Claudiu, Șuștac, Zeno, Danileț, Cristi (2009), *Ghid de mediere*, Bucharest: Universitară.
7. Monica Gheorghe (2010), *Căi amiabile de soluționare a conflictelor colective de muncă*, Bucharest: Universul Juridic.
8. Moarcăș Costea, Claudia-Ana, (2012), *Dreptul colectiv al muncii*, Bucharest: C.H. Beck.
9. Ștefănescu, Ion Traian (2012), *Tratat teoretic și practic de drept al muncii*, Bucharest:Universul Juridic.
10. Țiclea, Alexandru (2012), *Tratat de dreptul muncii – Legislație. Doctrină. Jurisprudență* -, Ediția VI-a, revizuită și adăugită, Bucharest: Universul Juridic.
11. <http://www.mmuncii.ro/nou/index.php/ro/transparenta/statistici/buletin-statistic>.
12. <http://www.ces.ro/proiect-ordonanta-urgenta-pentru-modificarea-legii-62-2011/ro/84>.
13. http://www.insse.ro/cms/files/Anuar%20statistic/03/03%20Piata%20fortei%20de%20munca_ro.pdf.