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THE MINIMUM WAGE UNDER THE PRESSURE OF SOME INTERNAL AND EXTERNAL FACTORS OF INFLUENCE

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Abstract: *The minimum wage, through the lens of its effects, is constantly under the scrutiny of the authorities, employers and employees. The paper analyzes how certain endogenous (specific to each state) and exogenous factors (such as the implementation of the Directive on ensuring adequate wages for workers in the Union) influence minimum wage policies and their evolution over time. This article explores the impact of the minimum wage from economic and social perspectives, mainly in terms of the labour market and poverty. The arguments for or against certain aspects of the minimum wage support the conclusions of the article reinforcing the idea of the need for the existence of an adequate minimum wage and reveal that, depending on the criteria considered for adoption and the way of implementation, it can be one of the most effective tools for intervention on the labour market and for protecting employees with incomes located at the bottom of the income pyramid.*

Keywords: labour market, occupation, wages, minimum wage

1. Introduction

The transformations of the labour market generated by climate change, digitalization and demographic developments are increasingly visible in the new occupations that have appeared, in the specific skills required for employment and in the dynamics of the salaried workforce. In the current context of the impact of new technologies on productivity, labour relations, labour and skills shortages, etc., economic and occupational policies emphasize smart economic development and support for businesses that are more environmentally friendly, generating sustainable and more resilient jobs. In response to the current manifestations on the labour market and also looking ahead, actions aimed at social protection, inclusion and transparency in the relationship with employees are promoted more intensively. At the same time, the implementation of wage setting mechanisms is encouraged which, without affecting competitiveness, lead to an increase in the level of employment and a reduction in the wage gap (especially between the two extremes of employee groups, those with very high earnings and those with low wages).

The decision to address the issue of the minimum wage depends on the growing importance given in recent years to each of the interested parties in terms of its level and impact: regulatory authorities, beneficiaries/employees, payers/employers and other national and international authorities or institutions concerned with respecting the employees' rights and the proper functioning of the economy.

The research is based on open information sources, national databases (Ministry of Labour and Social Solidarity/MMSS, National Institute of Statistics/INS; National Bank of Romania/BNR, etc.) and

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international databases (International Labour Organization/ILO; OECD; IMF; European Commission, Eurostat, etc.) and on the exploration of the relevant literature in the field (C. Botel, 2019; F. Heemskerk, Voinea et al, 2018; Ș. Guga, 2021; J. Hurley et al, 2018; C. Socol, M. Marinaș, 2017; A. Manning, 2021; P. Belserand, K. Sobeck, 2012; J. Clemens, MR. Tulpina, 2023; C.A. Pintar et al, 2024).

2. Conceptual and Regulatory Aspects of Wages

In order to facilitate the identification of the manner in which certain factors from the internal environment of the Romanian labour market and/or its external environment leave their mark on wages in general and on minimum wages, in particular, some aspects related to the valences of the term “wage” are presented.

The very different approaches, but also the differentiation of salaries according to a wide range of criteria, is reflected both by the specific normative acts and by the literature in the field and by the studies of specialized institutions at the level of states or international organizations, some of which will be referred to below.

The wage, the most well-known and used term, is the main source of income that a person relies on when providing the goods and services necessary for themselves and their family. The certainty of achieving the intended goal, namely that of obtaining wages at a level that reflects the value of the work performed, is given by the existence of an employment contract. From this perspective, the Romanian Labour Code (Law 53/2003), stipulates that the wages “represents the consideration for the work performed by the employee based on the individual employment contract” [1]. Consequently, following the performance of an activity or the provision of a service, which is based on a contractual employment relationship, the party in whose favour it is performed is obliged to respond with a counter service consisting in the payment of the due wages.

Another normative act that refers to income from wages and the contractual relationships is the Fiscal Code (Law no. 227/2015) which expands both the scope of salary income and income assimilated to wages, as well as the category of legal documents that stipulates them. Thus, all income obtained by a resident or non-resident natural person are considered income from wages, regardless of the form in which it is granted (in money and/or in kind) or the name it has (wages, allowances, balances, remunerations, income, etc.), which indicates, on the one hand, the category of staff that obtained them, and on the other hand, the generating source of the pay right. At the same time, the legislator indicates the need for an individual employment contract, a service report, a secondment act or a special status provided by law [2] as the basis for carrying out the activity.

The meaning of another term, namely the monthly wages, is found in Law no. 153/2017, which stipulates that the monthly wages includes, in addition to the basic wages, the main element of the wages, and “compensations, allowances, increments, additions, premiums, prizes, as well as other elements of the pay system corresponding to each category of staff in the sector budget” [3].

Based on the above definitions, it can be concluded that the work carried out by an employee for the benefit of their employer is rewarded, by the latter, trough the payment of a sum of money known under the common name of wages. At the same time, from the regulations in force, it is found that the payment of the wages is stipulated in the employment contract concluded between the two parties, as an obligation of the employer (Law 53/2003, art. 40), and as a right of the employee (Law 53/2003, art. 39).

The correspondence relationship between productivity - wages - inflation and the impact on wage incomes is mirrored, in correlation with other indicators, by the level of the real wages. By reference to inflation, the real wage can be considered as a form of the nominal wage, which, adjusted with the inflation index, reflects the purchasing power of the nominal wage. In other words, it shows the amount of material goods and services that can be purchased at a given time with the net nominal salary.

On the basis of the evaluations carried out, the National Institute of Statistics (INS), uses as relevant indicators regarding the labour market in Romania the “average gross wages on the total economy”, the “average net wages on the total economy”, as well as the “basic minimum gross wages per country guaranteed in payment” etc. [4]. The national average gross wages represent an average of the wages, calculated at the level of all employees in Romania.

Another indicator, which is not part of the practices of analysis at national level, but which is used by different states or in international institutions, is the median wages. Due to the image it reflects in terms of the protection provided by the level of wages encountered in the labour markets, the median wage is also recommended by the European Commission to the EU member states to be used as a possible basis in establishing appropriate legal minimum wages (60% of gross median salary) [5]. The median wage plots the average level against which half of active, full-time employment contracts are lower and the other half are higher.

The International Labour Organization (ILO) also refers to another type of wage, namely the living wage which, calculated for work performed during normal working hours and taking into account the circumstances of the country, should enable workers and their families to have a decent life. According to the examples of some authors (J. Hurley, 2018), the subsistence wage sometimes significantly exceeds the minimum wage, the difference can even reach 15-80% [6].

The minimum wage strongly re-entered attention after the adoption of (EU) Directive 2022/2041, and represents, from a legal point of view, “the lowest level of remuneration allowed, in law or in fact, regardless of the method of remuneration or the qualification of the worker; is the wages which in each country has the force of law and which is enforceable under the threat of criminal or other appropriate sanctions” [7]. Eurostat defines the minimum wage as the lowest wage that an employer is obliged by law to pay to its employees [8]. In the sense of the EU Directive no. 2041 of 2022, the minimum wage is “the minimum remuneration established by law or by collective agreements that an employer, including in the public sector, must pay workers for the work performed during a certain period” [9].

International regulations do not limit the freedom of states to choose the way by which minimum wages are set (by law or collective bargaining), but require the observance of some key criteria and principles in establishing and ensuring that all employees benefit from an adequate minimum wage [10].

A look back in time shows that the current provisions regarding the establishment of minimum wages are based on numerous actions carried out over the years, embodied in Conventions/Directives/Recommendations, etc., which contribute to the modernization of the labour legislation and to increasing the level of protection of employees. Thus, article 3 of the ILO Convention no. 131 of 1970 stipulates that when determining the level of the minimum wage, appropriate and in relation to national practice and conditions, the following must be taken into account: “(a) the needs of the workers and their families, taking into account the general level of wages in the country, the cost of living, social security benefits and the relative standard of living of other social groups; and (b) economic factors, including the requirements of economic development, productivity levels and the desirability of achieving and maintaining a high level of employment" [11].

At the level of the European Union, the triggering moment of what is required of the states today through Directive 2022/2041, regarding the adequate minimum wage, is the year 2017 when the European Pillar of Social Rights was adopted. In this framework, Pillar no. 6 refers to the provision of adequate minimum wages "that can meet the needs of the worker and their family, taking into account the existing economic and social conditions at national level" [12].

Unlike collectively agreed minimum wages, which are stipulated in collective agreements between trade unions and employers, according to Directive 2022/2041/EU, a legal minimum wage is "established by law or other binding legal provisions ..." [13].

It is worth mentioning that at the EU level, there are 22 states that apply a legal monthly minimum wage (Cyprus being the last state to introduce it), with a universal regime, but the adjustment mechanisms and coverage vary from one state to another. In the other five states (Austria, Denmark, Finland, Italy and Sweden) wage levels are determined by collective wage negotiations.

Romania adopted the gross minimum wage per country guaranteed in payment with the same meaning as the minimum wage, established, by Government decision, after consulting the trade unions and employers. By obliging the employer to guarantee the payment of a "gross monthly wage at least equal to the minimum gross basic wage in the country" [14], the legislator limits the employer's right to negotiate the level of the basic salary and to establish, through the individual employment contract, a salary below the gross minimum basic hourly salary in the country.

Regardless of the name under which it is applied, the legally fixed salary guarantees employees from the disadvantaged categories an income that ensures a decent minimum of subsistence, a minimum determined in relation to the given social environment.

3. Factors Determining Wages

Against the backdrop of the debates regarding the transposition of the provisions of Directive (EU) 2022/2041 regarding adequate minimum wages in the European Union and the adaptation of wage policies to the transformations taking place on the labour market into the national legislation, by November 15, 2024, both the implementation goals are of interest, as well as the factors that determine their levels. Before other references, it is noted that any launch of a proposal to increase salaries, brings to the fore the challenges that employers have to face, while the benefits are either diminished or questioned.

Specialized literature, which synthesizes the results of many years of research and economic records, shows that the factors that influence the level of wages in an economy have both internal and external origins, but the manifestation and impact differ from one economy to another. Without underestimating the importance of either approach, the common influencing factors of wages are further revealed, focusing on those that are correlated in the current context with the level of the appropriate minimum wage. As general factors, whose influence is obvious, we can note (Figure 1): labour demand and supply; productivity; the sector of activity and occupation; education and/or qualification. In addition, some of the factors that have been the focus of recent debates are highlighted, namely: minimum wage regulations, and inflation.

Figure 1: Factors influencing the wages

- Productivity is one of the main factors determining the size of the wages, but in turn, the wages also exert a stimulating influence on the increase in productivity. Economic theories clearly show that to be sustainable, the wage increase in an economy must be below that of productivity growth. The advance of the dynamics of productivity by that of wages over a long period of time has negative effects on the economic balance, the money supply and inflation; conversely, a low growth of wages in conditions of increased productivity reduces the motivation of workers, a fact that is later reflected on productivity and employment.

The interpretations given to the connection between wages and productivity can underlie political decisions, which intend to stimulate demand and, subsequently, economic growth, by increasing wages hope. Such an approach, reflected by the strategy of applying the theory of economic growth based on wage-led growth (WLG), in a previous period also applied in Romania, is analyzed by numerous authors, who draw attention to the careful evaluation of the implementation of such a policy, especially from the perspective of the subsequent costs of "engaging in an inadequate policy based on erroneous estimates" [15].

By applying the Phillips Curve to the labour market, the National Bank of Romania (BNR) finds that in the first two months of 2024, the influence of productivity on wage dynamics, more precisely the average gross wage in the economy, diminishes its support, as a result of the decrease in activity in the previous quarters [16].

The importance of productivity from the perspective of wages is also reflected by its inclusion among the elements which the EU states are to refer to when establishing the normative criteria for adopting adequate minimum wages. Thus, according to the Directive, at national level, the criteria must include at least: "(a) the purchasing power of the legal minimum wages, taking into account the cost of living; (b) the general level of wages and their distribution; (c) the wage growth rate; (d) long-term levels and developments of the national productivity" [17].

In order to highlight the difference in labour productivity per employed person and working hours in Romania, as compared to other EU states and to the total of 27 EU states, the states with the top trade relations with Romania (Germany and Italy) and neighbouring states with Romania were selected (Figure 2). The choice of this indicator depends on the fact that the measurement of labour productivity is calculated as the real product of the activity per unit of work performed, measured by the total number of hours worked. Thus, the measurement of labour productivity per hour worked provides a better picture of productivity developments in the economy, as it eliminates the differences related to the composition of the full-time/part-time workforce, between countries and years (eurostat).

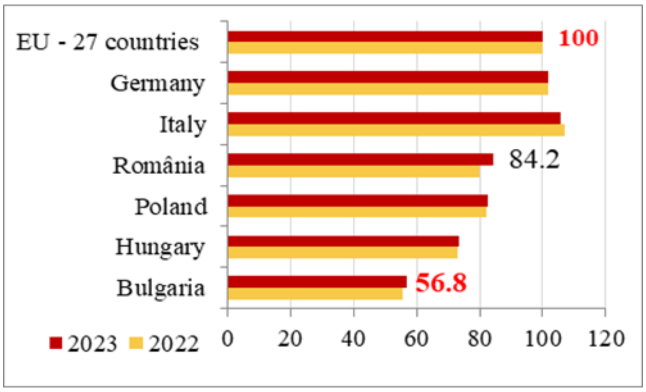

Figure 2: Labour productivity per employed person and hour worked
Source: https://ec.europa.eu/eurostat numbers

The illustrated, Bulgaria has the lowest labour productivity per hour worked, with 44.5% below the European average in 2022, and with 43.2% below the 2023 average, a year in which, although it registered a slight increase, the country still remained last. Romania exceeded all three neighbouring states in terms of labour productivity per employed person and hours worked, but compared to the EU average, its productivity was lower by 20.1 percent in 2022 and as a result of the growth recorded in 2023, the gap narrowed to 15.8%. In 2023, Italy and Germany exceed the European average, with 5.7% and 1.6% respectively [18].

In terms of productivity, Romania is still behind the developed states, old members of the EU. However, in recent years, Romania has registered a continuous growth (in the last 20 years the highest in the EU), with a rapid recovery after the COVID-19 pandemic, to 4.4% in 2022 and 3.2% in 2023 (2.7 percent according to BNR) [19].

The recorded trend is a hope for the recovery of the gap compared to the developed states of the EU and for the increase of the economic competitiveness and the standard of living of the population through the increase in salary income.

The differences in the level of education and professional qualification have a major influence on the level of earned income. The level of education helps each person to choose the type of occupation and the workplace. As the level of education increases, the choice options, given the skills formed, increase the chances of graduates in choosing well-paid jobs and facilitates a faster integration in the labour market. But the discrepancies between the skills required on the labour market and those of the graduates of a form of vocational education and training and higher education affect both the entry into the labour field and the occupation, with subsequent repercussions on wage incomes. An eloquent example is the share of 16.6% of employees who obtained a qualification after graduating from a form of higher education who in 2022 held a job that did not require this level of qualification [20].

Evidence of the influence of the level of education/skills and the occupation on the wages, are the data communicated by the INS for Romania for the month of January 2024 [21], according to which, the first three places in terms of average wage were ranked as follows: the first place - Manufacture of coke oven products and products obtained from crude oil processing (15,904 RON); second place – Information and communications (15,824 RON), followed by air transport on the third place (15,213 RON). The last places were occupied, in a descending order by: Leather tanning and finishing; Footwear manufacturing; (5,053 RON); Hotels and restaurants (4,810 RON); Manufacture of clothing (4,464 RON).

Matching skills to the needs required by employers is all the more important for the future employee if we consider that modern types of employment contracts do not necessarily differentiate between wages based on occupation or seniority, but "correlate them to the workplace requirements in terms of skills, autonomy, and responsibilities" [22].

The sectors of activity in which an employee works have a special influence on salaries. Thus, the increase of wages in the public sector puts pressure on the wages in the private sector and the increase in the minimum wage threshold. In order not to lose their employees through migration to the public sector, employers in the private sector will call for wage increases that will lead to their retention within the company (especially in conditions of a labour shortage). According to an estimate by the National Bank of Romania (all other variables being held constant) a 10% increase in public sector wages will lead to a rate of growth of approximately 3.5 percentage points faster in the average wage in the industry over a year [23].

The influence of internal and international regulations on wages is best reflected by the implementation of the provisions corresponding to the basic legislation (Labour Code, Fiscal Code, Framework Law on the remuneration of personnel paid from public funds) and by the steps taken to transpose it into the internal regulatory framework of the provisions of the EU Directive on the adequate minimum wage. Since previous reference was made to some of these provisions, some of the visible implications arising from their application are presented below.

According to the specific legislation, several minimum wages coexist in Romania. Thus, if initially there was a single minimum wage, its area was subsequently narrowed and differentiated wages were established, with higher levels, for the following sectors: construction (in the first phase) and later for the agricultural and food industry sectors. Starting with the revenues related to November 2023, the minimum gross salary per country guaranteed in payment in the construction sector is 4,582 RON, and in the agricultural sector and in the food industry, at the same date, is 3,436 RON [24].

The gross minimum basic salary per country guaranteed in payment applicable in the other sectors of the economy, starting from October 1, 2023, is 3,300 RON per month [25].

While the establishment of the general minimum wage takes into account the objectives arising from the Convention of the International Labour Organization no. 131/1970 regarding the establishment of minimum wages (ratified by Romania in 1975) applied in the construction, agricultural and food industry sectors, the aim is to support both employees and employers, the three sectors being priority areas of the economy. Along with the support of the economic activity, the growth of employment in each indicated sector is stimulated and the problems generated by the shortage of specialized labour force are reduced.

The deterrence of some abuses in the application of the minimum wage is achieved by the legislator by obliging the employer to apply basic wages higher than the gross minimum basic wages per country guaranteed in payment, after a maximum period of 24 months from the moment of concluding the individual employment contract. In support of low-wage employees, there is also the non-taxation, of any kind, of the amount of 200 RON/month from the income from wages and salaries that have a monthly gross basic level equal to the level of the minimum gross salary in the country guaranteed in payment and, at the same time, whose monthly gross does not exceed the level of 4,000 RON inclusively [26].

Through its specific provisions, each of the highlighted normative acts contributes to increase the purchasing power of minimum

wage employees and the attractiveness of employment. Through the distribution effect, the increase in minimum wages also extends its influence on the average wage, even if the basis of its establishment is the productivity and collective bargaining power of labour contracts.
Regarding the impact, there are opinions according to which the increase in the minimum wage can contribute to the increase in the segmentation of the labour market and to a dynamic of the average wage at national level, correlated with a 1% increase in the minimum wage, of +0.15% [27]. There are also studies that claim that an increase in the minimum wage, which distorts the wage distribution, can concentrate a high level of employees around the legal minimum [28]. As an example, according to a Communiqué of the Ministry of Labour from September 28, 2023, the number of employees who would benefit from the increase of the minimum art. LXXIII basic wages to 3,300 RON, starting from October 1, 2023, reached 1,867,588 employees, which by reference to the number of active employees of 5,747,440 [29], represents 32.49% of the number of active employees as of April 30, 2024.
As a result of the fact that the establishment of the appropriate minimum wage level will also take into account the gross average salary as an element of adequacy, the indicative level being 50% of it, the following figure highlights the evolution since December 2022 (the year in which the European Directive was adopted), until March 2024, the month for which the data provided by the INS is available (Figure 3).

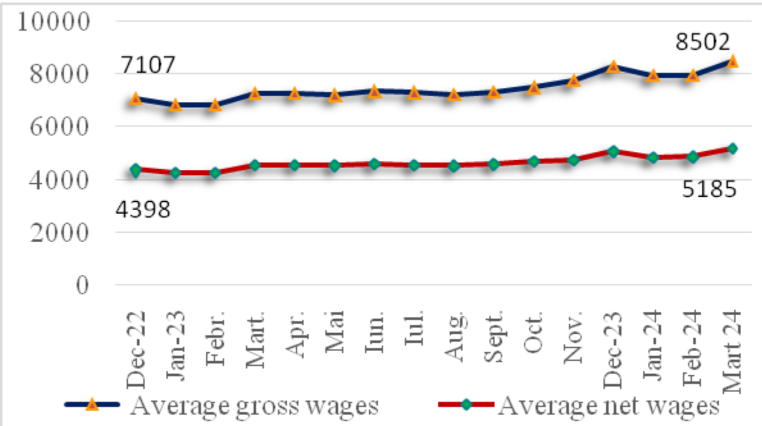

Figure 3: The evolution of average net and gross monthly wages (RON)
Source: INS, Press release No.121 /May 15, 2024

During the analysis period, an increase in the average gross salary of 19.62% was observed, while the average net salary registered an increase of 17.89%. The 10% increase in the gross minimum wage for the economy starting from October 2023, also left its mark on the average gross wage gain for the whole economy, the period January 2023-January 2024 recording an increase of 16.7%. The net level of the average wages shows that an employee who benefits from an average wage bears a fiscal pressure of 39%, while an employee paid the minimum gross wage of 3,300 RON, i.e. a net wages of 2,079 RON, bears a fiscal pressure of 37% (the result of tax exemptions). The relevance of the data is obvious, since the net salary is the one used by employees to purchase the necessities of life for themselves and their family, so that they have a decent living.

4. Conclusions

The salary policies applied by the state and employers provide decent living conditions for the employees and reflect the concern for the quality of life and the future of a nation. Increases made in compliance with the laws of the economy and the citizen, are found in the labour market in the increase of employment, productivity, and incomes. Even if at the enterprise level, wages paid to employees represent costs, they are costs that generate prosperity and progress and show another face of human respect and consideration. The granting of salaries appropriate to living conditions and specific needs, correlated with productivity, constitutes an incentive to increase the level of work involvement which is illustrated in the reduction of the number of those who, due to low incomes, struggle in poverty and are dependent of social transfers.

The analyses carried out indicate the impact of fiscal policies on wage incomes (the net income/net salary received by employees being suggestive) and illustrate how, through various legislative levers, the state can intervene on the market and influence the wage policies of employers.

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