



His Excellency
Mr Klaus IOHANNIS
President
Republic of Romania

Brussels, December 14, 2015

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Object: Respect for core labour rights and international standards at the Arad Philharmonic Orchestra

The International Federation of Actors (FIA) and the International Federation of Musicians (FIM) are global union federations representing hundreds of thousands of professional performers around the world. With a combined membership of 150 trade unions, guilds and professional associations in more than 85 countries, including the EU and the EEA, our organisations advocate and cater for the social and economic interests of actors, dancers, singers, musicians, broadcast professionals, variety and circus artists, among others.

At a recent meeting with one of our joint affiliates in Romania, FAIR-MediaSind Federation, we have become aware of the dismissal of Mr Tiberiu Varyaş, Vice-president of the Performers' Trade Union at the Arad Philharmonic - only shortly after a similar action was taken against Mr Mihai Dogaru, President of that same union, a decision which has since been found unlawful.

Mr Varyaş was made redundant for exercising his trade union duties, which he had carefully scheduled so as not to interfere with rehearsals. We understand that the artists' union at the Arad Philharmonic had brought grievances against the institution's manager and that Mr Varyaş' short announcement to both choir and orchestra members was inherent to these complaints. Mr. Varyaş was disciplined by the institution's Ethics and Discipline Committee (EDC), a body where his employer appears to have a clear majority and that could therefore not deliver an impartial and objective decision.

FIA and FIM wish to stress that Mr Varyaş' announcement, which he made prior to rehearsals on September 22, 2015 and with the previous authorisation of the orchestra conductor, was intrinsically related to the exercise of his trade union duties. As such, his dismissal appears to be in clear violation of ILO Convention 135, which Romania ratified, as well as articles 28 and 30 of the Charter of Fundamental Rights of the EU. The decision of the EDC also appears to be in violation of art. 226 of the Labour Code of Romania and art. 9 of law 62/2011 on Social Dialogue.

FIA and FIM firmly condemn the aggressive and improper initiatives taken by the management at the Arad Philharmonic, in clear violation of fundamental international, regional and national labour law principles and targeting the trade union representing artists in that institution.

FIA and FIM bestow their unconditional support to the FAIR-MediaSind Federation in its claim for legality. Furthermore, we call for the immediate and full reinstatement of Mr Tiberiu Varyaş in his professional functions within the Arad Philharmonic Orchestra.

FIA and FIM reserve the right to inform and, if necessary, lodge a complaint with the ILO and appropriate EU bodies to uphold and enforce respect for the core labour rights of workers at the Arad Philharmonic, unless and until this matter is resolved and the rule of law fully restored.



Dominick LUQUER
General Secretary of FIA
dluquer@fia-actors.com



Benoît MACHUEL
General Secretary of FIM
benoit.machuel@fim-musicians.org

- c.c. *Mr Dacian Ciolos, Prime Minister, Republic of Romania*
Ms Ana Claudia Costea, Minister, Ministry of Labour, Family, Social Protection and the Elderly
Ms Aurelia Cristea, Minister, Ministry for Social Dialogue
The Chamber of Deputies, Committee for Culture, Arts and mass Media, Republic of Romania
The Senate, Committee for Culture, Arts and mass Media, Republic of Romania
Mr Vlad Alexandrescu, Minister, Ministry of Culture
Mr Gheorghe Falca, Mayor, City of Arad
Mr Valentin Cosmin Pribac, Prefect, City of Arad