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POLICY AND ACTION PLAN
ON GENDER EQUALITY AT VRDS BACĂU

1. INTRODUCTION

1.1 General considerations on gender equality

The issue of promoting equal opportunities in social life for both sexes is an essential requirement for Romanian society, being considered an essential component of the concerns for the respect of fundamental human rights and freedoms.

VRDS Bacau recognises that men and women have equally important professional roles on equal terms, regardless of field or hierarchical level, and therefore have diverse experiences and perspectives, bringing a complex approach to the organisation.

Gender equality is a corollary of equal rights and freedoms and a guarantee of equal opportunities. It also fosters the development of skills and the acquisition of new knowledge by including everyone, regardless of gender, promoting a better and more motivating working environment and, consequently, higher levels of productivity and satisfaction among employees. SCDL Bacau is therefore committed to ensuring the promotion and embedding of a culture of diversity and inclusion based on respect and equal opportunities.

This document sets out the guidelines of the action plan aimed at ensuring equal opportunities and treatment between women and men, in compliance with national and European legislation.

Thus, the measures adopted in this Gender Equality Plan aim to:

- Promote mutual respect and ensure equal opportunities for VRDS Bacău employees
- Recognise differences as a potential source of development and growth, both individual and organisational, promote and value diversity.
- Adopt positive measures aimed at addressing and preventing inequalities, promoting both internal and external values that ensure equal opportunities in the RDI.

1.2. Definitions and conceptual delimitations

"EQUALITY BETWEEN WOMEN AND MEN" is considered a matter of human rights and a condition, an indicator of human-centred development and democracy" - European Institute for Gender Equality (EIGE).

EQUAL OPPORTUNITIES refers to the absence of explicit or implicit barriers to economic, political and social participation on the basis of sex and gender: "Such barriers are often indirect, difficult to distinguish, caused and maintained by structural phenomena and social representations that have proved particularly resistant to change (EIGE).

EQUAL CHANCES, as part of the set of gender equality goals, is based on the rationale that a whole range of strategies, actions and measures are needed to redress deep-rooted and persistent inequalities."

EQUAL OPPORTUNITIES FOR WOMEN AND MEN implies visibility, autonomy, responsibility and equal participation of both sexes in all spheres of public life (1998 – European Council, The integrative approach of equal opportunities between women and men).

EQUAL TREATMENT refers to the context in which there is no direct or indirect discrimination on grounds of sex and gender, including no less favourable treatment of women on grounds such as pregnancy and maternity: "Favourable provisions for the protection of women with regard to pregnancy and maternity and positive measures with the aim of achieving substantive gender equality are not contrary to the principle of equal treatment" (EIGE).



EQUAL TREATMENT implies the absence of any form of discrimination. Acts of discrimination can come from the employer, the employer's management bodies or other employees. EQUAL TREATMENT, the principle of equal treatment of all employees and employers operates in the employment relationship (Labour Code; art. 5).

GENDER WAGE GAP (DIFFERENCE IN REMUNERATION) refers to the difference in average gross hourly earnings between female and male employees (EIGE).

EIGE defines **GENDER EQUALITY** in terms of equal rights, responsibilities and opportunities for women and men, girls and boys: "Gender equality does not mean that women and men will become the same, but that rights and responsibilities and opportunities will not depend on being born a woman or a man."

GENDER EQUALITY means taking into account the interests, needs and priorities of both women and men, thereby recognising the diversity of different groups of women and men. GENDER EQUALITY is not a women's issue, but should fully address and engage both men and women.

GENDER INTEGRATIVE APPROACH: "Gender mainstreaming does not only mean making efforts to promote equality and going as far as implementing specific measures to help women, but it also means mobilising all general policies and measures specifically for the purpose of achieving it by actively and openly considering, at the project stage, the possible effects on the respective situation of women and men (gender perspective). This implies systematically examining measures and policies and taking such possible effects into account in their definition and implementation" (EIGE).

PARTICIPATION RATES: Throughout the diagnostic analysis we use the participation rates of specific groups - e.g. women, men, single parents, etc. - as a percentage of the total participation rate (European Commission, 1985).

GENDER-SEGREGATED STATISTICS: collecting and reporting statistical data, taking into account the gender variable, to facilitate comparative analysis of the situation of men and women in different fields. (European Commission, 1986)

OCCUPATIONAL SEGREGATION

Horizontal occupational segregation is the tendency to employ men and women in different occupations, resulting in a tendency towards the creation of feminised and masculinised fields.

Vertical occupational segregation is the tendency to employ men and women in different positions within the same profession or occupational field (EIGE)".

Equality of opportunity and treatment between women and men is achieved in accordance with the following principles:

(a) *the principle of legality*, according to which the provisions of the Constitution shall be observed, and national legislation, as well as the provisions of agreements and other documents international legal agreements to which Romania is a party;

b) *the principle of respect for human dignity*, according to which every person is guaranteed the free and full development of his or her personality;

c) *the principle of cooperation and partnership*, according to which the central and local public administrative authorities work together with civil society and non-governmental organisations in the development, implementation, evaluation and monitoring of public policies and programmes on the elimination of all forms of discrimination on the grounds of gender, as well as for the de facto achievement of equal opportunities and treatment between women and men;



d) *the principle of transparency*, according to which the preparation, conduct, implementation and evaluation of policies and programmes in this area are made known to the general public;

(e) *the principle of transversality*, according to which public policies and programmes that protect and guarantee equality of opportunity and treatment between women and men shall be achieved through the cooperation of institutions and authorities with responsibilities in this field at all levels of life.

1.3. National legal framework

Law 202/2002, republished, on equal opportunities and treatment between women and men, is the normative act that defines equality of opportunities and treatment between women and men " (....) taking into account the different abilities, needs and aspirations of men and women and their equal treatment and aims to eliminate all forms of discrimination on the basis of sex" (Art. 1 paragraph 2).

According to the above-mentioned normative act, equality of opportunity and treatment between women and men in employment relations means non-discriminatory access to:

- the free choice or exercise of a profession or activity;
- employment in all vacant posts or jobs and at all levels of the professional hierarchy;
- equal pay for work of equal value;
- vocational information and advice, qualification, further training, specialisation and retraining programmes;
- promotion at all hierarchical and professional levels;
- working conditions that comply with health and safety at work standards, as laid down by the legislation in force;
- social benefits and services, granted in accordance with the legislation in force.

Law 202/2002 regulates equal opportunities between women and men and is generally applicable to all persons in both the public and private sectors.

It makes it compulsory for employers to introduce provisions prohibiting discrimination on grounds of sex in their internal organisational and operational regulations. Employees also have a permanent right to be informed of their rights by means of notices displayed in visible places, as follows:

(a) direct discrimination shall mean where one person is treated less favourably, on grounds of sex, than another is, has been or would be treated in a comparable situation;

(b) indirect discrimination shall mean where an apparently neutral provision, criterion or practice would put persons of one sex at a particular disadvantage compared with persons of the other sex, unless that provision, criterion or practice is objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary.

Act 202/2002 also contains provisions regulating the protection of maternity, harassment or sexual harassment, as follows:

a) Special measures provided by law for the protection of maternity, childbirth and breastfeeding, affirmative action for the protection of certain categories of men or women are not considered discrimination. Differential treatment on the basis of a sex characteristic is permissible where this is a specific occupational requirement determined by the nature of the specific occupational activities.

b) Harassment is defined as unwanted conduct related to a person's gender which has the purpose or effect of violating the dignity of the person concerned and creating an intimidating, hostile, degrading, humiliating or offensive environment;

c) sexual harassment is defined as unwanted conduct of a sexual nature, whether physical, verbal or non-verbal, with the purpose or effect of violating the dignity of a person and, in particular, of creating an intimidating, hostile, degrading, humiliating or offensive environment;



d1) psychological harassment means any inappropriate conduct which takes place over a period of time, is repetitive or systematic and involves physical conduct, oral or written language, gestures or other intentional acts and which could harm the personality, dignity or physical or psychological integrity of a person;

d2) by sex we refer to all the biological and physiological characteristics that define women and men;

d3) gender refers to the set of roles, behaviours, traits and activities that society considers appropriate for women and men respectively;

e) positive actions are those specific actions which are taken on a temporary basis to accelerate the de facto achievement of equal opportunities between women and men and which are not considered to be discriminatory actions;

(f) work of equal value means paid work which, when compared, on the basis of the same indicators and the same units of measurement, with other work, reflects the use of similar or equal occupational knowledge and skills and the expenditure of an equal or similar amount of intellectual and/or physical effort;

(g) discrimination based on sex means direct discrimination and indirect discrimination, harassment and sexual harassment of one person by another person in the workplace or other place of work and any less favourable treatment caused by that person's rejection of, or submission to, such conduct;

(h) multiple discrimination means any discrimination based on two or more discriminatory grounds.

Romanian Constitution stipulates in Article 41 para. (4): for equal work, women have equal pay with men.

Also, Law no. 53/2003, republished, provides in Art. 5 para. (2): any direct or indirect discrimination against an employee, discrimination by association, harassment or act of victimisation, based on race, nationality, ethnicity, colour, language, religion, social origin, genetic traits, sex, (.....), age, disability, chronic non-contagious disease, HIV infection, political choice, family situation or responsibility, trade union membership or activity, membership of a disadvantaged category, is prohibited.

Art. 159 para. (3) of the Law no. 53/2003 republished - stipulates that in the determination and awarding of wages any discrimination on the basis of sex, (.....), genetic characteristics, age, nationality, race, colour, ethnicity, religion, political choice, social origin, disability, family situation or responsibility, trade union membership or activity is prohibited.

Art. 162 para. (2) of the Law no. 53/2003 republished - provides that the individual wage is determined by individual negotiations between the employer and the employee.

At the same time, Article 6 of Framework Law No 153/2017 provides that the pay system regulated by this law is based on certain principles, including the principle of non-discrimination (in the sense of eliminating all forms of discrimination and establishing equal treatment with regard to staff in the budgetary sector who perform the same activity and have the same length of service and position) and the principle of equality (by ensuring equal basic pay for work of equal value).

THE LABOUR CODE provides the following:

Art.5.1 "The principle of equal treatment of all employees and employers shall operate in the employment relationship".

Art.5.2 "Any direct or indirect discrimination against an employee based on sex, (....) age, nationality, race, colour, ethnicity, religion, political opinion, social origin, disability, family situation or responsibility, trade union membership or activity is prohibited.



The action directions which underpin the Gender Equality Plan are:

- Human Resources
- Institutional Governance
- Institutional Communication
- Sexual/moral harassment
- Innovation Ecosystem

1.4. Specific internal regulations

The operational procedure "Harassment in the workplace" Code: PS - 01.11 of the Research and Development Station for Vegetable Growing in Bacau establishes the uniform way of respecting the principle of equal opportunities, exclusion of privileges and discrimination, as well as the exclusion of any behaviour which, by its systematic nature, may harm the dignity, physical or mental integrity of the entity's staff, endangering their work or degrading the working climate.

The director of the entity shall ensure equality of opportunity and treatment with regard to the career development of subordinate staff, subject to the specific legislation applicable to each category of staff. To this end, they are obliged to exclude any form of discrimination and harassment of any kind and in any situation with regard to their staff.

Any direct or indirect discrimination against the entity's staff, discrimination by association, harassment or victimisation based on race, nationality, ethnicity, colour, language, religion, social origin, genetic features, gender, sexual orientation, age, disability, chronic non-contagious disease, HIV infection, political choice, family situation or responsibility, trade union membership or activity, membership of a disadvantaged category, is prohibited.

Any act or fact of distinction, exclusion, restriction or preference, based on one or more of the criteria set out above, which has the purpose or effect of denying, restricting or nullifying the recognition, use or exercise of rights provided for in labour law, constitutes direct discrimination.

Any provision, action, criterion or practice which has the effect of putting one person at a disadvantage compared with another person on the basis of any of the above criteria shall constitute indirect discrimination unless that provision, action, criterion or practice is objectively justified by a legitimate aim and the means of achieving that aim are proportionate, appropriate and necessary.

It is an offence to harass an entity's staff on the grounds that they belong to a particular race, nationality, ethnicity, religion, social group or disadvantaged group, or because of their beliefs, age, gender or sexual orientation, in an employment and social protection relationship, except as provided by law, manifested in the following areas:

- the closure, suspension, modification or termination of the employment relationship;
- the determination and modification of job duties, place of work or salary;
- the granting of social rights other than wages;
- training, further training, retraining and promotion;
- disciplinary measures;
- the right to join a trade union and access to its facilities;
- any other working conditions in accordance with the legislation in force.

Concrete measures provided for in this action plan and in the internal regulations of SCDL Bacau:

(1) The employer shall promote, in the framework of employment relations of any kind, the principle of equal treatment opportunities for all employees of the establishment, women and men.



(2) The employer shall ensure equality of opportunity and treatment with regard to the career development of subordinate staff;

(3) Discrimination is prohibited through the use by the employer of practices that disadvantage persons of a particular gender in relation to employment relationships, relating to:

- Announcement, organisation of competitions and examinations and selection of candidates for filling vacancies;

- the termination, suspension, modification and/or termination of the legal employment relationship or service;

- establishing or modifying the duties in the job description;

- determining the salary;

- benefits other than those of a salary nature such as social security;

- information and professional counselling, initiation, qualification and further training programmes, professional retraining;

- evaluation of individual professional performance;

- professional promotion

- application of disciplinary measures,

- the right to join a trade union and access to its facilities;

- any other working conditions, according to the legislation in force.

(4) The employer shall ensure the confidentiality of data concerning the race, nationality, ethnicity, religion, gender, sexual orientation of the employees or other persons working in SCDL Bacău.

(5) The employer shall ensure participation in training courses to raise awareness on the issue of sexual and moral harassment, recognition of abuse and ways of identifying and differentiating it, definition of limits and concepts, etc.

(6) The employer ensures gender balance in leadership and decision-making;

(7) The employer shall ensure that any conduct based on race, nationality, ethnicity, language, religion, social category, belief, gender, sexual orientation, membership of a disadvantaged group, age, disability, refugee or asylum seeker status or any other criterion which results in an intimidating, hostile, degrading or offensive environment is sanctioned;

(8) The employer shall impose disciplinary sanctions on employees who commit acts or facts of sexual or moral harassment in the workplace;

(9) The regulations of this Article shall be supplemented by the provisions of the O.G. no. 137/2000 on the prevention and sanctioning of all forms of discrimination as amended by Law 167/2020, of Law no. 202/2002 on equal opportunities and equal treatment between women and men and of other relevant regulations in force.



1. 4. POLICY AND ACTION PLAN ON GENDER EQUALITY AT VRDS BACĂU

Nr. ctr.	Areas of intervention	Objectives	Measures	Pointers	Managers	Method of evaluation	Deadline
1.	<p>Raising awareness within the institution of any possible form of discrimination that may arise during the selection process</p> <p>- Improving institutional ownership of gender equality</p> <p>- Better communication of measures on gender-sensitive recruitment procedures</p> <p>Recruitment and selection process</p>	<p>-Research on good practice cases on gender equality protocols</p> <p>-Organising with training recruitment experts and HR department</p> <p>-Informing employees about possible changes to the selection procedure</p>	<p>-Short term: >90% of employees are aware of the existence of gender equality recruitment protocols</p> <p>- Medium term: when assessed >80% of recruitment experts are able to handle any situation that could lead to discrimination</p>	<p>Director Equal Opportunities Officer Human Resources</p>	<p>Regular assessment of the level of knowledge acquired by recruiting experts on how to ensure gender equality in the selection process</p>	<p>December 2022</p>	
2.	<p>To help staff returning from parental leave to adjust more quickly to new institutional realities and to the projects they were previously working on</p> <p>Working conditions and reconciling family life and work</p>	<p>- information for meetings for colleagues on the importance of the transition period and how they can show their support</p>	<p>- Short term: increase awareness of the importance of reconciling family life and work</p> <p>- Long term: 50% increase in efficiency and job satisfaction in the first 3 months after returning from parental</p>	<p>Equal opportunities manager Human Resources</p>	<p>Feedback from back-to-work training sessions</p>	<p>June 2022</p>	



			<p>leave</p> <ul style="list-style-type: none"> - Short-term: >70% understand the importance of having such communication protocols and using non-discriminatory communication. - Long-term: >80% of employees recognise discriminatory language when they are evaluated and more than 60% use the new protocols in their daily internal and external communication. 	<ul style="list-style-type: none"> - Adoption of protocols on internal and external communication - Organising a training session 			
<p>3.</p> <p>Institutional communication</p>	<p>Ensuring that the entire institutional communication, both internal and external, respects the principles of gender equality</p>	<ul style="list-style-type: none"> - Identify ways in which women researchers can be encouraged to get involved in male-dominated areas of research 	<ul style="list-style-type: none"> - Short and medium term: analysis of more than 50% of the projects carried out by SCDL Bacau - Long term: the proposed recommendations are taken into account when future funding calls are developed 	<p>Human Resources</p>	<p>Assessment of acquired knowledge</p>	<p>December 2022</p>	
<p>4.</p> <p>Funding research</p>	<p>Analysis of women's participation in research projects</p>	<p>Equal opportunities manager Human Resources</p>	<p>Un policy paper</p>	<p>September 2022</p>			

