

# INTEGRATION OF ROMANIAN RESIDENTS INTO THE LABOUR MARKET IN BELGIUM

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**Abstract:** *The Romanian community in Belgium has evolved in recent years following a dynamic and closely linked to the European integration process of Romania. The ties with Romania have been marked by the political and historical evolutions in our country, as they reactivated and intensified gradually after 1989. The successive democratic changes in Romania have positively influenced the relations of the Belgian state with the institutions of the Romanian state as well as the general climate within the Belgian community. Romanians are mostly well integrated into the most diverse socio-professional backgrounds (scientific, university, artistic, liberal professions), especially in the Francophone space.*

**Key words:** *residents, integration, community, labour market.*

## 1. Introduction

The preference of Romanian emigrants for Belgium as a destination country can be explained by the ethnic and the cultural diversity of this country, the possibilities to find work easier, sometimes without concluding a contract of employment or other formalities with the authorities, the tolerance and generosity of the Belgians and access to housing.

The main Romanian communities have grouped themselves in the regions of Brussels and Vallonia, where the spoken language is French, more accessible to the Romanians being a Latin language (in Romanian schools, before 1989, French was taught in preference to the other foreign languages). During this period, Romanian immigrants were received very well, benefiting from their rehabilitation due to the revolution, with additional labour force being needed in Belgium.

During the years 2000-2006, the Belgian state faced the massive economic immigration of Romanians due to the deterioration of the Romanian living conditions. The abolition of visas in 2002 allowed a diversified Romanian population to emigrate to Belgium. Most of the immigrants returned to Romania after the three legal months, in order not to lose their right to free movement in the Schengen area. They worked clandestinely, with no legal forms of work, at this time, ignorance of the language and the socio-economic environment gradually discouraging them.

January 1, 2007 meant Romania's integration into the European Union, which made

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Romanians' emigration to Belgium more accessible. The ability to move freely in the European area of Romanian citizens has meant a chance to get better paid jobs and to be less exposed to "hard work". Currently, in Belgium there are Romanian immigrants from various social categories, from people with higher education to workers.

In these emigration stages the Romanian ethnic community of Belgium was formed. This Romanian community on the territory of Belgium has retained its linguistic and historical identity, its own spiritual values and specific traditions, without dissolving itself in the national social framework of Belgium. The attachment to their native country, to the places where they were born and lived were decisive factors of self-preservation and perpetuation of the traditional Romanian community on the territory of Belgium.

## **2. Preliminary Considerations regarding the Romanians' Residence in the Belgian Society**

Whether an immigrant wishes to settle temporarily or permanently in Belgium in order to have a legal status, he or she must submit the documents for registration to the City Hall in order to receive the Police Visa, which checks if they really live at the declared address. As soon as the residence permit is obtained, the foreign citizen must attend the mayoralty in order to complete the registration. At first, they will receive the proof of enrolment, then an electronic identity card, such as that of the Belgian citizens. Every change of residence requires a visit from the Police and then the registration of the new address in papers, at the mayor's office.

The validity of the residence permit, which shall be no more than five years from the date of issue, shall not be affected if the absence from the territory of the Belgian State falls within the following limits: it shall not exceed 6 months in one year; more than 12 consecutive months for important reasons such as pregnancy and childbirth, serious illness, study or vocational training, or relocation for work in another Member State of the European Union or in a third country.

## **3. Particularities of Access to the Labour Market in Belgium**

Given the prolongation of the labour market access restrictions in Belgium until January, 1, 2012, Romanian citizens were required to obtain a work permit from the competent Belgian authorities:

- Type A work permit - of unlimited duration and valid for all employed professions;
- Type B work permit - with a maximum validity of 12 months and with the right to take up a job with one employer, the one who applied for the permit;
- Type C work permit - of a fixed duration, valid for all employed professions. For the worker holding a Type A work permit, no employment authorization was requested from the employer's initiative. The license shall cease to be valid if its holder is absent from the country for more than one year, unless such absence has resulted in the loss of their right or residence permit.

The B-type work permit is granted ex officio to the worker concerned as a result of the employer's authorization to employ the employer. Thus, the duration of the work permit is the same as the duration of the employment authorization granted to the employer.

The holder of a Type C work permit was not required to obtain a work permit. Type B and C work permits lose their validity if their holder loses their right or residence permit. The citizen who leaves the final country is obliged to return the work permit to the municipal administration at the place of residence, before leaving.

The employment authorization is granted only if the employer proves that he has not found a worker on the Belgian labour market for the post on which the Romanian citizen is hired. No account is taken of the labour market for the following family members of Romanian citizens (subject to certain conditions), whatever their nationality: spouse and descendants under 21 or under their care. Also, the granting of the employment authorization is subject to the signing by the employer and the worker of a labour contract. The competent authority may, by reasoned decision, derogate for individual cases of interest for economic or social reasons from both the obligation to verify the labour market and the obligation to sign the contract. The application for a work permit for a worker who works for the first time in Belgium must be accompanied by a medical certificate stating that she they are fit for work.

No medical certificate is required: for persons who have been legally resident in Belgium for at least two years and the competent authority considers it a reasoned decision and for individual cases of interest for economic or social reasons. In the case of contingents of at least 15 workers, the granting of the employment authorization is subject to the prior written submission to the competent authority. The rule does not apply to persons for whom the labour market situation has not been taken into account when granting the employment authorization. If one of the spouses already has a work permit, the partner will only get the right to work with a B license or as an independent one. Four bilateral agreements between Romania and the Kingdom of Belgium in 2013 refer to:

- Mediation of Romanian workers for the provision of a fixed-term activity;
- Employment for the acquisition of professional and language skills and for the employment of guest workers;
- Sending Romanian personnel from enterprises based in Romania to activate on the basis of employment contracts;

Mediation of Romanian students for employment during the summer vacation. (Vasile, 2013, p. 51)

#### **4. Social policies for the Integration of Romanian Residents into the Labour Market in Belgium**

The concept of integration is used in many academic disciplines, of which sociology seems to be the most relevant for our purposes. Seen from a macro perspective, the integration refers to a feature of the social system, of society as a whole, namely, the intensity of relationships established between component parts (individual groups and individuals).

In the European Union vision, there are big differences between social policies to integrate immigrants not only between the candidate countries for integration into the European Union but also between the Member States, due mainly to the different

experiences and histories of the migration phenomenon. In this respect, EU Member States have made efforts to develop a national policy that promotes the integration of migrants.

For a very long time, Belgium has not been considered a top destination for Romanians looking for a better paid job than their own country. At present, the situation has changed, the most “favoured” being the highly qualified Romanians. A professional category that finds it easier to get into the Belgian labour market is the medical staff. The hospitals are still going through a great crisis of employees, following labour force recruitment. The representatives of the recruitment firms say that most of the applications for employment are nurses.

If they want to take up a job in one of the critical jobs, the jobs for which the Belgian labour market is unable to meet the job offer, Romanians benefit from an accelerated and simplified procedure of only 5 days, introduced in 2006. This is often purely theoretical, the procedure being different in the three regions: Walloon, Flemish and the Brussels region. Practice shows that these steps are almost impossible to achieve in 5 days due to the bureaucratic procedures.

Before taking up partially or entirely the activities in Belgium, as a non-Belgian or independent employee, these activities must be declared. Trainees who complete, part or all, their traineeship in Belgium must also declare. Since April, 1, 2007, it has become mandatory to mention the activity under the Limosa Declaration for all foreign subcontractors working temporarily in Belgium. Those enrolled may be detached workers, trainees, or self-employed entrepreneurs.

The special tax regime for foreign staff applies, under certain conditions, to foreigners detached to Belgium for employment or direct employment. Romanian immigrants who are in positions requiring particular knowledge and responsibilities, as well as those specializing in a particular field and who can benefit from a special regime - are particularly those who have a specialization for which it is difficult, or even advantageous (researchers who work in Belgian or foreign scientific research laboratories or centres) and those who practice a temporary profession in Belgium, benefit from the special expatriate regime. The advantages of the expatriate status are: the rent (excluding maintenance costs) that is deductible from the taxable salary, and if the Romanian residents become owners of a dwelling, the equivalent of a percentage of the cadastral value can be deducted. All days worked outside Belgium (counted by a special mechanism) are not taxed (so earnings are gross “all sewn up” for those days.) In fact, the status of the expat has combined the advantages and obligations of the Belgian system with certain tax advantages additional to tax-specific non-resident status.

In Belgium, only a few trades (42 in number) are regulated and protected, others can be freely practiced. The regulated professions should not be confused with the professions - physician, pharmacist, dentist, lawyer, architect, accountant, translator, notary, real estate agent etc. - which are protected anyway.

In order to practice these trades, one must prove their study (diploma, certificate) or the fact that they have been trained - the theoretical knowledge can be replaced by proof of practical knowledge.

An independent worker may be any person who is engaged in a professional activity for which they do not enter into an employment contract, so they are not subject to the status of an employee. The activity may be performed exclusively or in combination

with another professional activity. Conditions for the independent worker: to be at least 18 years old, to have a European nationality or a professional book. Independent worker activity may be carried out as an authorized person or as an independent associate in a company. Under this statute, there are well-defined rules on start-up capital, formation, management, responsibilities, taxation, tax losses, cessation of activity and bankruptcy.

MEPs voted in February 2009 the formal position of the European Parliament on the Directive on the employment of illegal immigrants. The directive provides stipulates the sanctioning of employers of illegal immigrants, while employees will be offered legal employment conditions. In the most severe cases, MEPs call for criminal sanctions and companies' accountability for sub-contractor actions. This proposal for a directive together with the Return Directive and the blue card for highly qualified workers are part of the legislative package proposed by the European Commission. This legislative package has the overall objective of reducing illegal immigration and encouraging legal immigration.

Romanians who remain unemployed in Belgium or in another Member State of the European Union may return to the country and receive, for a maximum of three months, the unemployment allowance granted by the Romanian State in which they last worked with The National Labor Tenancy.

"Au pair" work for young people temporarily admitted to a Belgian family where they receive accommodation and meals in exchange for small family and family tasks to improve their linguistic knowledge and enrich the general culture through better knowledge of the country, participating in the life of the host family, presupposes the existence and the observance of the conditions for the "au pair" quality.

Starting with January 1, 2014, the access of the Romanian workers to the Belgian labour market is carried out without restriction. The Romanian community in Belgium has evolved in recent years following a dynamic closely linked to the European integration process of Romania.

Thus, three distinct features of the Romanian Diaspora have been consolidated: the massive concentration in the Brussels area, the high degree of technocrats and students, and the heterogeneity. Romania's admission to the North Atlantic Treaty Organization (NATO) and the European Union has provoked an identity rebellion, with Romanians in Belgium displaying their pride and interest in contributing to building a positive image of Romania in the environments in which they live and work.

## **5. Theoretical and Analytical Traits of the Brain Drain from Romania to Belgium**

The brain drain has been and remains an important subject of debate due to its consequences for social and economic development and it is associated with the international migration from less developed countries to more developed countries. The brain drain goes beyond the area of the economy, having effects on the social and political development of the countries of origin.

The term "brain drain" means the international transfer of human capital, the emigration of relatively high educated individuals from developing countries to developed countries. In the opinion of some authors, "the irony of the current international migration is that ... many of those who legally migrate from the poor to the richest countries...the countries of origin can least afford to lose: the highly

educated and qualified. Since most of these migrants are leaving for good, this brain drain not only represents a loss of valuable human resources, but could also be a major constraint on the nation's future economic progress". (Torado, 1996, p. 119)

In Romania, the emigration of the highly qualified labour force to Belgium is influenced and affected by globalization and the needs of the knowledge economy. In some author's opinion, "though much is known about the migration of highly qualified workforce and its consequences on destination countries, there are still many issues that need to be investigated dynamically". (Sassen, 2000, p. 116)

The brain drain phenomenon towards Belgium is generally characterized by common trajectories and patterns of emigration: job search strategies, reasons to emigrate, transnational relationships, recognition of qualifications, the international character of some professions and the presence of a potential international labour market with the intent to pursue and develop career prospects.

Reasons for emigration are combinations of issues that make people assess their current environment and outlook. Those who went abroad to study as the main reason say that "the factor of studying abroad" was only an apparent cause, but the real cause was the search for better conditions and means to achieve a higher standard of living, and Satisfactory jobs. Other reasons are: the opportunity to discover new countries, cultures and places, and a more satisfying working environment. It is to be noted in migrants that the feeling of frustration with Romania, combined with expectations and illusions, make them despise the Western countries in which they are immigrants.

Generally, with the exception of the forced emigration of asylum seekers, the emigration project is changing along the way, starting with the idea of a temporary experience and ending with long-term or permanent life choices.

Some specialists argue that "despite the attraction of higher economic opportunities, migration is generally "expensive" in both monetary and psychological terms ... Young skilled emigrants are at a stage in their lives when can move without the burden of many family responsibilities .... In this era of globalization and economic opportunism, many of the youngest are willing or even anxious to move to another country." (Iqbal, 2008, p. 112)

The presence of relatives in Belgium exerts a limited influence on the emigration of skilled Romanian workers, with labour opportunities being the ones that determine potential emigrants to decide. The initial migration chain seems not to be always continued by others in the same family, community, or locality. "The family network does not seem to have such a significant influence, and migratory trends are all metropolitan." (Castells, 1996, p. 58)

Some specialists work in Romania for foreign companies. Working in a foreign company can help create the conditions for emigration, but it can also constitute a mechanism for human resource retention when the labour conditions offered in Romania exceed the local standards in this field. Outsourcing (outsourcing or outsourcing to specialized firms) for Belgian companies involves relocating some of the production segments to take advantage of the cheaper and more skilled labour force in Romania. Such work is actually brainless minds, because the products of these brains working at a distance end up on the Internet directly to the Belgian business centre, which is a form of virtual mobility of the workforce.

The strategies that are used to find a job in Belgium can be grouped into two ways: personal or professional networks or internet searches to gather information and enroll in competitions. Few of the highly qualified Romanians resort to job placement agencies. The Internet is an important means of spreading information about companies, positions and procedures globally. The job search process is quite easy as compared to the problems associated with obtaining a work permit.

The choice of Belgium as a destination country is influenced by the quality of life and work preoccupations. Some employment rules or policies can keep Romanian immigrants in a state of instability and disadvantage as compared to their Romanian competitors. They affect the workforce of immigrants, restricting it to a certain extent, employers being able to take advantage.

Such situations are also reflected in the differences between the incomes of the Romanian workers and those of the Belgian indigenous peoples. Definitions given to the phenomenon of brain drain are different. In the British Encyclopedia it is defined as “the departure of educated or professional people from one country, from one sector or economic field to another, usually for higher remuneration or for better living conditions”. Another explanation states that “the brain drain can occur if the emigration of tertiary education for long-term or permanent residence abroad reaches significant levels and is not offset by feedback effects such as remittances, technology transfer, investment or trade. The generally recognized disadvantage of brain drain is to reduce economic growth through investment in uncompensated education and the depletion of the human capital resources of the country of origin” (Glick-Schiller, Basch, Szanton, 1992, p. 116), in this case, Romania.

This type of emigration occurs when the highly qualified workforce is employed in Romania on less paid or lower levels of qualification, not ensuring professional development and personal fulfilment. The decision to emigrate is not a choice, but a possibility of fruitful development of the educational path and of the cultural potential. The Romanian environment fails to always encourage the stimulation of the best performances of individuals, it lacks good and well-paid jobs, typical of a post-communist country. Generally, the brain drain is treated as a natural and spontaneous factor, as a result of globalization.

Even when the brain drain is understood as a loss for Romania, the benefit of the good reputation enjoyed by skilled scientists and skilled workers from Romania in most of the developed countries and, implicitly, in Belgium is also recognized by the fact that it offers Romanian families additional regular return income, with added value given by the additional human capital acquired abroad.

## **6. The Community of Romanians Working in the Institutions of the European Union**

The 1990s witnessed the real emergence of the first wave of Romanians in the European Brussels world. How many Romanians are currently working in Brussels? Is there a specific market demand for Romanians? What qualities and skills must we have in order to succeed in our efforts to work in the community capital? There are two labor markets in Brussels, Brussels-Belgium and Brussels-European Union which, however, due to geographic overlap, create confusion. There is a Brussels-Belgium, with the

specifics of a Western capital, and there is a Brussels-European Union with totally different opportunities and approaches. It's hard to imagine the multicultural mosaic around Schuman Square, but it's very important to decipher it in order to find personal opportunities to work here.

Approximately 400 multinationals, which we mostly find in Romania, have the permanent headquarters in Brussels, an "embassy" of the respective corporation with the European institutions. As Romania has an embassy in Belgium, which is responsible for bilateral relations between Belgium and Romania, a Permanent Representation to the European Union and Microsoft has an office dealing with the "product market" in Belgium, as well as the European legislative dynamics.

For a permanent or even temporary job in the community institutions, the procedure is complex, but it is not impossible to approach and it often requires good years to succeed. The EPSO competitions (offered by the European Personnel Selection Office) are already visible in Romania. There are plenty of EPSO trainings provided by dozens of entities in Romania. They are paid a few hundred euros, but the chances of success are not great. There are only a few hundred seats allocated as a country quota for Romania, and the competition is very strong.

The quality of Romania's presence in the European Union is largely due to the quality of Romanian administration's presence in the relationship with European administration. Administration is the first interface with European institutions.

The resources that the Romanian administration manages to attract, the expertise of those who work, their ability to convince their European partners depends to a great extent on Romania's ability to fulfil its great role in the European Union. The greatest risk of exclusion in European construction comes from self-exclusion, political hesitation and disinterest. Intellectual resources and expertise exist in Romania and in Romanians outside of Romania, without any doubt. What is important is that they are involved in an integrated system of national expertise and interest that goes beyond momentary, partisan or partisan interests. Then we will also be able to increase the value of Romania, as a nation and member of the European Union, above that of the sum of the values of its representatives.

Europe is already part of the domestic policy for Romania. Analysts say that three quarters of the legislation that applies in Romania originates in Brussels. This legislation is reflected in many areas of activity, in our private and professional life, regardless of the sector we work in, the county we live in. Policies such as civil justice, the environment, consumer protection, corporate law, SMEs are not sensational headlines. But they produce sensational changes in the lives of citizens, society, families, professional associations, companies, and the majority.

The Romanian members of the European Parliament are in Brussels and Strasbourg. We pass on the substantiated positions of the legitimate interest groups in Romania to the legislation in the process of adoption. Besides them, we promote them in their offices in Brussels and Bucharest. They need specialized input on the various technical issues that they discuss in the specialized committees and on which they legislate. It is not only specialists in health, finance, environment, etc. They are politicians who hold the European honourable positions for us. They are representatives of all Europeans, but "the shirt closer to the body" is their "constituency" - Romania.



Romanians involved in European affairs in Brussels, in the public or private sector, in the institutions, can confirm this availability of the Romanian members of the European Parliament. Many of them are young, they are not politicians who have held high positions in the country, so they approach the dialogue directly and efficiently, beyond protocol reasons. They themselves regret the fact that they receive too few backgrounds from Romania and that they would like to discuss the situation with the representatives from Brussels or their offices in the country. I also receive protests from them, but too late after the legislation was adopted in Brussels and has irreversible consequences for some sectors in Romania.

The governmental ministry has signalled the importance of the Romanian members, of the European parliamentarians in coagulating the community decision and in providing support to the European Parliament in promoting governmental positions. Romania's Permanent Representation in Brussels co-operates with European Parliamentarians in some cases - it is right, most often in the sphere of "great politics". The success of anchoring a legitimate Romanian interest in European legislation depends on its representation in both legislative forums, in The European Council, where the Government holds the negotiating mandate for Romania, but also in the Parliament, where "stakeholders" in Romania, beneficiaries of European policies and legislation, should be the preferred source of consultation and lobbying (in a European, legal, correct way).

The culture of consultation and constructive dialogue is new in our country. It is the rule in the "old" member states of the European Union. The stakeholder consultation has begun to take place regularly, at least in some areas. The line ministries usually have the initiative to manage and formulate their national position on a certain sectoral theme from the European political-legislative timetable. Therefore, the internal scale is the first one to be contacted by the Romanian legitimate interest groups. From this level, or for the case when the promotion of the specific interest fails internally, they have an appeal to European parliamentarians in their country. Currently, at the European Commission level, there are 800 Romanian officials and probably three times more contract agents. At the level of the Community institutions as a whole, the number of Romanian employees for definite or permanent periods is likely to exceed 2000.

## **7. Conclusions**

The analysis of the integration of Romanian residents into the labour market is a necessary and possible approach, facilitated by the development of common migration policies - at the level of Romania and Belgium, a thorough study of the impact of the global routes of the population and migrant workers. Migration to work, in a certain proportion and in favourable conditions, can turn into definitive migration, the naturalization of migrants and the development of the second generation of the migrant population in fact, citizens already adopted by the Belgian community. This makes analysing the stock of migrant population to grow in importance as compared to simple stream management, as it was in the past decades and centuries. The economic and demographic effects of the last decades are the main arguments that have practically opened local communities and national states for migrant workers and have developed integration policies in host communities as a solution to balancing the human capital deficits needed for development.

The European legislative framework facilitates and establishes the legal framework governing the labour movement, but responsibility for the efficiency of allocating the work potential and the socio-professional and cultural integration of Romanian immigrants belongs to the host countries, in this case Belgium, which, is also a beneficiary country of labour mobility.

Because the causes of brain drain are very profound and problematic, economic development means in Romania are needed, such as: providing ameliorative opportunities to motivate qualified workers to stay in the country by applying retention policies; attracting foreign investments and capital to the country; attracting those who left the country by offering them incentives, higher wages and a free market economy. Other measures that should be taken include: changing governance, in particular, in the fight against corruption and the completion of the political and economic reforms recommended by the European Union. The issue of migration and labour mobility in Belgium, together with the impact of this phenomenon on Romania, will remain extremely important issues on the public agenda, both at national and international level in the near future, but also in the long run. The Romanian state needs to consider a better policy of monitoring, research and analysis, of Romanian migration in balance with other actions, public policies and the strategy regarding the phenomenon of migration and the integration of foreigners into Romania. The need for an active state is of the utmost importance, with future visible benefits at the level of the entire Romanian society.

For the fundamental and inclusive representation in Brussels of the Romanian interests, it is necessary to catalyse two vectors: the intensification of the practice of stakeholder consultation from the institutional sphere and, on the other hand, the awareness, the creation of a reflex among them, to follow the European legislative timeliness, to position themselves, to communicate their positions on time and to promote them actively in Bucharest and Brussels.

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### References

- Glick–Schiller, N., Basch, L., Szanton-Black, C. (1992). *Towards a transnational perspective on migration: race, class, ethnicity, and nationalism reconsidered*. New York: Academy of Sciences.
- Sassen, S. (2000). *Cities in a World Economy*. Pine Forge: Lage Press.
- Torodo, M. P. (1996). *Economic development (the 4th ed.)*. London: Edition Addison–Wesley.
- Vasile, V. (2013). *The estimation of the impact of the free movement of Romanian workers on the territory of the EU, starting with 01.01.2014; realities and trends from an economic, occupational and social perspective, at national and European level*. Bucharest: European Institute of Romania Publishing House.
- \*\*\* The National Labor Tenancy Available at: <http://www.mmuncii.ro/>. Accessed: 10.03.2013.