

BARSERVICE

Towards Smart Bargaining in the Publishing Sector in Romania

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Executive summary

This study examines the state of collective bargaining (CB) in Romania's Publishing sector, emphasising the need for smart bargaining amid structural, legal, and operational challenges. The complexity stems from overlapping activities such as publishing, printing, software development, advertising, and media representation. This fragmentation weakens social dialogue and collective bargaining, allowing employers to bypass negotiations due to unclear sectoral boundaries and limited employer representation. Additionally, an overlap has been identified with other CB sectors with cultural and creative activities.

The report follows a qualitative methodology based on the collection of primary data through structured interviews and the collection and analysis of secondary data. The interviews were conducted with leaders of organisations representative for participating in social dialogue in the examined sector. The organisations participating in this research are Romanian Trade Union of Journalists MediaSind, Federation Culture and Mass-Media FAIR-MediaSind, and the National Confederation CNSLR Frăția.

Key challenges include precarious employment practices, such as the widespread use of freelance contracts, declining union influence, and fragmented employer organisations. Social dialogue is further hindered by mistrust, limited dispute resolution mechanisms, and insufficient government enforcement of bargaining obligations.

The report advocates smart bargaining, defined as data-driven, transparent, and mutually beneficial negotiations. Capacity-building initiatives for unions and employer associations, improved mediation processes, and active government involvement are critical. International cooperation with EU-level organisations and adoption of best practices from other European countries can also enhance the landscape of collective bargaining in Romania.

I. Sector identification and trends

Sector description

Collective Bargaining (CB) sector no. 34 - '*Services for Editing, Printing, and Dissemination*' as defined in Romanian Government Decision No. 171/2023 regarding the establishment of collective bargaining sectors covers a comprehensive range of services related to publishing, printing, and media production (see Table 1). Together, these activities form a mixed collective bargaining sector that supports the creation, production, and dissemination of printed and digital content, playing a vital role in the communication, education, and media industries.

Table 1. Structure of the publishing sector for collective bargaining and the number of active enterprises

NACE Code	Description	# enterprises
1811	Printing newspapers	1,656
1812	Other printing activities	39
1813	Pre-printing preparation services	853
1814	Bookbinding and related services	657
1820	Reproduction of recordings	982
5811	Book publishing activities	510
5812	Publishing activities of guides, compendiums, address lists	67
5813	Newspaper publishing activities	4,256
5814	Magazine and periodical publishing activities	341
5819	Other publishing activities	442
5821	Video game publishing activities	151
7311	Advertising agency activities	22,833
7312	Media representation services	1270
	Total active enterprises	34,057

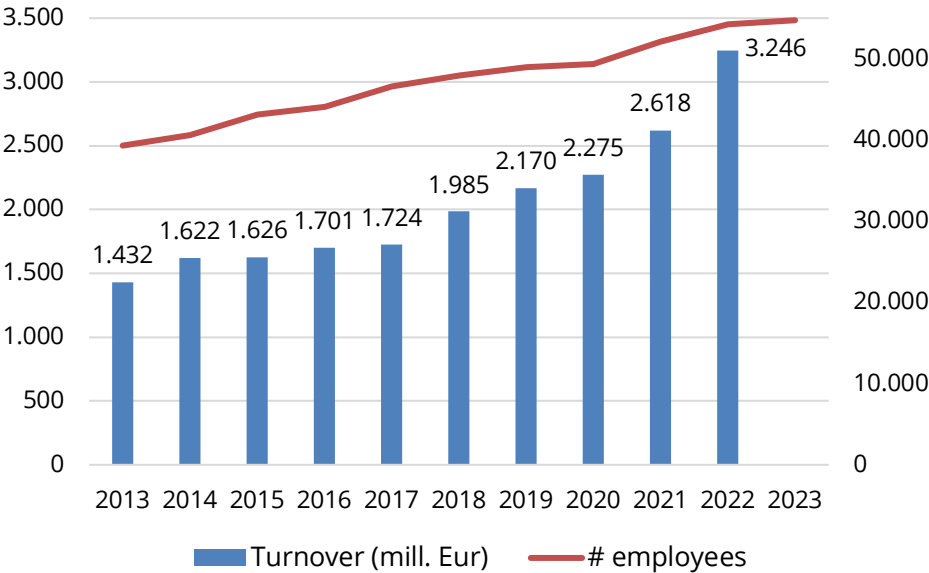
Source: CB Sector definition according to Government of Romania (2023), Orbis (n.d.)

The structure of enterprises within the Collective Bargaining sector for Publishing (Table 1) demonstrates significant diversity in terms of activity focus and enterprise volume. The largest concentration of enterprises is found in advertising agency activities. This reflects the critical role of advertising in supporting publishing and media dissemination. Traditional printing-related activities, such as printing newspapers (NACE 1811) and pre-printing preparation services (NACE 1813), have a significant presence with 1,656 and 853 enterprises, respectively. Newspaper publishing activities (NACE 5813) also feature prominently, with 4,256 enterprises, highlighting the continued importance of traditional media in this sector. On the contrary, specialised activities such as video game publishing (NACE

5821) and media representation services (NACE 7312), though smaller in numbers (151 and 1,270 enterprises, respectively), signify growing niches tied to technological advancements and targeted media strategies.

The Publishing sector has seen a consistent increase in turnover from €1,432 million in 2013 to €3,246 million in 2023 (Figure 1). This growth indicates a robust expansion of this sector, likely driven by increased demand for publishing services, advancements in technology, and digital diversification. The industry comprises numerous enterprises, with a significant concentration in urban centres such as Bucharest, Cluj, Timișoara, and Iași, which are also prominent universities and business centres.

Figure 1. Annual turnover (million €) & number of employees in the Publishing activities sector in Romania



Source: National Institute of Statistics of Romania (2024)
Note: Data refer to NACE divisions: 18 Printing and reproduction of recorded media & 58 Publishing activities

The number of employees covered by the Collective Bargaining sector no. 34 - 'Services for Editing, Printing, and Dissemination' as defined in Romanian Government Decision No. 171/2023 totalled 44,863 people in 2022. The overwhelming majority (98.8 %) of these employees, namely 44,334 individuals, worked in active private enterprises, while 162 were employed in public institutions and 367 in non-governmental organisations (National Institute of Statistics of Romania, 2022).

The number of employees has shown slight variations over the years but remains relatively stable, with a gradual upward trend (Figure 1). This stability suggests that

the sector is not highly dependent on workforce expansion for growth, possibly reflecting efficiency gains through technological advancements or shifts toward higher value-added activities. The divergence between the rapid increase in turnover and the relatively stable workforce suggests improvements in productivity. The sector is using automation, digital transformation, and streamlined operations to generate higher revenues without proportional increases in employment. This is a challenge for social dialogue.

Processes affecting these trends

The printing and publishing industry in Romania faces significant challenges due to rapid technological advancements and the rise of digital media and globalisation. The rapid evolution of digital technologies has reshaped the industry, leading to a decline in traditional print media and a surge in the consumption of digital content. Figure 2 (Annex) shows a clear downward trend in the production of newspapers, magazines, and other periodical publications in Romania from 2011 to 2021. The number of titles declined significantly, starting at 4,071 publications in 2011 and dropping to just 1,135 by 2021. This steep reduction highlights substantial challenges faced by the print media industry, due to factors such as digitalisation, changes in consumer behaviour, or economic pressures. The sharp decline after 2019 suggests an acceleration of these trends.

Globalisation accentuated by digitalization has further intensified competition, exposing Romanian publishers to international markets and necessitating higher standards of quality and innovation. However, these changes have also presented challenges, such as the need for substantial investments in digital infrastructure and the development of new business models to remain competitive in a globalised environment.

Additionally, the COVID-19 pandemic has accelerated digitalisation trends, compelling publishers to innovate rapidly to meet changing consumer behaviours and preferences. Overall, the interplay of technological change and globalisation has been pivotal in redefining the landscape of Romania's publishing industry, driving both opportunities and challenges (Stănciulescu et al., 2020; Ciocîrlan & Hrib, 2023).

II. Current state of collective bargaining

CB in the Publishing sector has been foreseen to operate at multiple levels, each with distinct characteristics and implications for labour relations.

1. *Enterprise-level bargaining.* At the enterprise level, negotiations occur directly between individual employers and their employees or respective unions. This level

of bargaining allows for agreements tailored to the specific conditions and needs of a particular company. However, it may result in disparities in employment terms across the sector, as each enterprise negotiates independently.

2. *Sectoral-level bargaining.* Sectoral bargaining involves negotiations between employer associations and trade unions representing workers throughout the publishing sector. This approach aims to standardise employment conditions, such as wages and working hours, across the industry.

3. *National-level bargaining.* National-level bargaining encompasses negotiations that set labour standards across multiple sectors, including Publishing. These agreements often involve national trade union federations and employer organisations, sometimes with government participation. They can establish overarching labour policies, such as minimum wage levels and general working conditions, which apply to the Publishing sector among others.

In practice, the social dialogue in the Publishing sector in Romania *is challenging and fragmented, marked by limited engagement from employers, employees, legislative barriers, and weakening union influence over the past decade.*

The collected data shows that *social dialogue has been negatively affected by the definition of the Collective Bargaining Sector no. 34 - 'Services for Editing, Printing, and Dissemination'* as defined in Romanian Government Decision No. 171/2023 regarding the establishment of collective bargaining sectors. On one hand, as shown in Table 1, the sector includes diverse activities such as: *publishing, printing, software publishing (computer games), advertising & media representation*. On the other hand, there are blurred lines between this sector and other CB sectors, namely: Sector 34 - Publishing, Printing and Publications Distribution Services; Sector 35 - Mass Media; and Sector 36 - Culture. Many employers operate simultaneously in these CB sectors.

The implications for collective bargaining from this situation are significant:

- a) *Fragmentation of bargaining units:* The overlap between the media, publishing, and printing sectors creates a fragmented bargaining structure. Companies can strategically position themselves in less regulated sectors (like publishing) to avoid collective bargaining.
- b) *Evasion of social dialogue obligations:* Employers operating in multiple sectors can evade participation in collective bargaining by exploiting regulatory gaps, particularly where no employer associations are established.
- c) *Complex negotiation scope:* When negotiating at the unit level, unions must cover all employees, regardless of their specific roles within overlapping

subsectors. This increases the complexity of collective agreements and dilutes sector-specific protections.

- d) *Weak sectoral representation*: The lack of clear sectoral boundaries weakens unions' bargaining power, as they cannot negotiate effectively when companies operate across multiple sectors with different regulatory requirements.
- e) *Need for a unified bargaining framework*: The current structure calls for reform, suggesting the need for a unified sectoral framework that encompasses all relevant activities within the media, publishing, and printing industries to ensure comprehensive and enforceable agreements.

Currently, sector-wide agreements in the publishing sector are non-existent. The legal requirements for employer representativeness have become a significant barrier, as most employers lack the formal structure needed for bargaining eligibility. Employers have not formed representative associations, making sectoral negotiations impossible.

III. Challenges to collective bargaining

The Publishing sector in Romania faces significant structural, legal, and operational challenges that hinder collective bargaining and social dialogue, as described above.

Based on the collected data, the following key challenges affecting collective bargaining and social dialogue have been identified in Romania's publishing sector.

1. *Structural and legal fragmentation*. By definition, the Publishing CB sector includes diverse activities and overlaps with other CB sectors of creative and cultural activities.

The inclusion of diverse activities within the Publishing Collective Bargaining (CB) sector, such as publishing, printing, software publishing (e.g., computer games), advertising, and media representation, has significant implications for social dialogue. The varied nature of these activities means that *employers and employees have distinct priorities, challenges, and working conditions*, which require customised solutions in collective bargaining agreements. For example, traditional publishing and printing may prioritise job security and working hours, while software publishing and advertising emphasise innovation, skills development, and flexibility. At the sectoral level, social dialogue must address these diverse needs through broad representation mechanisms to ensure that all subsectors are adequately included. This diversity also presents opportunities to modernise

labour relations, especially with the shift toward the digital and creative industries, which requires forward-looking policies on intellectual property, remote work, and digital transformation.

However, the *wide range of activities also presents coordination challenges*, as different stakeholders may have competing interests, necessitating robust mechanisms to align priorities and prevent fragmentation. At the same time, there is *potential for synergies*, as many of these activities overlap and depend on each other, such as advertising relying on publishing platforms and media representation linking to digital publishing. Social dialogue must ensure fairness in this varied workforce, addressing the needs of traditional factory workers, highly skilled developers, and creative professionals alike.

The division of the cultural sector into three subsectors: Sector 34 (Publishing, Printing, and Publication Distribution), Sector 35 (Mass Media), and Sector 36 (Culture) has fragmented the social dialogue in the industry. This prevents unified negotiations and weakens the overall bargaining structure. Trade unionists have advocated for merging these sectors into a single, coherent Creative sector unit. This would enable broader representation and sectoral agreements while reducing administrative and negotiation complexities.

2. Absence of employer representation. Most publishing and printing companies lack formal employer associations, making sectoral negotiations impossible. At the sectoral level, employers lack motivation to form representative associations or employer federations. This hinders the possibility of negotiating sectoral collective agreements, leaving unions unable to engage in meaningful industry-wide bargaining. At the company level, the current legal framework obligates employers to initiate negotiations if they employ a certain number of workers. However, there is no legal requirement to reach an agreement or to conclude a collective contract.

3. Precarious employment practices:

- Widespread use of service contracts, instead of employment contracts: Employers frequently use freelance agreements, such as copyright contracts and personal service agreements to bypass labour protections, such as social security contributions, job stability, and collective bargaining rights.
- Job insecurity: Workers employed under such contracts face job insecurity and lack of social benefits, with contracts that can be terminated unilaterally by employers.

4. Declining union power & Lack of unity within the trade union movement:

- Weakened bargaining power: Legislative changes have diluted union power to enforce labour protections and participate in sectoral negotiations,

reducing their capacity to defend workers' rights effectively.

- Union representation is often limited to public institutions, leaving private publishing houses largely unregulated.
- Internal conflicts between trade union leaders, driven by personal ambitions and organisational rivalries, have weakened the collective bargaining front. Competing agendas have led to disunity and fragmented negotiations, reducing the sector's overall bargaining power.
- Some *unions affiliate with federations outside their sector*, participating in broader confederations unrelated to Publishing, diluting their industry-specific focus. This has led to conflicting priorities during negotiations and a weak sectoral voice in collective bargaining.

5. *Lack of social dialogue culture:*

- Low trust and engagement: A culture of mistrust between unions and employers, coupled with limited negotiation experience, hinders progress.
- Limited mediation and arbitration mechanisms: Existing mediation mechanisms lack credibility and are often perceived as biased, further limiting the effectiveness of conflict resolution.

6. *Technological and market pressures:*

- Digitalisation and automation: Emerging technologies such as artificial intelligence (AI) threaten job stability, potentially leading to workforce reductions in traditional publishing roles.
- Market decline: The publishing sector faces economic decline, with print media struggling due to competition from digital platforms and reduced government support.

7. *Negotiation and inclusion of specific clauses in CBAs.* Trade union organisations aim to negotiate and include in CBAs specific provisions that address unique challenges and ethical considerations specific to professionals working in publishing, including journalists, editors, and media professionals. The key provisions for the Publishing sector include the conscience clause, code of ethics, stress and workload management, protection of intellectual and creative rights, confidentiality and protection of sources, flexible work arrangements, editorial and creative independence, and support for professional development (Annex 1, Box 1).

Collective bargaining agreements (CBA) in the private sector are virtually absent, as employers refuse to engage in meaningful negotiations. Contracts frequently mirror legal minimums, offering limited additional protections beyond labour law requirements. Freelancers and atypical workers remain entirely excluded from CBAs, a situation exacerbated by legislative loopholes that allow employers to misclassify employees under copyright contracts or PFA agreements.

IV. Towards Smart Bargaining

Based on the primary collected data, several insights emerge regarding 'smart bargaining', necessary actions and actors to increase bargaining coverage, and the relationship between legal regulation and collective bargaining in Romania's publishing sector.

Definition of smart bargaining in the sector

Smart bargaining in the publishing sector refers to a balanced negotiation process where both employers and unions present well-informed, data-driven arguments that lead to agreements benefiting both sides. This includes improving working conditions while supporting employers' financial sustainability. The core of smart bargaining lies in mutual gains, transparency, and constructive dialogue. The respondents emphasised that negotiations should aim for solutions that improve job security, fair wages, and ethical standards while considering the sector's precarious financial situation. However, in practice, smart bargaining has been hindered by limited trust, disorganised employer representation, and fragmented labour relations in the sector.

Actions and actors necessary to increase bargaining coverage

Increasing bargaining coverage requires actions at several levels involving key actors such as trade unions, employer associations, and the government.

Trade unions must focus on strengthening internal structures through training programmes, improving representation, and increasing membership by organising freelance and precarious workers. They should align with sector-specific federations rather than unrelated national bodies to concentrate bargaining power in the publishing sector.

Employers must be incentivised to form representative associations. This can be facilitated through tax incentives, financial grants, or even regulatory mandates requiring sector-wide representation. Employer organisations must also adopt a more proactive position in collective bargaining by recognising the long-term benefits of stable labour relations.

The government must play a regulatory and supportive role. It should amend labour laws to encourage sectoral agreements and enforce employer participation. Improving the national sectoral dialogue forum (tripartite) could provide a platform for tripartite discussions involving unions, employers, and the government to facilitate a smart and regular dialogue on labour policies and collective agreements.

Relationship between legal regulation and collective bargaining

The current legal framework in Romania creates a tenuous relationship between legal regulation and collective bargaining. There are legal mandates for the initiation exist but are limited because employers are not required to conclude agreements, making the process largely symbolic. Furthermore, the absence of legal penalties for employers refusing to finalise agreements has led to a culture of superficial compliance. Although legislation provides a basic structure for negotiations, it fails to enforce meaningful agreements, reducing the effectiveness of unions.

Social partners argue for clearer legal obligations, including mandatory sectoral agreements, automatic extension mechanisms, and the reunification of fragmented sectors. This would transform legal regulation from a procedural requirement into a binding framework that strengthens social dialogue and ensures more equitable labour relations across the publishing industry.

Tools and strategies to increase bargaining coverage

Several tools and strategies could be employed to address the challenges in Romania's publishing sector and to increase bargaining coverage in this sector.

A crucial approach is legislative and policy reform. Revising Social Dialogue Law No. 367/2022 would strengthen employer obligations by making the conclusion of collective agreements mandatory after negotiations. An automatic extension mechanism could also be introduced, ensuring that sectoral agreements apply to nonparticipating employers, thereby increasing bargaining coverage. Furthermore, trade union representatives advocate that merging Sectors 34 (Publishing, Printing, Distribution), 35 (Mass Media), and 36 (Culture) into a single sector would create a unified framework for more effective social dialogue.

Institutional capacity building is another essential tool. This involves strengthening employer associations by providing tax incentives or subsidies to form representative organizations. Trade unions also need to improve capacity through training programmes that focus on negotiation techniques, legal updates, and advocacy skills. The offer of legal and technical support through national and international labour organisations would further bolster their ability to engage effectively in collective bargaining.

Improving the cooperation of social partners is critical. Encouraging trade unions to align with federations specific to the publishing sector would ensure a more focused representation.

The dispute resolution and arbitration mechanisms must also be strengthened.

The mediation system should be reformed to ensure impartiality by involving trusted third-party mediators, and a government-supported conflict resolution fund could cover mediation and legal fees, reducing the financial burden on social partners.

Raising awareness about social dialogue is equally important. Public awareness campaigns should inform employers and workers about the benefits of social dialogue, while a best-practice guide could showcase successful collective agreements in Romania and abroad, encouraging replication of successful models.

Given the rapid technological changes in the industry, companies should receive government grants or EU-funded programmes to support digital transitions while ensuring labour protections.

Lastly, advocacy and international support could provide significant leverage. EU social dialogue frameworks should be used to pressure the Romanian government to align national laws with EU labour directives. Partnering with international labour federations, such as the International Federation of Journalists (IFJ), could strengthen the bargaining power of local unions and facilitate lobbying efforts for labour-friendly policies.

V. European Perspectives

The Directive on Adequate Minimum Wages has been highlighted as a potential game changer for Romania's publishing sector. According to the data, unions view the directive as a critical support mechanism to improve bargaining coverage. Since wage negotiations in private and public publishing institutions are often tied to the national minimum wage, any adjustment mandated by the directive would automatically raise salaries across the sector. The directive's binding nature could force the government to adjust national legislation, ensuring that collective bargaining mechanisms cover a broader range of workers.

EU-level social partners such as the International Federation of Journalists (IFJ), European Federation of Journalists (EFJ), and UNI Global Union (UNI MEI) have been explicitly referenced as important international partners supporting Romanian trade unions in the publishing sector. These organisations play a key role in advocacy, legal support, and policy development related to social dialogue and labour rights.

The data indicate that Romanian unions actively participate in EU-level networks, benefiting from international advocacy, legal expertise, and training programmes. Key roles identified include: Policy advocacy through lobbying for stronger social

dialogue frameworks at the EU level to pressure the Romanian government; Resource sharing by providing unions with technical and legal support to improve bargaining strategies; and Representation by offering Romanian unions a platform to raise international awareness of labour issues in the sector.

Despite these advantages, the disconnect between national- and EU-level efforts remains problematic.

The collected data emphasise the importance of mutual learning and cooperation among social partners as a crucial success factor for strengthening collective bargaining in the sector. Respondents pointed to international cooperation programmes such as the UNI.ON project, which promotes cross-border learning on social dialogue. Romanian unions have benefited from workshops, best-practice exchanges, and model CBAs developed in other EU countries.

However, internal challenges to mutual learning and cooperation among social partners persist, particularly due to union disunity and personal rivalries. Many unions fail to cooperate due to competing agendas, reducing sectoral representation and weakening the bargaining front. Rebuilding trust among social partners and creating formal cooperation structures could help bridge these gaps.

VI. Conclusions

This study highlights key insights on smart bargaining in Romania's Publishing sector, contextualized by its current state of collective bargaining and unique challenges. The sector faces fragmentation due to overlapping subsectors, including publishing, printing, software publishing, advertising, and media representation. This complexity creates barriers to unified bargaining, allowing employers to evade social dialogue obligations. Employer associations remain underdeveloped, limiting sectoral-level agreements, while precarious work arrangements, such as freelance contracts, undermine job stability. The decline in union influence and internal conflicts further weakens bargaining power.

The Publishing sector in Romania faces a multilayered crisis in collective bargaining, driven by structural fragmentation, employer disinterest, precarious employment practices, union disunity, and legislative shortcomings. To rebuild a functional social dialogue, reforms should focus on sectoral consolidation, stronger employer representation, and greater trade union cooperation within the sector.

Smart bargaining is proposed as a solution, focussing on data-driven negotiations, transparent communication, and mutual benefits. It calls for enhanced legal mandates, including mandatory sectoral agreements and automatic extension

mechanisms. Strengthening employer associations and trade unions through training, policy advocacy, and international cooperation is essential. Tools such as tripartite dialogue forums, financial incentives for employer associations, and improved dispute resolution mechanisms are recommended. The report underscores that sectoral consolidation, legal reforms, and collaborative social partnerships are essential to advance effective collective bargaining in the publishing industry.

In general, addressing the challenges in the publishing sector requires a comprehensive approach that includes legislative reforms, institutional capacity building, improved cooperation among social partners, strengthened dispute resolution mechanisms, and international advocacy. Collaboration among unions, employers, and government institutions is essential to ensure effective social dialogue, fair working conditions, and long-term sustainability of the sector.

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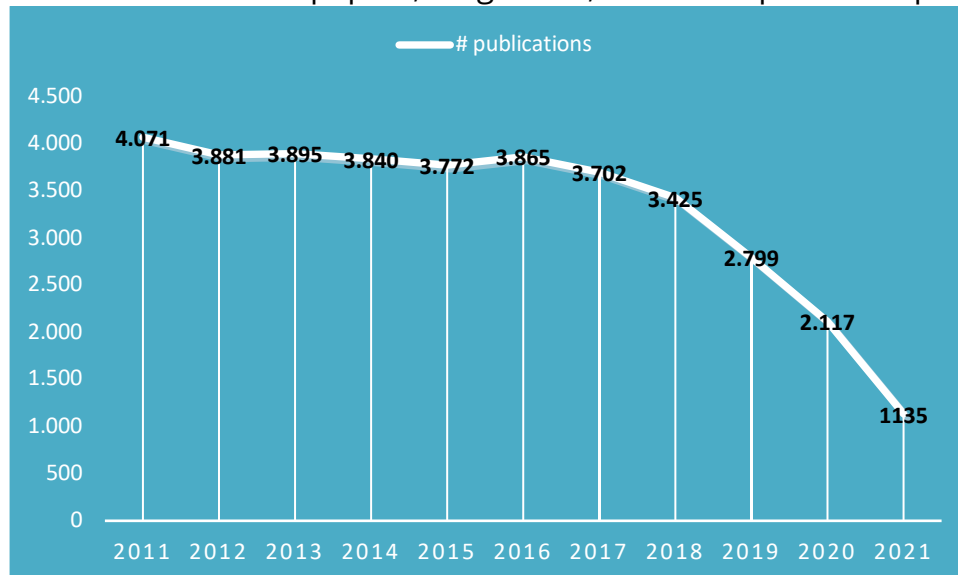
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Annex

Figure 2. Production of newspapers, magazines, and other periodical publications



Source: National Institute of Statistics of Romania. (2024). Tempo Online

Note: The production of newspapers and magazines includes all periodical publications expressed by the number of titles printed and published in the country expressed in units.

Box 1. Key collective bargaining provisions for the Publishing sector

Specific provisions that aim to safeguard their professional integrity, well-being, and operational standards are included in collective bargaining by trade union organizations:

- *Conscience clause*: Employees across the publishing sector, including journalists and editors, are protected under a conscience clause. This allows them to refuse assignments or tasks that conflict with their ethical, moral, or professional standards, ensuring that they maintain integrity in their work.
- *Code of ethics*: The agreement emphasizes adherence to a sector-wide code of ethics, requiring professionals to uphold principles of accuracy, impartiality, and fairness. This fosters accountability and professionalism throughout the publishing industry.
- *Stress and workload management*: Recognizing the high-pressure environment of publishing, the CBA includes provisions to address stress and excessive workloads. These include access to psychological support, additional paid leave for demanding projects, and balanced workload distribution, particularly for those engaged in investigative or deadline-driven activities.
- *Protection of intellectual and creative rights*: The agreement ensures that professionals' intellectual property and creative rights are safeguarded. This includes appropriate recognition and remuneration for original work, along with mechanisms to prevent unauthorized use or infringement.
- *Confidentiality and protection of sources*: For journalists and authors, the CBA guarantees confidentiality regarding their sources and sensitive information. This protection fosters trust and enables ethical reporting and publishing practices.
- *Flexible work arrangements*: Given the dynamic nature of publishing, the agreement allows for flexible work hours and compensates for overtime and assignments that require extensive travel or irregular schedules. This flexibility acknowledges the industry's fluctuating demands.
- *Editorial and creative independence*: Employees, including writers, editors, and journalists, are assured editorial and creative independence. This clause protects them from undue influence by employers or external entities, ensuring that content production aligns with ethical and professional standards.
- *Support for professional development*: The CBA promotes continuous skill development through employer-supported training programs. Employees are encouraged to enhance their expertise while employers benefit from a well-trained workforce.

Source: collected CBAs