

A view from the workplace: Safety and Health in Micro and Small Enterprises in the EU

European Risk Observatory

National Report: Romania

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1 Description of the national context

1.1 National OSH Main actors and institutions

1.1.1 Main actors and institutions

Safety and health at work (OSH) policies in Romania are developed and coordinated mainly by the **Ministry of Labour and Social Protection (ML)** with its subordinated structures, the National House of Public Pensions (NHPP) and the Labour Inspectorate (LI) but also in collaboration with the Ministry of Health and its social partners. The activities of the ML concerning OSH are allocated to the OSH service, which is part of the Directorate for Social Insurance.

The ML also has a deputy minister for social dialogue who coordinates the activities in this field and participates in the meetings of the National Tripartite Council for Social Dialogue, in which OSH and social issues are negotiated by social partners before being transferred into legislation or policies.

Based on the Ministry's policy and strategies, its subordinated structures draw up their annual action plans and projects, to put an OSH preventive culture into practice at national level, for all the sectors of activity, in both the public and the private sector. Some of the projects or activities in the annual action plans of the NHPP and the LI are dedicated to small and medium-sized enterprises (SMEs), including the micro- and small enterprise group (MSEs), as presented further in this report (though MSEs are generally not treated separately from SMEs).

The Labour Inspectorate (LI) is subordinated to the Ministry of Labour and is responsible for the enforcement of OSH legislation, policies and strategies in all regions, sectors of activity and public or private enterprises.

The LI coordinates 41 Territorial Labour Inspectorates according to the administrative organisational structure of the country. Central and territorial inspectors have specific duties regarding OSH and work relations, respectively. The activities of the LI and inspectorates include mainly inspections, information and awareness campaigns, internal training for inspectors, and participation in national and international meetings.

The Labour Inspectorate also carries out campaigns and other actions to improve safety and health at work, in collaboration with other organisations in the national OSH system, for example the Ministry of Labour and the Research and Development Institute on Occupational Safety 'Alexandru Darabont' (INCDPM).

As can be seen in Table 1, the number of inspectors has decreased slightly in 2013 compared with 2012. The number of OSH inspectors in the territorial structures is slightly over 500, which, compared with the huge number of MSEs (>800,000, see section 1.2.2), shows the difficulties in covering all of them through inspections.

Table 1: The number of inspectors in the central and territorial structures of Romania for 2012 and 2013

Type	Number of inspectors	
	2012	2013
CENTRAL STRUCTURES		
Management	10	11
Occupational health and safety	33	28
Work relations	25	23
TERITORIAL STRUCTURES		
Management	177	178
Occupational health and safety	538	527
Work relations	994	946

Source: Labour Inspectorate (2014)

The National House of Public Pensions (NHPP) is under the authority of the Ministry of Labour and administrates the public system for pensions and insurance for occupational accidents and diseases. It has local structures in all the counties of Romania that are coordinated by the office in Bucharest. The National Institute for Medical Assessment and Work Capacity Recovery is also subordinated to the NHPP. The activities of the NHPP follow its annual action plan, but it also organises or participates in projects (co-)financed by other public sources. Some of these activities and projects are related to OSH, but most of them are dedicated to social protection.

The Research and Development Institute on Occupational Safety ‘Alexandru Darabont’ (INCDPM) participates in the drawing up of national OSH policies through collaborating and providing technical support to the Ministry of Labour. It carries out studies on risk assessment and prevention of occupational accidents and diseases, but also provides technical assistance and other services (for example measuring exposure to risk factors) to companies, including MSEs. Until 2013, the INCDPM was coordinated by the Ministry of Labour; since then it has been coordinated by the Ministry of Education, like all other national research institutes. The INCDPM is not funded by the state, so its services for companies (big or small) are generally not free of charge.

The Ministry of Health is the governmental body in charge of developing policies and strategies and implementing programmes for public health. This ministry is in charge of legislating the medical surveillance of workers and the activity of occupational physicians and sets the occupational exposure limit values, in collaboration with the Ministry of Labour and representatives of the social partners.

The Health Inspectorate is subordinated to the Ministry of Health and enforces the legislation on public health. Other activities include the inspection of workplaces.

The Public Health Institute is subordinated to the Ministry of Health and monitors public health at national level, including workplace-related diseases. It publishes annual occupational morbidity reports (summaries are available on its website, <https://www.insp.gov.ro/>).

External OSH services are very important because they are the main source of external support for many MSEs, working directly with them, based on contractual provisions. They have to be authorised by the Advisory Commission organised in central and territorial inspectorates, according to the nominations made by the Ministry of Labour. The members of the commission are the head of the central/local inspectorate, a member of the National Commission for Competences, and a representative of the social insurance for occupational accidents and diseases. In order to be authorised, the service has to submit a dossier proving it has appropriate personnel and endowments. The leader of the service, for example, has to have a technical university degree, have completed a post-graduation OSH course (at least 180 hours) and have at least 5 years of experience in OSH. Competence criteria (not as high as for the leader) are also set for the other OSH specialists on the list of personnel submitted to the commission. The authorisation is not limited to certain type of risks (chemical, psychosocial, and so on) or sectors of activity. There is also no time limit to the validity of the authorisation. The services have to submit a report on their activity to the local labour inspectorates every 6 months. If they do not provide a report for two consecutive 6-month periods, their authorisation is cancelled.

According to legal provisions (Law 319/2006; Romanian Official Journal, 2006) when a company does not have the capacity to carry out all OSH activities needed to fulfil its legal duties, external service(s) shall be hired. They may take over the entire OSH activity or just those parts that the company cannot cover with internal resources (the responsibility remains with the owner in any case). According to the law, larger enterprises must also have their own OSH designated specialist(s) or internal service, but, in addition, they may hire external services if they want. In general, MSEs do not have resources for both internal and external structures. Most of them (though not all) transfer OSH activity entirely to the external services. The list of authorised services is published on the website of the Labour Inspectorate and inspectorates and is also available at the inspectorates' offices. It is not difficult to enter the market for external OSH services, so there is a lot of supply, but given the number of enterprises there is still work for everyone and competition is minimal. The enterprises, especially MSEs, are often unable to assess the effectiveness of the external service they use, or are not interested in doing so because some consider the collaboration only a formality, according to the findings of this study.

Support organisations are becoming more active in providing advice on OSH. Some of them are private companies advising for free; they have interactive websites that provide legal information and advice. Some of them seem to be appreciated (published user ratings are good) and have gained popularity. They are specialised in OSH only, or give broader legal advice that includes OSH legislation. These resources can provide practical support for MSEs as far as legislation is concerned; however, similar resources for technical advice are still missing.

There are also organisations (companies or non-governmental organisations (NGOs)) that support small companies to access programmes allowing them to finance acquisition of equipment, including those for collective protection, for example local exhaust ventilation. Some of these organisations stipulate that services are to be paid for only if the project proposal is successful.

Other organisations (non-OSH)

The Ministry of Economy (ME) is responsible for the national economic policies, strategies and programmes in Romania, and the development of SMEs is part of them. The ME supports the interests of SMEs and MSEs by promoting special legislation for these enterprises. The specific legislation mainly refers to economic, administrative and financial help for these enterprises.

The ME has the Agency for the Implementation of Projects and Programmes for SMEs, led by a minister delegate. This agency has regional offices that support local SMEs to get information on specific legislation and participating in programmes and projects dedicated to them. However, most of these programmes are designed to help existing SMEs to develop and support the opening of new businesses; OSH-specific projects or measures are practically non-existent.

1.1.2 Regulatory context — OSH specific

The main law regulating OSH in Romania is the OSH Law 319/2006 (Romanian Official Journal, 2006), which represents the general framework for OSH activities in all sectors and types of enterprises, regardless of their size. MSEs do not have special OSH provisions, except for those referring to the organisation of OSH activities, for which the structures required by law are related to the number of employees. For micro-enterprises (no more than nine employees) the employer may take over OSH activities, if he or she has OSH training (at least a 40-hour course), he or she works frequently in the MSE and the MSE does not carry out activities specified as dangerous by the law. The same applies for MSEs with up to 49 employees if the risks cannot generate irreversible effects (deaths or invalidity).

The OSH Law 319/2006 has several pieces of supporting legislation (Governmental Decisions) as part of the secondary legislation, issued by the Ministry of Labour and the Ministry of Health, which are specific to the different types of risk factors (chemical, biological, physical: noise, vibrations, electrical) or to prevention elements (safety signals, personal protective equipment (PPE), equipment certification, explosive atmosphere, and so on). Some activities have specific legislation, such as those in mobile or temporary construction sites, or those on ships. From our experience (Sectoral Operational Programme Human Resources Development – OSHPC project, 2013) MSEs often find this legislation hard to understand and apply without help, for example that referring to specific risk factors or how to choose personal protective equipment. External services might not have enough specific expertise in all these fields, since their authorisation is general. Help from inspectors may be given during checks or campaigns (however, the MSEs in our study were not included in any such campaigns).

As required by the OSH law, the tertiary legislation should be developed at company level, as internal rules and safety instructions. They can be mentioned in the collective agreement or other internal regulations, if such agreements exist, which is not the case for MSEs with fewer than 20 employees (a collective contract is not a legal requirement for them). The National Research and Development Institute on Occupational Safety (INCDPM) has published 24 examples of framework instructions for several types of activity (such as the use and transportation of oxygen, or work at height). These examples are meant to be further adapted and developed into internal instructions or rules for safety that will correspond to the exact needs of the companies that use them. In practice, such guidance is sometimes applied directly, without any adaptation. Such was the case with most of the MSEs in our study, because of a lack of internal specialists and the limited level of help that MSEs request from external services, in order to reduce costs.

1.1.3 Other regulations that may affect the OSH situation

National legislation has other types of regulation that are not OSH-related but may influence OSH to some extent.

There is an extensive environmental legislation that is coordinated by the Ministry of the Environment and Climate Change and enforced by the National Environment Guard, which has a regional organisation. This ministry (along with competent authorities from the Ministry of Health and the Ministry of Labour) also coordinates the management of chemicals with legislation that is not OSH-specific but has great importance for worker safety; the same applies to the legislation on wastes.

There are other authorities that have central and local structures which may indirectly influence working conditions and OSH; important ones to mention are the National Sanitary Veterinary and Food Safety Authority, the National Authority for Consumer Protection and the competent authorities for biocides. Checks from these authorities make enterprises implement strict procedures such as those regarding hygiene of the workplace, equipment and personnel, storage of supplies and products, performing internal checks, and so on. As we know, this systematic approach is not so common for MSEs and some comply only after several sanctions, but, after they do, it changes the way they work, with positive effects on OSH.

The legislation concerning emergency situations is important for workers' safety, in case of occupational accidents and natural disasters that may affect workplaces. This legislation contains provisions regarding the authorities in the field and their responsibilities, as well as the obligations of the companies with regards to the internal structures and the prevention measures they must implement. From our experience, MSEs have problems understanding and implementing this legislation. This is a sector where the General Inspectorate for Emergency Situations is in charge, while OSH inspectors have very limited competence.

The legislation regarding insurance regulates the level of the contribution depending on the existing occupational risks (accidents and diseases). According to the main sector in which it is registered (its main registration Statistical Classification of Economic Activities in the European Community (NACE) code), the company pays a contribution calculated according to the risk class of the sector it operates in. There are no special provisions for MSEs. Two OSH risk class indicators are considered when establishing the level of contributions: the frequency of accidents or diseases (number per 1,000 employees) and the number of employees that work in special conditions (also per 1,000 employees) in each sector. These indicators are established and updated periodically at national level for each sector of the economy and influence the sector-specific insurance rate. Insurance, according to the national public system, is compulsory for all those with an individual work contract. Private insurance is optional and can be complementarily applied at individual or company level. The calculation of the private insurance rate is similar to the one used by the national system.

There are also regulations specific to SMEs that provide legal definitions of such enterprises and of their size categories (including MSEs) and regulate the governmental support for SMEs. Some regulations refer to the national strategy concerning SMEs; some regulate the administrative structures that are developed to help SMEs (as the Agency for the Implementation of Projects and Programmes for SMEs and its offices, mentioned above, does); some refer to practical and financial help given to SMEs, such as special conditions for loans, or priority for acquiring goods (equipment, buildings) that belonged to the state and are put on auction. This legislation may have some indirect effects on OSH, since improved economic stability and the possibility to develop could influence working conditions in MSEs.

1.1.4 National OSH programmes directed to MSEs

There are no OSH programmes targeted at MSEs only, but various programmes or campaigns have been developed for SMEs by the authorities.

The Ministry of Labour runs the sectoral plan dedicated to projects for OSH and social protection. The projects are not specifically dedicated to MSEs or SMEs but their results may be used by such enterprises, for example the OSH guidance documents developed and published by these projects (INCDPM, 2013).

The Ministry of Labour and Labour Inspectorate have organised campaigns to help SMEs understand the requirements of OSH legislation and perform a risk assessment (compulsory for all enterprises). Some of these activities are part of the campaigns organised by the European Agency for Safety and Health at Work (EU-OSHA) or by the Senior Labour Inspectors Committee (SLIC).

The Labour Inspectorate has run at least one campaign dedicated to SMEs each year over the past 5 years and there were such campaigns even before. The resources for these campaigns depend on the budget of the Labour Inspectorate, which may limit their scale. Geographical coverage was always a criterion, even when it took several years (multi-annual campaigns) to achieve full national coverage.

The Labour Inspectorate gave special attention to the campaigns dedicated to risk assessment, which targeted SMEs, including MSEs. They provided advice and examples on how to apply the legislation regarding risk assessment.

Other campaigns organised by the Labour Inspectorate helped MSEs/SMEs to apply general OSH requirements or specific provisions, such as those referring to chemicals and the changes imposed by the EU regulations such as REACH (EC 1907/2006) and CLP (EC 1272/2008). The campaign on chemicals included a short training course and published support guidance on the website of the LI.

Another campaign of the LI was dedicated to the work of external services. Inspectors checked the activity of these services and made improvement recommendations. Considering the great number of MSEs that use external OSH services, this campaign was important for them too, even if it did not address them directly.

The Sectoral Operational Programme — Human Resources Development (SOPHRD/POSDRU), (co-)funded by the European Social Fund, allows bigger projects to be implemented at a national scale. It is coordinated by the Ministry of Labour and, though not particularly dedicated to OSH, has been used to finance several projects that had an OSH component, which, in some cases was predominant, such as one project dedicated to the health sector (COMPEFSAN, 2013), or another one dedicated to the construction and HORECA sectors ('OSH a Premise for Competitiveness' Project, 2013).

Some programmes, coordinated by the Agency for the Implementation of Projects and Programmes for SMEs, are aimed at helping the establishment of new SMEs as well as their development. Other programmes support entrepreneurship with special sub-programmes for women or young entrepreneurs.

1.1.5 Industrial relations and worker representation

Union density is relatively high in Romania (ETUI, n.d.), with around 44-50 % of employees being unionised. There are five main confederations, each with a high number of affiliated federations, which have affiliated trade unions.

We could not find official figures on the level of unionisation in MSEs. The situation of the enterprises interviewed in this project, as well as our general information, indicates that the level of unionisation in MSEs is lower than in larger enterprises. EU-OSHA's Second European Survey of Enterprises on New and Emerging Risks (ESENER-2; EU-OSHA, 2014) found only a small share of MSEs had a recognised trade union representation in the workplace: it was reported by 2.2 % of those enterprises with 5-9 employees and 13.7 % of those with 10-49 employees, compared with 39.5 % of enterprises with 50-249 employees and 63 % of large enterprises (with 250 or more employees).

According to the legislation, companies with over 20 employees have to make arrangements to have:

- workers formally represented by one or more elected employee(s) who will participate in negotiations with the representatives of the employer;
- a collective contract negotiated and signed by both represented parties (employer and employees' representatives) and registered at the local labour inspectorate; and
- collective bargaining for salaries.

These provisions apply to all sectors of the economy.

In contrast, there are no such legal provisions for companies with fewer than 20 employees. The territorial labour inspectorates are the responsible local authorities that enforce the application of these provisions. Some of the interviewees said that sometimes legislation is applied only formally and there is very little flexibility during the collective bargaining.

2 Characterisation of the MSEs in Romania

2.1.1 Context of the Romanian economy

At the end of 1989, after almost half a century of totalitarian regime, Romania entered a long phase of transition in which important changes in administration, economy and politics were consolidated. In 2007, Romania was admitted to the EU. The private sector has developed continuously since then, becoming the main contributor to gross domestic product (GDP) (76.9 % of the GDP in 2014) (Anghel, et al., 2015). In 2013, GDP was approximately EUR 145 billion (INS, 2016).

Agriculture is a traditional industry in Romania and is still an important sector, though its contribution to GDP has diminished in recent years, while other sectors have been developing, such as the tourism and IT sectors. The economy of Romania was affected by the global economic crises of 2008 and 2010, after which some sectors (such as construction) are still recovering.

The contribution of different sectors to GDP is presented in Table 2.

Table 2: The contribution (%) of the main sectors to Romanian GDP, 2006-2014

Sectors	2006	2007	2008	2009	2010	2011	2012	2013	2014
Agriculture, forestry, fishing and pisciculture	7.8	5.8	6.7	6.3	6.0	7.3	4.7	4.8	3.0
Industry including energy	24.5	24.3	22.9	23.8	26.4	25.0	25.2	27.8	32.5
Construction	7.4	9.1	10.6	9.8	7.3	7.2	7.3	7.4	4.8
Trade; repairs; hotels and restaurants; transport; telecommunications	22.2	22.7	21.9	21.2	20.9	21.2	21.0	22.0	15.6
Financial activities; real estate; rentals; corporate services	13.3	13.7	14.0	15.1	16.2	14.1	14.0	13.7	16.9
Other activities and taxes	24.8	24.4	23.9	23.8	23.2	25.2	27.8	24.3	27.2

Source: *Romanian Statistics Journal* (Anghel, et al., 2015)

The migration of the workforce towards western countries affects many sectors. More recently, however, the so-called second migration has started, with people coming back to Romania, some of them using the money and experience gained abroad to build businesses back home.

Table 3 shows that industry (manufacturing), trade and construction are the sectors with the highest numbers of employees.

Table 3 The total average number of employees in Romania in 2011 and for the sectors considered in the current project

Sector	Number of employees
Total, of which:	4,348,739
Agriculture	97,630
Construction	334,274

Sector	Number of employees
Health and social care	332,652
Hotels and restaurants	108,071
Industry (manufacturing)	1,259,061
Trade; car and motor repair	753,421
Transport	256,297

Source: National Institute of Statistics, (INS, 2013)

2.1.2 Economic profile of MSEs

MSEs represent the largest category of enterprises in the Romanian economy, making up about 98 % of the total number of enterprises. Statistics do not always provide data that differentiate between micro-, small and medium enterprises; however, the available information can give a picture of the importance of MSEs in Romania. Considering that MSEs represent a very high proportion of SMEs, information on SMEs has a high level of relevance for MSEs too, and is therefore also presented in brief.

Micro-enterprises are the most numerous MSEs, representing 91.58 % of the total number of enterprises, while small enterprises represent 6.76 % of all enterprises. More figures are presented in Table 4.

Table 4: The size distribution of companies per sector, in Romania, 2013

Sector	Number of organisations per size (number of employees) and their share of the total (%)				
	Total	Micro (0-9)	Small (10-49)	Medium (50-249)	Large (over 250)
Total	859,424	787,084/ 91.58 %	58,133/ 6.76 %	12,145/ 1.41 %	2,082/ 0.24 %
Enterprises	485,335	426,882/ 87.95 %	48,352/ 9.96 %	8,454/ 1.74 %	1,643/ 0.33 %
— Agriculture	16,758	14,247/ 85.01 %	2,267/ 13.52 %	218/ 1.3 %	26/ 0.15 %
— Industry, construction, trade, other services	461,484	406,192/ 88.01 %	45,590/ 9.87 %	8,130/ 1.76 %	1,572/ 0.34 %
— Finance and insurance	7,093	6,447/ 90.89 %	495/ 6.97 %	106/ 1.49 %	45/ 0.63 %
Public administration	13,106	1,587/ 12.11 %	7,763/ 59.23 %	3,353/ 25.58 %	403/ 3.07 %
Private administration	92,885	90,513/ 97.44 %	1,990/ 2.14 %	338/ 0.36 %	36/ 0.038 %

Sector	Number of organisations per size (number of employees) and their share of the total (%)				
	Total	Micro (0-9)	Small (10-49)	Medium (50-249)	Large (over 250)
Private entrepreneurs (no employees)	268,098	268,098/ 100 %	-	-	-

Source: National Institute for Statistics (INS, 2015)

More detailed information for some of the sectors was available for 2011 and is presented in Table 5, which shows that trade is the dominant sector, in terms of the number of firms, followed by construction and the manufacturing industry.

Table 5: The number of MSEs per size category and sector, in Romania, in 2011

Sector	Number of MSEs per size (number of employees)		Share of MSEs in the sector
	0-9	10-49	%
Agriculture	12,353	1,806	98.4
Manufacturing industry	30,724	9,820	91.3
Extractive industry	739	236	93.6
Construction	34,002	6,412	91
Trade	149,382	12,984	99
Transport and storage	28,176	2,707	98.3
Hotels and restaurants	18,756	2,995	98.7
Health and social care	7,709	676	98.9
ITC	14,711	1,253	98.1
Administration services and support activities	12,578	1,737	95.1
Public administration and defence	59	13	84

Source: adapted from FPP, 2013

MSEs make an important contribution to the annual national turnover of each sector. Table 6 shows there are big variations between sectors for SMEs' contributions.

Table 6 Share of the SMEs' contribution to the annual turnover of different sectors (%) in Romania

Type of sectors	Contribution of SMEs to annual turnover of different sectors (%)		
	2011	2012	2013
Hotels and restaurants	84.6	85.2	84.0
Construction	75.7	77.5	80.7
Health and social care	74.4	74.5	71.8
Trade (wholesale and retail), car and motorcycle repairing	71.2	69.9	71.3
Manufacturing industry	37.4	36.3	35.8

Source: adapted from National Institute for Statistics (INS, 2015)

MSEs and SMEs make up a considerable share of Romania's workforce, as presented in Table 7.

Table 7: The share of employees per size of enterprise in Romania, 2011

Enterprise size	Share of employees (%)
Micro enterprises	20
Small enterprises	23
Medium enterprises	22
Total SMEs	65
Large enterprises	35
Total	100

Source: Coface, 2013

SMEs in Romania are facing various problems related to the business environment in which they operate. According to a 2014 survey that included 500 Romanian SMEs (DG ENTR, 2014), the most pressing problems identified were regulations (22 % of respondents) and competition (16 %), followed by costs of production or labour (14 %), access to finance (14 %), finding customers (13 %), recruiting skilled staff/experienced managers (12 %) and others (9 %).

Surveyed SMEs at EU level show that the highest rates for loans in 2015 were reported in Romania which also reported the highest rate of using other types of loans than those from the bank, for example from family and friends, from a related enterprise or from shareholders (Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs, 2015).

2.1.3 OSH profile of MSEs

According to statistics (Table 8), MSEs contribute around 20 % to the total number of accidents that result in more than 3 days of absence (including fatal accidents) and around 50 % of the fatal accidents. This discrepancy may be due to an increased underreporting of non-fatal accidents by MSEs, regardless of sector. However, in some sectors (for example agriculture) reporting levels for non-fatal accidents may be even lower than in other sectors (for example manufacturing).

Table 8 Accidents with more than 3 days of absence including fatal accidents versus fatal accidents in Romanian MSEs, 2008-2014 (total, per size and exemplified sectors)

Size of company, type of accident	2008	2009	2010	2011	2012	2013	2014
All sizes, all accidents/ fatal accidents	5,056/ 497	3,969/ 411	4,103/ 381	3,516/ 297	3,557/ 276	3,722/ 269	3,668/ 272
1-9 employees, all accidents/fatal accidents, of which:	282/ 73	252/94	239/70	245/65	232/40	254/59	249/48
— Agriculture, forestry and fishing	32/16	30/12	29/15	33/15	27/12	39/13	39/12
— Manufacturing	47/12	47/16	48/10	49/10	48/6	36/4	33/4
10-49 employees, all accidents/fatal accidents, of which:	874/ 139	699/ 121	722/ 124	658/ 90	678/ 90	735/ 89	744/ 93
— Agriculture, forestry and fishing	64/23	44/30	58/23	57/20	56/10	58/24	58/9
— Manufacturing	222/21	218/10	205/17	192/14	181/13	223/9	199/12

Source Eurostat, 2016

The 2012 campaign of the LI dedicated to risk assessment showed that a high proportion of the checked SMEs (93 %) had a written risk assessment (Labour Inspectorate, 2013). According to the ESENER-2 survey (EU-OSHA, 2014), many of the MSEs had the risk assessment done by external services (68 % of the micro-enterprises and 51 % of the small enterprises).

3 Description of fieldwork and the sample

3.1 General remarks on the fieldwork and the methods

The enterprises included in the study were approached based on the professional and personal contacts of the interviewers, without any preference regarding their OSH performance. The authorities were not involved in intermediating or recommending the companies; this was to make it clear to the interviewees that it was not an enforcement action and to avoid bias due to any possible preference for enterprises assumed to have better OSH performances.

There were no particular difficulties in convincing MSEs to participate, except for a certain reluctance from state-owned companies.

Once the company owner-managers had accepted the invitation to be interviewed, there were no problems in conducting the sessions. Basic information was discussed initially over the phone. The team always presented the purpose of the interviews in the context of the project and the usefulness of the interviewees' contributions.

The interviews took place between November 2015 and June 2016. In total, 24 interviews were performed; of these, four were not used, mainly because they did not provide sufficient or relevant data for the project. This could not have been foreseen when the interview was planned and it was considered inappropriate to interrupt the interview while it was in progress.

All interviews were made with two representatives of the enterprises: the owner-manager or the manager, and one employee.

The worker was chosen by the (owner-)manager and was sometimes even related to the manager. The team did not consider this a reason for exclusion because these relatives seemed quite sincere and open, in a way that a regular worker might not always be. Only in one case company, however (construction case RO6), was the employee somewhat critical regarding the management. With one exception (agriculture case RO13), the interview with the worker was totally separated from the one with the (owner-)manager. For agriculture case RO13, there were a few moments when both employer and employee were present, but we do not think this influenced the worker (who was a relative of the employer).

3.2 Description of the sample

The 20 interviews included in the Romanian sample were structured as presented in Table 9.

Table 9 Romanian study cases per sector and enterprise type and size

Case no	Number of employees	Type of enterprise	Main business functions
Manufacturing			
RO1	Micro (5-9)	Independent (B2B* and B2C**)	Paint producer
RO2	Micro (1-4)	Independent (B2B)	Metal constructions
RO3	Small (10-19)	Independent (B2B and B2C)	Production of furniture
RO4	Small (10-19)	Independent (B2B and B2C)	Production of clothing
Construction			

Case no	Number of employees	Type of enterprise	Main business functions
RO5	Micro (5-9)	Independent (B2C)	Civil construction
RO6	Small (20-49)	Independent (B2B and B2C)	Civil and industrial construction
RO7	Micro (5-9)	Independent (B2C)	Building construction and repair
RO8	Micro (5-9)	Independent (B2C)	Construction and interior design
Accommodation and food services			
RO9	Micro (5-9)	Independent (B2B and B2C)	Resort hotel (accommodation, restaurant, bar)
RO10	Small (10-19)	Independent (B2B and B2C)	Resort bed and board (accommodation, restaurant, bar)
RO11	Micro (5-9)	Independent (B2B and B2C)	Bed and breakfast (accommodation, restaurant, bar, swimming pool)
RO12	Micro (5-9)	Independent (B2B and B2C)	Resort small hotel (accommodation, restaurant, bar, outdoor activities)
Agriculture			
RO13	Micro (1-4)	Independent (B2B and B2C)	Producing vegetables and grains
RO14	Small (10-19)	Independent (B2B)	Producing cereals
RO15	Small (10-19)	Independent (B2B)	Rearing pigs
RO16	Micro (5-9)	Independent (B2C)	Producing, transporting and selling vegetables, cereals and fruits
Health and social care			
RO17	Micro (1-4)	Independent (B2C)	Dental services
RO18	Micro (1-4)	Independent (B2C)	Dental services
RO19	Small (20-49)	Subsidiary (B2C)	Centre for occupational therapy
RO20	Small (10-19)	Independent (B2B and B2C)	Medical private clinic

* Business-to-business ** Business-to-consumer

Case companies were visited and interviewed in almost all the regions except for the west (but the central-western region was included).

The majority (18) of the companies were more than 5 years old (11 being even more than 10 years old); of the remaining two, one had recently split off from another enterprise but retained much of its former structure. The number of MSEs that had a constant number of employees over the past decade was slightly higher than that of MSEs that had either increased or decreased their personnel during that time.

The enterprises included in this study do not have any particularities that distinguish them from other companies of their size or profile. From this point of view, the sampled enterprises can be assumed to reflect a realistic picture of Romanian MSEs.

In most cases, the owner was also the manager, but in three cases, when they were different, the enterprise decided that the manager should be interviewed. Most of the owner-managers and managers were aged up to 50: nine were in the age category 41-50, three were between 31 and 40 and one was less than 30 years old (a man, son of the former owner). Only seven were older than 50 years (all in the category 51-60). Most of the interviewees were men while six were women (three owners in health care, two in HORECA and one in apparel manufacturing). The majority of them (16) had tertiary education, two had secondary and vocational education and two had lower levels of education. Two of the interviewees had OSH-specific training, which allowed them to be in charge of OSH in their

enterprise. Ten owner-managers reported being greatly involved in the core activities of the MSE, while seven had limited involvement and three were not involved. None of the interviewed owner-managers was an immigrant.

Almost equal numbers of women and men were interviewed as workers. The workers in the health sector were all women. Most of the workers were in the age category 40-50, five were under 30 and one was over 50. The majority of the interviewed workers had a medium level of education (secondary, with or without vocational training) and one had higher education (tertiary). Two of the workers had specific OSH training; one of them was fully in charge of OSH, while the other had only partial responsibility for OSH (the rest being subcontracted to an external service).

4 Analysis

4.1 Data from the establishment reports (case studies)

4.1.1 Risk awareness

Some differences regarding risk awareness between the interviewees could be identified. However, responses regarding risk awareness were not collected following a checklist or detailed questions (to avoid leading the interviewee). In their answers some risks might possibly have been skipped by the respondents.

The comparison between study cases shows some differences between risks and how they were perceived:

- Obvious risks (for example dust, cutting objects) or risks made obvious by information (for example information campaigns or even commercial promotions for 'safer' products, such as paints with a low content of volatile organic compounds) were mentioned more often, both by managers and by employees.
- Physical hazards (for example electric, mechanical, fire/explosion) were mentioned often while health hazards (for example acute/chronic toxicity) were mentioned less often both by employers and by employees. However, in general, managers referred slightly more to risks of injuries while employees mentioned health risks more often.
- Psychosocial risks were mentioned less often, even by the managers who otherwise mentioned stress, but not always as an occupational hazard.

To sum up, in most of the cases, both the owner-manager and the employee were aware of most of the important risks. These were, in general, the most obvious risks/types of exposure, for example explosion/fire, dust/fumes, standing/bending or extreme temperatures. Less obvious risks were mentioned less often, even by educated interviewees. For example, in one case (manufacturing case RO5) the interviewed worker (a chemical engineer) mentioned dust as a risk factor but did not mention the hazardous pigments that were part of the dust.

Available information on OSH and general education seems to help owner-managers and workers to better identify the risks (as in construction case RO5, manufacturing cases RO1 and RO2, or most health cases).

In some cases, available information related to OSH seemed to be somewhat misleading. For example, in the mass media there may be overexposure of some types of information on risks (for example in commercials). This could be the reason why, in some cases (for example construction cases RO5 and RO7), volatile organic compounds (VOCs) in paints were mentioned as hazards for workers and clients, while the risks associated with alternative paints were overlooked. In another case (agriculture case RO13), very little of the OSH information that the owner-manager had received (in a brief professional training session, which included OSH) resulted in increased interest in OSH issues; however, he seemed overconfident regarding his knowledge and abilities to identify risks and to control them (by 'taking good care').

Finally, in some cases, risks were known (even in detail) but were deliberately ignored (at least to some extent). This was found in most cases in the health sector (RO17, RO18 and RO20), where patients were considered more important than occupational risks. Some managers and workers might also

ignore the effects of their own exposure to stress even when they are aware of the psychological pressure.

4.1.2 Company OSH organisation and risk management practice

Most of the cases studied (14 companies) were assessed as following either a 'low road' or a 'middle road' strategy, where the main objective is to provide a living for those working for them, with OSH not being set as a priority (EU-OSHA, 2016).

Formal OSH organisation in the MSEs studied was generally basic (fulfilling only the legal requirements, or even less) while in practice the approach was predominantly informal and unsystematic. None of the MSEs in our study had implemented a management system for OSH and only two had other types of management systems (for quality/environment). Formal employee representation for OSH was found in one company only. The majority of the MSEs studied used OSH external services.

4.1.3 Practices of acquiring OSH knowledge

One of the conclusions of the case studies is that acquiring OSH information and knowledge is a real problem, in almost all the cases we studied, with only a few exceptions (manufacturing case RO2 and, to a lesser extent, construction case RO5 and HORECA case RO10). In manufacturing case RO2, a university associated professor used various specialised sources of information for OSH, including his own colleagues from the OSH department of the university and foreign PPE suppliers. This is an isolated case in our group and in general for MSEs.

Most of the interviewed owner-managers do very little to seek out OSH information. The majority of them stated that they have very little time to spend getting information. They seem to rely instead on the external OSH service to provide information or on their own employee in charge of OSH, when there is one. Furthermore, many of the owner-managers were not able to give more information on what they had discussed with the OSH services or when, or what OSH training had taken place most recently.

The internet was mentioned by a minority of the respondents as a potential source of information. However, as many of them could not give a single example of their search, these answers were not considered reliable.

External services provide some of the needed OSH information, most of it during training. Periodic training at work seems to be the most commonly used method to get OSH information for the MSEs we studied. For workers, this was, in general, the only source of their OSH knowledge, except for the workers in charge of OSH, who had specific OSH training (agriculture case RO14, construction cases RO5 and RO6).

There are many providers for specific OSH training, but not all MSEs have the money or the intention to send a delegate to attend a certified course. In one of our cases (construction case RO5), the owner-manager said he paid for such a course for an employee because he is his son and he is sure the knowledge will remain in the firm, while other employees may just leave soon after being certified. 'What if I train an employee and the next day he leaves? All that money and the time he was out learning are lost. He will use the training for the next employer, maybe in a larger enterprise. Or maybe, the new employer will not actually use him for OSH: just nominate him as responsible, because of the certificate' (owner-manager, construction case RO5).

4.1.4 Risk analysis practice

In most of the cases (18), the MSEs studied had a documented risk assessment, most of them carried out by the external OSH services, because the MSEs themselves did not have the necessary training. One owner-manager who was trained in OSH and who did not use an external OSH service for her company said that she had participated in the internal team who performed the risk assessment and she checked the results with OSH specialists (lecturers) during her training. 'We had trained personnel for the risk assessment, so we did it internally. I was also trained, so I could get involved and the training

project I had to do was actually referring to my company. It was good that I could have it checked by the lecturer, during the course' (owner-manager, manufacturing case RO4).

From the discussions we had during interviews, it seemed that some risk factors were not addressed (for example biological risks, certain chemical risks, psychosocial risks). In most of the cases, the risk assessment was not seen as a useful instrument, maybe because most of the interviewees declared they were not involved when the external service did it. However, when we asked about risks being presented during training, the response was generally yes, so the risk assessment is used at least for this purpose.

The participation of an occupational physician in the assessment was mentioned by very few MSEs. Also, none of the MSEs studied had updated their risk assessment, even those that had been operating for a long time.

Whether or not a risk assessment is formally carried out (we had cases in agriculture for which no risk assessment had been performed), in practice, risks are assessed instinctively by the workers themselves (including the working managers), which has drawbacks as presented in the risk awareness section (3.1.2). Moreover, it often appeared that risks which had been identified could not be addressed because of a lack of knowledge or resources, or because they were related to habits that are hard to change. Those risks are considered 'part of the job' by some of the MSEs studied and no more thinking is done about them. 'We knew this profession comes with its risks when we chose it' (owner-manager, health case RO17).

It can be concluded that risk assessment was generally done because it is a legal requirement but, as often reported to us, it remains very much a formality with almost no further implications.

4.1.5 Risk communication practice

Risk communication, as well as OSH communication in general, is another important problem in the MSEs in the sample. Risk communication is mostly informal and oral, as is most of the communication in the MSEs studied. Learning while working and communicating risks as a shared work experience seemed to be preferred both by owner-managers and by workers. Most owner-managers and workers mentioned this type of communication and seemed to believe it works well. The manager in HORECA case RO11 was not pleased with the reactions from the younger employees in the company (lack of interest) but continued to talk about risks while they were working because he thought that formal training was even less effective. Communicating or trying to teach OSH in isolation from the work itself seemed less popular (as it was mentioned less) among the MSEs studied.

When there is a formalised version of risk communication (such as a documented risk assessment or safety data sheets), it is not used very often (only during periodic training). As some of the interviewees did not remember what the training was about (for example managers in HORECA case RO12 and health case RO18), such risk communication was assumed to have poor efficacy.

Safety signs, though compulsory by legislation, are rarely used. Posters are not used and they are not easy to get or buy. The graphics and the content of those that are available are outdated. 'Even if you want to buy posters, this is not easy, there are only few offers and mostly general [with a general message]. You may buy old ones as collectables, but they are more expensive and they look outdated; I do not think they would work for my workers' (owner-manager, manufacturing case RO2). One interviewed dentist said that OSH posters may scare patients: 'They have a negative content, with injured workers; it will make the place look like a factory and might scare our patients' (manager, health case RO17).

4.1.6 Routines ensuring safe and healthy work

Routines to ensure safe and healthy work are not always formalised; some MSEs have informal agreements on how work is done and how it is shared between workers (for example in the small agriculture MSEs). Most of the identified routines refer to the main activities of the company. OSH was integrated in the general work routines and sometimes the OSH element led to an updated work routine.

Examples of changes to work organisation were few but some case companies reported detailed daily organisation (HORECA cases RO9 and RO10) to reduce the risk of accidents including reassigning tasks to workers who are better suited to activities involving certain risks (such as cleaning windows at heights in HORECA case RO10). Instructing workers on their tasks often includes making observations and giving advice on OSH. For example, in agriculture case RO13 the informal and practical guidance routine on performing daily tasks was changed to include more formal and specific training done internally (not by the external service) in order to comply with pesticide regulations. There are also examples of routines that were tried but did not work, such as the gymnastic breaks for workers to combat the effects of maintaining strenuous positions in a textile company (manufacturing case RO4).

While we talked to managers and workers, some said that good work is safe work. In most of these cases, they seemed to be convinced that work done well by a good worker is inherently safe. One of the workers from the construction sector said, 'A good worker will organise himself well, use proper tools and take care of himself and others, while working; he may also get hurt if he is hurried, otherwise who works well stays well' (worker, construction case RO5). In some cases, this might be a way to underestimate OSH (especially health hazards) and to emphasise the importance of production instead.

4.1.7 Use of external OSH expertise

With only few exceptions, most of the case companies had contracted external services that were either in charge of all OSH activities or hired only to do the risk assessment. The companies interviewed said that they were told about the option to use external services when they registered their companies and authorised their activities at the inspectorates. As mentioned before, the use of external services is a legal requirement whenever the company does not have internal OSH competence (in general or for some activities, such as risk assessment).

Four MSEs did not use such services at all and two used them only for risk assessment. Only two of the MSEs reported being satisfied with the relationship with their external service. One company was disappointed and changed the service and, in another one, the owner — also disappointed — trained his own son to do the job and said it paid off. Most of the sampled MSEs were not necessarily satisfied but were used to their external service and did not say they would want to change it. 'I think they [external services] could do better, for example with training [...] or with indicating solutions [...]. I would not look for others [external services] because at least I got to know these ones and so do my workers; who could tell others would be better? And it would take again time to get used to them' (owner-manager, HORECA case RO12).

When not limited only to the risk assessment, external services were in charge of practically all other activities regarding OSH. Both managers and workers in the MSEs which had external services mentioned them as doing the training. Only five MSEs (health cases RO17 and RO18, agriculture case RO14, manufacturing case RO1 and construction case RO8) explicitly mentioned the external service's help in other activities, such as selecting PPE or drawing up the safety instructions. It is possible that such things were done in other MSEs as well, even if not mentioned.

Authorities did not visit the enterprises studied very often. When they did visit, it tended to be to enforce the law, sometimes with sanctions, but rarely to give any advice, many of the interviewees said.

We also had an interesting case of a manager (he was not the owner) who built a collaborative and open relationship with all local authorities (OSH included) and asked them for advice, openly presenting the problems of the MSE. He also educated his staff to understand the positive role of checks (internal and external). It took him some time but he said eventually it worked out well (manager, HORECA case RO10).

In some cases (construction case RO5, agriculture case RO14 and manufacturing case RO1) owner-managers said they would appreciate more advice from authorities (or other sources) for solutions to their OSH problems. One of the owners (manufacturing case RO1) said he would gladly take the necessary measures but did not know how to do so, or where to get reliable advice from. He said the requirements of the authorities confused him even more. He considered he was asked to take (and pay for) excessive measures against fire and explosion because the inspectors wanted to make sure they,

as authorities' representatives, were fully covered and could demonstrate they had asked for all measures to be taken (even if these measures were excessive).

Only two of our interviewees said they were members of professional associations (construction case RO5 and manufacturing case RO1), but they were not very active members and did not remember ever talking about OSH during the associations' meetings, with the exception of construction case RO5, whose owner-manager said they sometimes talked about OSH.

4.1.8 Motivation of company OSH practice

OSH did not seem to be a priority for most of the investigated MSEs. However, in manufacturing case RO2 the combination of training, taking measures for collective and personal protection, and supervising the implementation of OSH measures (with sanctions for breaching rules) showed that the owner-manager had a real interest in OSH. Also, in HORECA case RO10 the manager was considering OSH as a possible strategy related to the development of business/corporate tourism, when OSH could be a criterion to use to stand out from competitors.

The owner-managers seemed to be motivated mainly by a combination of practical reasons and values. Legal compliance was dealt with in a pragmatic way: they did no more than was needed to avoid sanctions. The attitude towards legislation and compliance was rarely a strong value in itself; it depended a lot on the pressure put on the company. Managers and workers in construction cases RO5 and RO6 said that compliance is paid more attention in those construction sites that are more likely to be thoroughly inspected (for example big and conspicuous construction sites or contracts paid for by the state).

However, owner-managers also reported reasons to act based on values: care for each other, striving for quality, or the willingness to educate their employees. One manager (not owner) said 'I am responsible for our employees as a manager, I do not run the business alone, I do it with them [workers]' (manager, HORECA case RO10). One example of a value that is positive in itself but has adverse impacts on OSH is the commitment of medical staff to their patients that makes staff's safety a lower priority (health cases RO17, RO18, RO20).

Workers seemed even less motivated than their managers to support OSH. If they did, caring about the others seemed to be the main motivation but they did not give high consideration to OSH when it came to themselves. Also, legislation did not seem to have a motivational effect for the interviewed workers. 'There is a lot we have to do, one cannot stop for whatever OSH measure' (worker, manufacturing case RO4). Another worker stated: 'We help each other; we take care of each other so that no one is hurt or gets poisoned.[...] A lot has happened to me [accidents/incidents] in all these years, since childhood, but this did not stop me from working, I am used to it' (worker, agriculture case RO13).

4.1.9 Workers' participation in the practice of OSH risk prevention

The social relations in companies were generally found to be good: small sizes seemed to encourage interaction and conviviality; many managers and workers talked about their good relations.

All the owners or managers, when asked, declared that they are highly responsible for OSH but not all of them could make a clear reference to the legal provisions that state that they are ultimately responsible. Some of them, while admitting their own responsibility, pointed out the need for each worker to take care of him- or herself. This was also a point of view expressed by workers: they should take care of themselves and their colleagues. They considered the responsibility to be shared between them (medium responsibility) and the owner (medium-high responsibility).

There was only one case of formalised workers' involvement. It was in a company that took the model of safety committees (which are compulsory for larger companies) and applied it partially (construction case RO6). The problem was not that it was applied only partially but that it operated only as a formality, as the internal OSH specialist (the interviewed worker) admitted: 'I think the committee was made to serve as a possible asset in the bidding procedures in which the company participates. However, many

decisions are practically already taken, before discussing them in the committee with the workers' representative' (worker, construction case RO6).

In most of the cases, there was no formal representation of workers and no special or systematic ways of involving them in OSH. They participated spontaneously or in informal ways by stating their opinions regarding OSH matters or being consulted when changes were made.

4.1.10 Good OSH practice examples

In general, OSH measures were proposed by managers but this was often in response to observations made by workers. They were not innovative but showed that the company could act to solve OSH problems, or to improve OSH levels.

Some examples of good practice given by managers include providing specific training for the safe handling of pesticides (agriculture case RO14), acquiring better PPE abroad for increased protection of workers (manufacturing case RO2), and buying machines that are more ergonomically designed and improve microclimate (health cases RO17 and RO18, manufacturing case RO1).

4.1.11 Effectiveness of OSH management practice

The level of OSH management effectiveness in the companies studied was assessed as being low to medium. There were problems in identifying all risks as well as in the measures taken to control them.

Some examples that show that risk factors were not properly identified include dust being perceived as having non-specific effects, though it may contain hazardous metals; downplaying the explosion hazards of acetylene; ignoring the effect of vibrations in the case of hand tools; and ignoring the effects of stress or those of wet work.

Knowledge about the effectiveness of controls was also low to medium. Alongside risk factors that were not identified, some of those that were identified could have been controlled better — for example using mobile local exhausters or exhausters that are attached to the tool, instead of general room exhausters. It is true that during the interviews it was not possible to assess whether some of these more effective measures were feasible for the companies investigated or not.

4.1.12 Classification of company OSH strategy

None of the case companies studied identified OSH as a management strategy. Most often the compliance type analysed was 'standards must be met'. There were very few other types such as 'avoider' and 'necessary evil'.

With regards to the OSH strategy, the companies were assessed as mostly reactive, but even for this reactive attitude their motivation was weak. Some of them had not had (or did not consider that they had had) negative events (accidents, incidents, sanctions) and the external pressure to improve OSH was weak all along the supply chain (for all our cases). Authorities did not put pressure on MSEs regularly, as 14 companies reported having been inspected once or not at all over the past 5 years.

A few proactive elements were identified in firms that were otherwise aligned to the reactive strategy. In general, proactive approaches were taken when a problem was understood by both the owner-manager and the workers (who sometimes proposed it) and the solution was clear. The solutions were affordable but not necessarily free of costs. Owner-managers were willing to pay for work equipment or personal protective equipment to improve safety in a proactive way (health case RO17, HORECA cases RO10, RO11).

4.2 Mechanisms

4.2.1 Determining factors

- **The role of legislation and sector-level regulation**

OSH legislation was not always the main cause of action in our case companies. The very small family enterprises in the study almost entirely ignored the legal OSH requirements. They seemed rather to be guided by their own judgements or by the advice of local, better informed persons (for example veterinarians, chemical distributors). In other enterprises, legislation was more important as a basis for OSH actions, but compliance work was almost entirely transferred to the external services. Owner-managers reported that the high number of legal requirements, widely scattered over many different regulations, makes it hard for them to identify and understand everything that is applicable. Some owner-managers seemed convinced that legal compliance is a maximal objective and that there is nothing to do beyond legal requirements. This may affect OSH performance in general and especially those aspects that are less clearly regulated (for example psychosocial risks).

Legislation seems to have little importance for the interviewed workers. They instead did things because they were told to or because they felt it was safe. The frequent use of informal communication is less likely to emphasise the legal context, so that workers may not always be aware that certain advice/measures may have a legal background.

However, there were examples of non-OSH legislation that seemed to be taken more seriously. Companies that apply legislation related to food safety or consumer protection (such as in the HORECA sector) seemed more used to taking and monitoring compliance measures. They are also used to being inspected much more often and sometimes more rigorously. In such MSEs, non-OSH legislation and inspections were more often mentioned during the interviews than the OSH ones.

It may be concluded that OSH legislation remains an important source of information for most of the MSEs studied, which is often accessed indirectly, as legal advice from external services. OSH legislation seems to have a less motivating effect than other, non-OSH, legislation.

- **The role of support from authorities and from external service providers**

The enterprises in our study reported different situations regarding OSH inspections. Nine MSEs had not been visited in the past 5 years or more, while one MSE (HORECA case RO11) was visited more than once each year. To explain these variations, the type of sector, and sometimes even the type of contract, seem to matter. For example, construction was the most inspected sector, while fewer inspections were reported in the healthcare sector. As mentioned, in the construction sector, bigger contracts and bigger construction sites were inspected more often and more thoroughly, especially regarding tender projects for which the state was the contracting authority (see section 3.1.8). This is possibly related to the higher visibility of big works, especially when paid for with public money.

As mentioned in section 1.1.1, the number of OSH inspectors is small compared with the number of companies they have to visit, so inevitably some enterprises report few or no inspections over several years.

The interviews proved that the OSH system (central and local OSH authorities, external OSH services) is able to reach out at the level of MSEs, even if it is clear that many MSEs are only superficially influenced. This may happen because, despite their general importance, when taken individually, MSEs are perceived as less prominent and so insufficient efforts are made to reach them and make them more involved in OSH actions and campaigns. However, even if some of the interviewees did not remember being visited by inspectors, they know it could happen any time and the companies try to get prepared with the means they can afford. The campaigns of the authorities — of which some are aimed specifically at MSEs and SMEs — may help raise awareness of OSH and the system behind it, but none of the sampled MSEs participated in any of these campaigns.

The most important external organisations are the external services, but, as presented in section 3.1.7, their contribution is generally limited to the direct implementation of legislation (for example documentation, including risk assessment and training as required by law), with rare examples of advising the company. However, some service providers gave advice on which type of PPE to select. The companies interviewed said that they were told about the option to use external services when they registered their companies and authorised their activities at the inspectorates. Lists of such services

are available on the websites of territorial inspectorates and sometimes also at the offices of the inspectorates.

Other external organisations have less importance for MSEs regarding OSH. Insurance companies do not play a role in OSH inspections or provide OSH advice. Affiliation to professional associations was very rare among our study enterprises (it was the case only for one enterprise in the construction sector and one in the agriculture sector). None of the workers of the MSEs we studied were unionised.

- **Value chain effects on company OSH management**

Suppliers or clients rarely make any demands regarding OSH. When they do it is usually to sell their products (for example bio/eco claims), in the case of suppliers, or to formally follow some acquisition procedures, in the case of clients that have such rules.

MSEs that participate in some procurement procedures have to demonstrate the existence of a system for good OSH control (with documents). In most cases, the whole approach is mainly a formality, as our interviewees declared, but still it contributes to making MSEs apply more OSH measures (construction cases RO5 and RO6).

In the construction and manufacture sectors, some clients demand products that are considered safer (such as wood or paints with a low VOC content) but this is for personal choices, for example for their private houses or for furniture.

- **The role of management style and social relations**

For most of our case companies, the owner-manager proved to be important. Beside the education level of the manager, his or her personality and values were also assessed as important for OSH. The manager in manufacturing case RO2 was a university professor who combines technical knowledge and OSH knowledge with organisational and managerial skills. He runs a successful business with international niche clients; he cares about OSH and takes technical and administrative measures (training, constant supervising, advice and even sanctions). He is close to his employees, yet maintains his authority. We had other examples where educated managers helped to improve OSH, especially in health and HORECA cases but also in agriculture (case RO14).

In HORECA case RO10, it seems that the professional experience and personality of the manager made him trusted by the owner, who gave him a lot of decision-making independence. He was also trusted and respected by the staff, who felt at ease to talk to him and to report OSH issues. He initiated a close relationship with local authorities (OSH-related but not only) to which he turned for advice.

There was also one case in which a young, educated manager, who seemed well intentioned and perseverant (HORECA case RO11), could not achieve the OSH results he intended to. In his opinion this was because of a lack of interest and the indiscipline of the young, poorly educated employees. This case illustrates that good relations with the staff and the education and values of the employees are very important, too.

- **Other factors**

There are sector-specific cultures, such as in agriculture or construction, where people are used to hard physical work and to accepting OSH risks. Our respondents (both owner-managers and workers) reflected such cultural aspects that still influence their attitude towards OSH; they also noted that things are changing and that the younger generation is not as dedicated to work and demands better workplace conditions.

For Romania, the migration of skilled workers is a growing problem for the national economy and some owners-managers talked about the difficulty of finding good workers because of the attraction of working abroad, at least for some time. Urbanisation is another problem for rural companies, as there is also migration from villages to towns and to bigger cities.

4.2.2 Interplay of determining factors

The type of overall strategy (low/middle/high road) seemed to us to be the result of a variety of factors put together. The strategy is influenced by the type of business, the company's size, its context and the

personality of the owner-manager. These factors also influence OSH to some extent. The way these factors interact was different for nearly every case in the study. In some cases (for example the smallest MSEs in agriculture and construction), it was hard to talk about a strategy as a chosen path for the company. In those cases, the low road strategy was very much imposed by external factors (for example by the rest of the sector and the supply chain) that could not be counterbalanced by internal resources available in the MSEs studied (as they lacked good management, educated staff and financial means). The situation was different in the health sector, for example, where the private practices had a higher degree of decision-making latitude regarding the strategy to follow. However, there were differences here too: one owner-dentist focused on fast development (with OSH playing a modest part) while another owner-dentist was not so interested in business development but paid more attention to OSH. Both of them made OSH improvements mostly if they positively influenced the satisfaction of the patient. Another healthcare case was a state-owned healthcare centre, whose manager (health case RO19) had little autonomy and had to manage scarce resources in terms of money and personnel, focusing almost exclusively on the survival of the centre.

4.3 Summary: what works and why?

The enterprises we studied had few connections (networks, associations, trade unions, banks and so on) outside their limited circle, except for the authorities (OSH and others) and external services. Despite all the drawbacks, external services are important and most of the sampled MSEs use them. They ensure at least basic OSH management and legal compliance this way. Some of the MSEs interviewed seemed to be already able to correctly evaluate the overall effectiveness of the services they use and this may influence their collaboration in the future.

The level of education, especially that of the manager, seems to have a significant influence, as shown in the previous sections. Educated managers in our group of MSEs made a difference regarding the OSH performance of those case companies, especially when employees also had good education and work values.

The personality and values of the manager are also important in making things work, as shown by the aforementioned professor (manufacturing case RO2) or by the manager in HORECA case RO10, who had initiated a collaborative relationship between the owner, the workers and the authorities because he could win their trust by being well-informed and dedicated.

OSH integrated into the production process seems to be better received by owners and employees than OSH on its own. During the interviews, we noticed that many MSEs did not separate OSH from production until we separated it, for analytical reasons, while talking to them. We concluded that tailored OSH measures that are well integrated into the core activities of MSEs may work better, as they possess the capacity to adapt to their specific needs.

For MSEs, many resources, including time, are scarce. They therefore seem to appreciate 'ready to use' tools. There are predefined forms and templates that are required by legislation and can easily be downloaded or bought.

Those forms seemed to be considered useful and appreciated as they inherently provide guidance and help save time, as mentioned by several interviewed owner-managers. Some MSEs complained about the high number of legal provisions and the paperwork they involve, so whatever helps them to get through bureaucracy is appreciated. Another observation that we could make in our case companies is that generally changes were implemented when the companies could find a clear solution with clear, positive results. The solution could involve very simple organisational measures or the purchase of an item that solves the problem. As MSEs do not have the technical resources to evaluate the solutions, they seem to adopt those that are clear enough for them.

5 Conclusions

Micro- and small enterprises represent the majority of enterprises in Romania (over 95 % of the total). Their contribution to the annual turnover of their sector is, in general, quite high (70-85 %), except for the industry, where MSEs have a smaller contribution (around 35 %). Micro- and small enterprises contribute each about 20 % of the employment rate (40 % in total). Though national policies recognise the economic and social importance of SMEs, they rarely differentiate MSEs within this group. The situation is similar for some statistics and studies, which makes it hard to identify the specificities of MSEs. It is reasonable to assume that the general context affects MSEs, too: low GDP (one of the lowest per capita in Europe), high levels of corruption, high levels of competition even in the internal market, high costs of materials and workforce, and difficulties in accessing sources of finance. As mentioned in section 1.2.2, many of these problems were reported by Romanian SMEs in a survey by what was then the Directorate-General for Enterprise and Industry (2014) and might be similar to those of MSEs. Legislation (in general) was ranked as the number one problem by the SMEs participating in the survey. It is hard to say if the perception of legislation reveals a problem of the whole national legal system (in that it fails to be coherent, practical and stable in its laws, and effective and supportive with regard to its enforcing authorities) or is a problem of SMEs (and probably of MSEs). It is certain that this has a considerable impact on the whole business environment and that it affects OSH, too, as it is a highly regulated field.

The findings of our study confirm some of the conclusions of the research done in the first research phase of the SESAME project (EU-OSHA, 2016):

- The weak economic position of many MSEs limits their possibility to invest in good-quality OSH services and infrastructure; it leads to focusing on existing resources on the survival of the enterprise, with OSH being far from a priority.
- The owner-managers generally have limited capacities to organise and orchestrate OSH activities, partly because of their limited OSH knowledge and awareness and partly because of the business and social contexts, which absorb most of their attention and energy.
- The owner-manager seems to have a 'pivotal' importance for the implementation of OSH and for the overall strategy of the MSE (low/middle/high road).

Sectoral differences were noticed but it would be hard to generalise their influence on OSH in general, as our sample contained only a small number of MSEs compared with the total number in each sector.

Most of our owner-managers got their information on OSH from external services or from their own OSH structures and/or personnel. Not using direct sources (the internet was mentioned but only vaguely) was motivated by the lack of time and the wide spread of the legal provisions over a high number of legal texts. It is not clear to what extent this indirect way of acquiring information can support the real needs of their MSE. Legislation seemed important as a motivator only to the extent that it is enforced; most of our study companies rarely had inspections from the OSH authorities, thereby weakening the role of legislation as a driver for OSH.

Risk awareness was also rather weak. Risks that were more obvious were more often mentioned by owner-managers and by workers, which shows the absence of a proper identification and communication of all risks. Workers referred more to illness hazards than owner-managers, but their examples were also mostly among the obvious ones (back pain, swollen feet and so on). We had examples when some risks were mentioned (for example psychological stress) or technically understood (for example substance toxicity) but there was a low level of awareness that they are occupational risk factors. There were also examples where risks seemed to be deliberately ignored, such as in health care because of devotion to patients or because of the cultural influences regarding the tradition of hard work in agriculture.

Most of the MSEs we studied had a documented risk assessment, but it did not seem to be a useful instrument for the improvement of OSH. The instinctive identification of risks was quite often brought into discussion by our participants along with protection measures based on experience.

All these factors, combined with the lack of knowledge on how to manage the risks, diminished the chance that risk identification and awareness would be a motivating factor for systematic OSH actions.

The involvement of workers was limited and informal. However, workers reported that they felt free to address owner-managers referring to OSH matters. The low risk awareness and knowledge they have about some risk factors may impair their determination to take action. We could not identify systematic actions to encourage workers' participation, except for one example in HORECA and another one in construction, which was only formal. Workers' education, in general (rather than specifically for OSH), was mentioned by owner-managers as important for the implementation of and compliance with OSH rules.

The use of external expertise was identified in most of our cases, but was almost exclusively limited to external OSH services. This type of collaboration seems to do little more than ensure legal compliance (though it is hard to tell to what extent it achieves this). However, even though some of the interviewed MSEs did not remember being visited by inspectors, they know it could happen any time and try to ensure at least the minimum level of compliance. The campaigns of the authorities, of which some have been aimed at MSEs/SMEs, might have reached them indirectly (none of the sampled MSEs participated in any of these campaigns), through the external services they use. The high number of MSEs that had a risk assessment could be explained in this way, for instance the Labour Inspectorate running a special campaign on this issue in 2012 (Labour Inspectorate, 2013).

The rest of the associated organisations (trade unions, professional associations, insurance bodies, and the Agency for the Implementation of Projects and Programmes for SMEs) have a far less important role in supporting OSH in MSEs.

Reducing OSH measures to simple formalities has been often mentioned by interviewees regarding documents that are not used, structures that function but are not effective, and training courses that do not improve knowledge.

One must consider the context when analysing the OSH performances of the Romanian MSEs, such as those we studied. Moreover, in such a context it is hard to see what works, unless it works remarkably well, which was rarely the case with our MSEs. It could be noted that, in an environment that is not very supportive, the a positive individual contribution could make difference. In our examples, we had two managers (one being also an owner) that managed to have a positive contribution to OSH in their companies, despite the general difficulties. They were both well educated in their professions and in OSH, they both ran what could be called successful businesses, and they both had a personality that could mobilise workers. For the rest of the MSEs in the study, the role of owner-managers also seemed important, but they were either less interested in OSH or less able to support it in their enterprises.

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