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Comparative Study on Public Electronic Employment Services: Austria, Spain, Estonia, Romania

Ani Matei and Dincă Dragoș Valentin

Abstract

Jobs around the world are affected by the current health crisis. European Commission, governments are concerned with finding measures to ensure the protection of employees. As such, on October 21, 2020 the European Commission issued an inaugural set of obligations with a social impact under the EU SURE Instrument of the European Union. Amounting to EUR 17 billion, instrument intended to help protect jobs and keep up employment. Under this framework, this chapter analyzes public employment services in four European countries to identify the extent to which they have adapted to the global pandemic situation. Measures to protect jobs and support workers in identifying new jobs are a permanent concern for most countries. Additionally, we are witnessing an accelerated digitalization of overall public services, public employment services too. The way in which employment services are organized, the degree of digitalization does not necessarily infer the conclusion that workers' protection is ensured but only that the premises for the health crisis mitigation effects are provided.

Keywords: electronic services, job search, job loss, public institutions

1. Introduction

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS, art. 23, sets forth that everyone has the right to work, to free choice of employment, to just and favorable conditions of work, as well as to protection against unemployment. European states guarantee the right of every person to freely choose their profession and job under the national law. The national legal framework aims at preventing unemployment, promoting employment or re-employment, supporting people belonging to disadvantaged groups in finding work, ensuring equal opportunities on the labor market, giving incentives to employers and stimulating the unemployed to find a job.

According to Eurostat¹, employment fell by 2.8% in the euro area and by 2.6% in the EU in the second quarter of 2020 compared to the previous quarter, the largest decline since 1995. Lockdown measures in 2020 severely affected industries such as tourism, transportation which triggered the disappearance of many jobs.

¹ <https://ec.europa.eu/eurostat/documents/2995521/10545332/2-14082020-AP-EN.pdf/7f30c3cf-b2c9-98ad-3451-17fed0230b57>, accesat 11.11.2020

Meanwhile, however, there are many jobs available at European level. At this moment, on the portal ec.europa.eu/eures/ alone there are available 1,613,794 job offers in Europe, from which 14,975 in Romania, 54,416 in Austria, 1,478 in Estonia, 32,686 in Spain².

Under this framework, a number of measures have been taken at both European and national level, aimed at: maintaining current jobs, providing financial support for employers and employees, stepping up support efforts to identify new jobs for persons whose jobs have been eliminated; actions of orientation, counseling, mediation on the labor market are being provided. For the latter category of measures, the public employment services of each European state are used, public services that act mainly on two levels: job search and job loss.

The efficiency, speed and degree of digitalization of these public employment services are key in the process of limiting the effects on the labor market of this health crisis that humanity is going through. According to *The World of Public Employment Services* [1], public employment services generally plan and implement many of the active policies used on the labor market to help workers find jobs and companies fill vacancies, facilitate labor market adjustments and cushion the impact of economic transitions.

The labor force, the labor market, employment have been the topic of numerous researches, analytical studies, from multiple perspectives: studies from the perspective of equal opportunities [2], migrants, refugees [3, 4], of people, of vulnerable groups [5], employment standards [6] or skills required for employment. Employment services have been the topic of research and analysis either from the perspective of reform [7], of management principles applicable [8] or management form [9].

The digital transformation of our economy changes the way we work [10] and the public services dealing with this matter.

There are national public services in Europe and a European employment service: EURES, a network set up in 1994 and it provides services to the EU, Norway, Iceland, Liechtenstein, Switzerland and the United Kingdom. The network consists of coordination offices (both European and national) and public employment services assigned to each EU country, each with its own specific responsibilities. In Austria, there are many information points for anyone looking for a job - whether it's a career change or a resumption of work subsequent to job loss. The Spanish National Employment System consists of the State Public Employment Service (SEPE) and the Public Employment Services of the Autonomous Communities. In Estonia there is the Estonian Unemployment Insurance Fund, a quasi-governmental organization, a legal entity under public law that provides, among other, the human resources needed for employment activities support. In Romania, the employment service is under the state's umbrella, there is a national employment agency with territorial branches

2. Methodology

For a good grasp of the extent to which public employment services regarding job loss and job search are able to contribute to mitigation of the current phenomena generated by the health and economic crisis, we reviewed the institutional, procedural and legislative framework and their digitalization degree across four European countries. The institutional actors, the legal framework, the specific

² <https://ec.europa.eu/eures/eures-searchengine/page/main?lang=ro#/jvStatistics>

procedures were identified and analyzed with the comparative method. The analysis process for conducting the study was iterative and interactive, and the results of the analysis derive from the processing and interpretation of data available from public sources: the legal framework and websites of institutions with responsibilities in the field of employment in the four countries considered.

The study provides evidence of the degree of digitalization of employment services in four countries, in a comparative approach. The limitations of the research are that in order to access the information needed, the electronic form templates and online procedures, it is often required to log in - with user/password, which must be confirmed in advance by entering credentials generated by the electronic signature of the mobile phone, or by using the electronic identification card - "citizen Card ID".

3. Legal framework on public employment services

In Austria, the Employment Law regulates the legal framework for job seekers. The Consolidated Federal Law: The Comprehensive Law for the Unemployment Insurance Law of 1977, BGBl. I No. 92/2000 is the go-to resource in case of job loss.

In Spain, job search is a process that is subject to extensive regulation: Royal Legislative Decree no. 2/23 October 2015, approving the revised text of the Law on the status of workers; Royal Legislative Decree no. 8/30 October 2015, approving the revised text of the General Law on Social Security; Law no. 14/1994 on Employment Offices; Law no. 4/2000 on the rights and freedoms of aliens in Spain and their social integration; Royal Decree-Law no. 10/16 June 2010, on urgent measures for labor market reform; Royal Decree no. 1722/21 December 2007, by which Law no. 56/16 of December 2003, on employment, is amended as regards the bodies, coordination and evaluation instruments of the National Employment System. Similarly, job loss is heavily regulated: The Royal Decree no. 2720/18 December 1998, adopting Article 15 of the Staff Regulations in the field of fixed-term contracts; Organic law no. 3/22 March 2007, for the effective equality of women and men; Law no. 3/6 July 2012, on urgent measures for labor market reform; Royal Decree no. 1484/29 October 2012, on the financial contributions to be paid by enterprises that make collective redundancies affecting workers aged 50 or over. Law no. 1/28 February 2014 on the protection of part-time workers and other urgent measures in the economic and social order; Law no. 12/9 July 2001 on urgent measures to reform the labor market in order to increase employment and improve its quality; Law no. 43/29 December 2006, for the improvement of economic growth and employment; Royal Decree no. 1483/29 October 2012, approving the Regulation of procedures for collective redundancies, suspension of contracts and reduction of the working hours; Royal Decree-Law no. 5/15 March 2013 on measures to promote the continuity of the active at work life for older workers and to promote active aging; Royal Legislative Decree no. 2/23 October 2015, approving the revised text of the Law on the status of workers; Decree no. 1424/27 December 2002, on the regulation for the communication of the content of employment contracts and of basic copies to be submitted with public employment services and the use of telematic means in connection therewith; Order TAS /770/14 March 2003, updated by Order ESS/1727/17 September 2013 by which the Royal Decree no. 1424/2002, which regulates the communication of the content of employment contracts and their basic copies to the Public Employment Services and the use of telematic means connected to them.

In Estonia, the Labor Market Services Law of 2005, the Employment Contracts Law of 2009, the Public Services Law of 2012, the Employee Health and Safety Law

of 1999 are available for job search. In terms of job loss is worth mentioning: The Law on Classification of Occupations of 2008; Law on Classification of Economic Activities in Estonia in 2008.

In Romania, Law no. 76/2002 on the unemployment insurance system and employment stimulation sets forth the framework for job loss and job search.

4. Institutional framework on public employment services

In Austria, the form of government is the democratic federal republic, which has a parliamentary regime and consists of nine states, brought together in the specific organizational framework of a federation. This is essential and can be seen in the provision of employment services that depend on the authorities of the federal states. In this regard, the Federal Government has outlined the general guidelines to be followed by each federal state. The Austrian Public Employment Service (AMS) distributes a flow of jobs on the Internet through the eJob-Room, which offers both permanent and seasonal jobs. In addition, AMS provides interactive training on job application, testing job search knowledge while providing a lot of information, advice, and examples of cover letters, resumes etc. <https://www.ams.at/>. Unemployed people and people facing job loss have the opportunity to apply to the Public Employment Service (AMS). This is possible in all federal states and large cities. As soon as a person registers with AMS, professional advice is provided by a personal supervisor.

In Spain, the National Employment System consists of the State Public Employment Service (SEPE) and the Public Employment Services of the Autonomous Communities. In its turn, the State Public Service for Employment (SEPE) is an autonomous body subordinated to the Ministry of Labor, Migration and Social Security and is composed of: *central services; 52 provincial directorates; an extensive network of “face-to-face” offices distributed in the 52 provinces of the Spanish state.* The public service also manages the procedures for granting employment benefits. All legal entities have the obligation to issue an “enterprise certificate” (. liquidation note) to the worker within a maximum of 10 business days upon termination of the employment contract, confirming the termination of the employment relationship and which he must communicate to the Social Security Service and the State Public Employment Service (SEPE).

In Estonia there is the Estonian Unemployment Insurance Fund (Eesti Töötukassa - <https://www.tootukassa.ee/eng/content/about-tootukassa>), a quasi-governmental organization, a legal person governed by public law that operates independently of the government, according to its mission and operational rules set forth by law. Töötukassa is chaired by a tripartite Supervisory Board: government, employers’ representatives and employees’ representatives. The mission of the Estonian Unemployment Insurance Fund is to manage the provisions on social insurance related to unemployment and to organize labor market services that help the unemployed find new jobs. Until 1 May 2009, the responsibility for this mission was provided by the Labor Market Council.

In Romania, the National Agency for Employment, subordinated to the Ministry of Labor and Social Protection, is in charge of managing job loss and job search. The agency has got 42 territorial structures under its subordination, distributed throughout the country, one for each county. The National Agency for Employment implements policies and strategies on employment and vocational training for job seekers and aims to stimulate and increase employment, stimulate employment of young graduates of educational institutions in a coherent process of transition from

the educational system to the labor market, preventing unemployment, facilitating the free movement of workers in the Member States of the European Union and in the states signatories of the Agreement on the European Economic Area, and in other countries with which Romania has concluded treaties, agreements or conventions.

5. Procedural framework for public employment services

In Austria, job search is mainly conducted on the internet. Vacancies can be found all over Austria or around the world via the **eJob-Room** online platform. It provides many functions that make it easy to search and manage documents to submit a job application, and it is also available as an application for the mobile, accessible from the *Apple App Store*, *Google Play Store*, *Windows Phone App*, *Windows 8 App (Tablet)*. Services are available for jobseekers, companies, statistics and organization data. The AMS e-job is also the largest apprenticeship exchange place in Austria. In addition, a robot is available for assistance in expanding job searches to vacancies advertised on company websites. For job loss, the announcement on the AMS platform is made online, but does not automatically lead to obtaining unemployment benefits. Unemployment benefits, must be applied for in order to get such an allowance as this involves a different procedure. Accessing the **oesterreich.gv.at** platform, people can receive advice/counseling.

SEPE in Spain has a website, **www.sepe.es**, where you can access employment services and various information. This virtual space brings together links to other portals of interest for employment such as the website of the National Employment System (public portal *Empléate*), the website of the Public Employment Service of the Autonomous Community or that of a European Public Employment Service. In addition, online links are provided to entities such as the Ministry of Employment and Social Security or the State Foundation for Vocational Training.

The unique employment portal “*Empléate*”, similar to the *eJob-Room* in Austria, contains information about jobs for both individuals and legal entities and offers increased visibility of job offers. The platform hosts useful information to guide and make available to citizens and businesses the tools that facilitate the search for a job or the start of an entrepreneurial activity through a completely digital strategy. The portal brings together, in a single access point, all the existing job offers on public and private portals, through a meta-engine, with the aim of boosting supply and demand and giving greater transparency to the labor market.

Regarding the loss of employment, the communication of the “enterprise certificate” (in the liquidation note) to SEPE is done digitally via the system available for sending telematic certificates for legal entities *Certific@2* (mandatory for legal entities with more than ten employees) and the RED system of the General Treasury of Social Security.

It should be noted that most legal entities operating in Spain are inter-connected to the General Treasury of the Social Security via the RED system. This allows legal entities to automatically push data to the State Public Employment Service (SEPE) and to know the worker’s contributions faithfully, efficiently and in real time. Another possibility to obtain the “enterprise certificate” by the employee who has ceased the employment relationship with the employer is to request it online, on the website of the State Public Service for Employment (SEPE). To do so, the person concerned must hold an *electronic national identity* document or a *digital certificate*.

In Estonia, in order to be registered as unemployed or as a job seeker, a person will personally submit the application and the documents required to a local

office of the Estonian Unemployment Insurance Fund. The application can also be submitted electronically, using a program that allows the identification of the person submitting the application: <https://www.tootukassa.ee/eng/tkauth/login>. The application must contain the name and surname, the personal identification code or, if unavailable, then the date of birth, residential address and other contact details of the person. Moreover, the application for registration as unemployed includes information on the circumstances that led to unemployment.

The Estonian Unemployment Insurance Fund shall take a decision on the registration or non-registration of a person as unemployed or as a jobseeker on the second working day following the submission of the application. The unemployed have to: participate in and comply with the preparation of an individual action plan; they need to appear in person at the Estonian Unemployment Insurance Fund for a visit at a given time at least once over a thirty-day period; they need to be ready to accept a suitable job and start work promptly or seek employment and inform the Estonian Unemployment Insurance Fund about the job search process.

As a registered unemployed person, at the time of finding a job or if there is any other reason triggering the cancelation of the unemployed status, the person concerned has the obligation to notify the Unemployment Insurance Fund immediately. If, during 12 months, a person loses his/her registration as unemployed because he/she refuses to cooperate and to follow the individual action plan, if the person fails to appear three times or at least once in 30 days or refuses to comply with the individual action plan or to accept the appropriate job offer for the third time in a row, then the person concerned is no longer entitled to register as unemployed for the next 90 days since the last termination of the unemployment status.

The largest job search portal in Estonia is the www.cv.ee, portal containing information in Estonian, English and Russian. Also, another site accessed to look for a job is the European Job Mobility Portal (<https://ec.europa.eu/eures/public/jobseekers-dashboard>).

In Estonia, an employee works on a part-time or full-time contract. Telework is regulated by Estonian law. Employment contracts must be registered by all employers, natural or legal persons, in the Register of Employment Contracts, at the latest when the employee starts working. The registration is made at the Fiscal and Customs Council, by directly submitting the contract with one of the local offices of the Fiscal and Customs Council - <https://www.emta.ee/eng/offices>, or by electronic registration at <https://maasikas.emta.ee/v1/login?authst=FxTDYkcrL3>.

The work place address is indicated by the Estonian Data System (more information is available on the Estonian Land Board geoportal - <https://geoportaal.maaamet.ee/eng/>). The address can also be entered manually, if the address cannot be found in ADS, following the path: e-Tax/e-Customs, click on the “*Enter address manually*” link opens the view where you can enter the address by parts (county, municipality, etc.) and enter the missing part of the address in the “Address specification” field.

Employers may correct in the electronic environment the data erroneously entered in the Register of Employment Contracts within three months from the date of commencement, suspension or termination of employment. After the expiry of this period, the data entered can be corrected only by going to a local office of the Fiscal and Customs Council.

In Romania, vacancies are available both on the website of the national agency for employment ANOFM, at centralized national level, and also at territorial level in each agency, for the area assigned. The unemployed is a person who meets cumulatively the following conditions:

- is looking for a job and belongs to the age range of at least 16 years up until the retirement conditions are met;
- the state of health and the physical and mental capacities of the candidate make him/her fit to work;
- does not have a job, does not earn any income or the candidate earns from activities authorized by law an income lower than the value of the reference social indicator of unemployment insurance and employment stimulation, in force;
- is available to start work over the next period, if a job is found.

The person shall register with the employment agency in the territorial area of his domicile/residence or with another employment service provider in order to get a job. Unemployment registration requires an application and supporting documents that are submitted in hard copy with the territorial institution in the applicant's area of residence. The registration of the job seeker is done by the civil servant of the territorial subdivision where he applied for registration, by filling in the person's file. The vacancies identified are offered to jobseekers according to their qualification, skills, abilities and professional experience. The record of jobseekers is kept during the year in the Register of jobseekers, in Jobless, at territorial and national level. During the period in which he is unemployed, a person must follow an individual plan of information, mediation, counseling, and training, services that can be performed by public institutions or authorized private providers. Mediation services can be attended online.

Therefore, in all the countries analyzed there is a specific legislative framework at national level. Responsibilities belong to national or territorial public institutions, except in Estonia where there are autonomous institutions. All countries have developed electronic information and online registration services for jobseekers (**Table 1**).

	Austria	Spain	Estonia	Romania
National legal framework	X	X	X	X
Public institutions at national level	x	x	—	x
Public institutions at territorial level	x	x	—	x
Autonomous institutions	—	—	X	—
Jobs available online	X	X	X	X
Electronic information services	X	X	X	X
Online registration as unemployed	X	X	X	—
Online registration as a job seeker	X	X	X	X
Online professional guidance and counseling	X	X	X	—
Mediation on the online labor market	—	—	X	X

Table 1.
Comparison of the institutional, legislative and procedural framework for employment services in the four countries analyzed.

6. Conclusions

The analysis carried out in this chapter aimed to identify good practices on digitalization in terms of job loss and job finding in four European countries. The study provides a description of the legislative, institutional and procedural framework, and analyzes how each of them is digitalized, as well as the way citizens can access information. It is found that there is a high degree of sophistication, materialized by easy access to information, the forms required for public employment services, as well as the degree of computerization of each service.

In general, we can see that the principle of having a single e-point of contact for citizens and companies in the field of job loss and employment has been widely implemented. The information is introduced in the public administration services database via the respective public portal or via a management platform and it helps save time and administrative resources. Beneficiaries no longer need to know how their jurisdiction is organized within the authority in question, compared to the previous situation. Once the citizen has accessed the virtual office, the initiated procedures are automatically distributed to the responsible authorities within the administration.

In Austria, the computerization process began with the E-Government Law, published in the Official Federal Gazette No. BGBl. I 10/2004-part I. The e-government strategy of the Austrian federal government has taken a comprehensive approach to all e-government procedures in electronic form. These include government-to-citizens (G2C) transactions, as well as internal transactions between public authorities (G2G). Public services are also available in the mobile application version, including the electronic signature to access or finish various applications.

For Spain, there is a strong transformation at all administrative levels (national, regional and local), in the transition process from “hard copy” to “e-government”. However, the true institutionalization was legitimized by the adoption of the so-called “e-government law”, Law no. 11/2007 on *electronic access of citizens to public services*. This law enshrined in the Spanish legal framework the concept of e-government launched by the Commission Communication of 26 September 2003 to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions, *The role of e-government in the future of Europe* (COM (2003) 567 final).

In Spain, the General Access Point (GAP) represents a platform for all Spanish citizens, business and public administrations. Among its main advantages it's worth noting that: a) it guides the citizen in his relationship with the public administration, providing him with the information and services needed; b) it provides assistance to enterprises and entrepreneurial clients in order to facilitate the remote set-up of enterprises in a centralized way; c) it provides access to the *Catalog of administrative procedures* on the platform, as well as of other public administrations; d) it encourages citizens to use electronic processing by simplifying access to electronic services through a citizen-oriented classification.

The review conducted in Estonia leads to the conclusion that e-government is an important issue in the modernization of public administration. However, achieving its true purpose, to provide better services, a more integrated organization and lower costs, is not such a simple approach in practice. However, Estonia has managed to demonstrate that it is possible to digitize almost all public services over a very short period of time. Currently, the majority of Estonian citizens can access public services online. As of 2002, since the introduction of the ID-card, 98% of Estonian citizens have had an electronic identity card, which is the key to using all digital services and obtaining most of them. Estonia's success in providing public e-services is owed to the partnership of central and local visionary governance, with

a proactive ICT sector, wide Internet access and a population open to the implementation of new ideas and technologies. Due to e-solutions, communication with the state is fast and convenient for everyone, so public services are much more efficient.

In each country analyzed, the legal framework on employment services is developed at state, national level and aims to ensure equal opportunities in terms of job search/loss, institutional and procedural framework, mechanisms that facilitate access to employment and protection of vulnerable groups. In all countries there are financial instruments to support people in difficulty. The institutional framework usually includes one or more central state institutions (ministry, agency) and their territorial structures. A special situation is present in Estonia, the Estonian Unemployment Insurance Fund being a quasi-governmental organization.

Job loss and job search activities are mainly carried online, electronic services available for job application, online jobseekers' registration and information services, mediation counseling are available in all countries. Unemployment registration services are not available just electronically, nor are job loss services. Under the current context, all the countries scrutinized are making efforts to provide citizens and companies with services to meet the demand and supply of jobs.

Analyzing the experiences of the four countries studied, it is obvious that the future of the administration is represented by the use of new technologies, by their incorporation in the daily activity of the administration, also in connection with employment services and job loss benefits provision. For Romania, such an approach will have profound effects and it requires both the structural transformation of the legislative framework, of the working procedures, and also the development of a new set of skills on the part of the public administration staff. The target is to reduce the direct interaction administration-citizen, the time to provide public services while increasing administrative transparency.

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