



# The Romanian Federative Chamber of Physicians' Trade Unions

Founded in 1990 as  
The Independent Trade Union of Doctors in Romania

**Affiliations:** Cartel Alfa National Trade Union Confederation, ITUC (International Trade Union Confederation), CSI (Confédération Syndicale Internationale), IGB (Internationaler Gewerkschaftsbund), Confédération Européenne du Travail, FEMS (European Federation of Salaried Doctors) Member of the Romanian Civic Forum and AGORA

Cluj, 7 March 2017

To the attention of Dr Enrico Reginato, President  
FEMS – The European Federation of Salaried Doctors

## *REPORT on*

### *The European Working Time Directive (2003/88/EC) and Its Implementation in the Romanian Healthcare System*

The technocrat apolitical government, which came to power in 2015 in following a tragedy intensely covered by the media and which was also connected to the problems of the healthcare system.

The negotiations between the healthcare trade unions and the ministry of health as well as the ministry of labour, led to the drafting of a piece of legislation (i.e. the Minister Order 1375/2016) that allowed for the granting of a 24h-break for the doctor that had performed a shift in a public hospital.

Given that the enforcement of this legislative act relies on an increase of the number of doctors in the hospitals, we would have also expected further legislation allowing for a change in the number of employed doctors, preparing competitions and budgeting additional posts.

To our surprise, the above-mentioned Minister Order also reads that « this provision only applies to the hospitals with enough medical staff», the same as the manner and the actual enforcement remains with each chief of department and hospital manager.

Thus, in Romania we have a Minister Order acknowledging the necessity to observe the implementation of the Directive 2003/88/EC, but neither the health departments

(i.e. the representatives of the ministry of health in the country) nor the chiefs of departments (or hospital managers) are compelled to change the functioning of the healthcare institutions.

The trade unions have asked several times for the amendment of the personnel numbers; no answer has been received so far.

It is obvious that unless more doctors are employed in public hospitals, the enforcement of the Directive remains just our desire, acknowledged by the government, but producing no concrete effect in the healthcare system.

We have engaged talks with the newly set up government (as of 2016); nevertheless, no promise leading to concrete action as to the enforcement of the Directive has been recorded.

We may conclude that, in Romania, the Directive has been acknowledged by the decision makers and was transposed in a piece of legislation, but its enforcement is currently inexistent.

Yours faithfully,  
Dr. Victor Eșanu  
President