

HUMAN FACTOR'S INVOLVEMENT IN THE CONSUMER PROTECTION MANAGEMENT

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Abstract

The study emphasizes the results of the excellence research dedicated to theoretical and practical basics for the human factor involvement in the consumer protection management between 2008 – 2009 at the level of National Authority for Consumer Protection, the Region Committee for Consumer Protection Sibiu, and the Brasov County Committee for Consumer Protection.

The article presents several elements regarding consumer protection management and the manager's profession in the consumer protection field. In order to reflect the human factor's degree of involvement in the consumer protection management we carried out a survey at the level of National Authority for Consumer Protection (NACP).

The findings of our study imply that consumer protection and its management represent a new step of human civilization, a better quality life style, implying the intensive use of information from various fields, involving the human factor not only as a producer, but also as a consumer, with a great economic and social impact. Under these circumstances, consumer protection management at the level of NACP and its local institutions is an important source of information and decision; this is not only as a way of data processing. Moreover, in order to be socially efficient visible it is necessary to imply operational and top management in fields of planning-decision, organization-coordination, training-leading and controlling-monitoring, all of them being in a special position of priority. All these allowed us to present some solutions for improving the activity of NACP, from the point of view of the human factor's involvement in this institution's management.

Keywords: consumer protection, human factor, consumer protection management, manager in the field of consumer protection, NACP

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Introduction

Among the social protection policies promoted by any state, the consumer policy must be considered a self standing element, with its own objectives, priorities and instruments – well incorporated among the other policies of State.

The consumer, as a carrier of the freight demand, plays an important role in the market mechanism, being, at the same time, the reference element of all actions taken by both the producer and the consumer. As one country or another develops, knowing certain prosperity, the consumers' role becomes more and more complex and an increasing number of large, public or private, organizations are affected by their behaviour (Dinu, V. 2001). It should also be recognized that, taking into account the consumers' interests and needs, they are confronted with a number of imbalances in their relationship with the market, imbalances that affect them from many points of view - economic, educational, health safety etc. Such state of affairs requires some social interventions, aimed at providing the state of equilibrium, based on the compliance with some agreed terms, ensuring everybody's access to products, which pose no risk. The complex group of welfare interventions - governmental or nongovernmental – finds its expression in the concept of consumer protection. As an important side of the social policy that should be promoted by a democratic society and a component of social protection programmes, consumer protection is a set of provisions on public or private initiative, designed to ensure and continuously improve the consumers' rights and interests (Dinu, V. 2008).

Consumer protection has a number of important aspects for individuals, seen as consumers and, particularly, as buyers. Accordingly, they face various matters related to the structure of products designed to ensure their consumption, the pressures under which they may procure various goods and services and their quality, the information system that would ensure market transparency, the system of marketing products and the quality of business services, etc.

The main objectives of Romania, from the perspective of integration into the community structures aims, among others, to improve the market economy structures and mechanisms, to modernize the consumer protection system and processes, in such manner that a large number of products become secure on the European market, as a reflection of the complex technologies, production organization.

Therefore, there is a need for a theory of consumer protection management, as a distinct field from the management science, in order to define its object, clearly.

Our study *Human factor's involvement in the consumer protection management* presents theoretical elements, organizing and methodological elements regarding the managers' activity for leading the personnel within the consumer protection institutions' framework. It also looks at the organization of the activity of consumer protection and the policy, procedures and actions of the personnel involved with the consumer protection management.

In the general theory of consumer protection management, the basic and legitimate aspects, principles and methods of the different social systems are investigated, keeping their values, forming new social knowledge belonging to a society at a certain stage of historical development (Petrescu, I., Dobrescu, E., 2008).

In the conditions of quality changes generated by the modern market economy and the proportions of the rapid rhythm of technical and scientific conquests, the consumer protection management is an essential issue, on which the level of economic efficiency and the society's degree of profitability depend.

1. Consumer protection management

The consumer protection management, as a study discipline and social practice, ensures a complete presentation of the complicated social systems, their structures, their internal and external connections, their self-development and mutual influences, specific relations that are established between the managerial object and subject in the working process.

The consumer protection management calls for specific knowledge, such as: sociology, psychology, social psychology, philosophy, law, culture, pedagogy, synergy, ergonomics and economy from the managerial possibilities point of view. Therefore, the object of consumer protection management has an interdisciplinary character and calls for the system analyze as a basic method of its research regarding the social life phenomenon. The consumer protection management system gathers specialists working within various organizations for consumers' protection. In addition, it requires numerous methods of social management and it reunites different types of information (social, economic, political, and organizational and others) which help to achieve strong and complex bonds between the subject and object of consumer protection management, while considering the changes of the internal and external environments.

The study object of the consumer protection management is represented by the investigation of the managerial activity and the managerial relations established during development of management system focused on consumer protection.

In the market economy, the problems of the consumer protection management become actual and important. In order to solve them it is necessary that the ones acting in the field to have knowledge about the relations among different individuals and social groups in their social activities.

By definition, the consumer protection management represents a branch of management, aiming to issue purposes, to call the problems, to plan and achieve the established purposes by calling some activities and methods from the social area.

The theoretical base of consumer protection management is represented by sociology and psychology, and the methodological base is given by the wide use of the mathematical-statistical methods (Stăncescu, I., 1971). The activity in the consumer protection management is achieved using some types and forms of cooperation and people's relations with each other. They can be done at different levels of a social organization. In this social framework, every activity has four subsystems:

- the objective-antecedent subsystem (needs and interests);
- the subjective-regulation subsystem (state of mind);
- the executive subsystem (referring to all actions necessary in order to achieve the purpose);

- the objective-outcome (the achieved purposes).

A modern form of organizing and developing social activities with meaningful influences on the human factor, the consumer protection management has a wide mission, which can be described as follows:

- creating the necessary conditions for men to be able to act according to their possibilities and receive what they lawfully deserve;
- ensuring people's adapting possibilities in a society;
- amplifying the people's independency degree by expending their ability of controlling their own lives and solve their problems;
- creating the conditions for people's living, with own dignity and respect from the others;
- obtaining such results in the consumer protection management in order to reduce the social support demands.

As objectives of consumer protection management, we see social phenomenon and relations. The latter are complex and complicated as both structure and content, creating some problems, such as:

a) *individual, familial and organizational problems*:

- regarding the individual, there are problems generated by poor health or forms of uselessness or isolation. There are also problems of organizational nature, among which we include: the poverty growth, lack of homes, and so on;
- there are some problems generated or affecting families, like: the increased number of the urban families, the decrease of the average family's dimensions, the increased number of the divorce rates, the decreasing number of many children families, the increasing number of the outside marriage and handicap children;

b) *social - ecologic problems* that are being generated by the environmental protection insufficiencies, and the negligence of some industrial organizations or ecologic catastrophes;

c) *social - economic problems*, which have emphasized the poverty degree, caused by the decrease of the income and by the insufficiencies of the social insurance of health, culture and education. Not only do pensioners and war veterans confront with numerous difficulties but also the youth with no place to live in or any means of living.

The essence of the process of consumer protection management is represented by its functions:

- the development and the improvement of the NGO sector which activate in the field of consumer protection;
- easing the dialogue between the NGOs acting in the field of consumer protection and other social partners;
- the development of joined programmes in the field of consumer protection;

- the issue of some joined points of view regarding the policy in the field of consumer protection and sending them to the authorities with attributions in the domain, in order to apply some necessary measures;
- the improvement of the general framework for the costumer protection;
- representing the costumers' interests and promoting a useful dialogue with the authorities in the consumer protection domain;
- observing the disadvantaged consumers' interests by issuing regulations for the costumers' protection domain (Petrescu, I., 2004).

The first conclusion is that the consumer protection management, although a new subject, is a wide research domain that is considered to be challenging for the researchers. We also consider that the field of the consumer protection management is a domain to be studied and researched, the theoretical and practical aspects of the different modern domains involving a good understanding of reality and a continuous projective activity to ensure and respond to the costumers' developing demands (Dinu, V., 2006).

The consumer protection management represents a self standing type of professional activity, oriented towards actions in the field of consumer protection in order to ensure the society's sustainable development, based on an adequate economic mechanism. The consumer protection management aims to:

- orientate the demand and offer on the market in natural resources, according to the society's needs;
- ensure the market subjects' autonomy in making decisions, attracting the responsibility of the persons who are involved in the decisional process for the final results;
- practical review and permanent adjustment of the programmes and objectives according to the external conditions changes;
- acknowledge the fact that the final result is based on the analysis of the character of development;
- use of the modern informational database and cybernetic technology in order to make various calculi, with the purpose of making the best possible decision.

2. The manager in consumer protection

The profession of manager in consumer protection requires a combination of theoretical knowledge and practical skills, defining the various officials' training in consumer protection field (Barnham, K. Gates, D., 1992).

The formation of this profession has several steps:

- the development of the theoretical bases of the social managerial activities;
- the creation of the specialty research fund;
- the set up of the training centers for the consumer protection managers;
- shaping standards for performance, behavior and ethical criteria;

- the theorization of the joined elements of the profession of consumer protection manager.

The managerial professional approach has numerous characteristics. We will mention the most significant ones:

- the manager's technical competence in consumer protection: s/he must have the competences and knowledge necessary for that certain social institution's management;
- the self-evaluation capacity of his competences and knowledge and, in need, to be specialty tested;
- restrained to approach outside his domain of competence;
- the interest for the consumer protection management: to place his competences at the disposal of those who are interested, having as a major objective to find the best solutions to achieve social efficiency and other elements of the institution's general strategy;
- the continuous and profound acting of impartiality and objectivity;
- the manager's confidentiality in consumer protection: the consumers protection manager must not betray any information and use such information to obtain benefits or advantages;
- respecting the ethical and professional points of view during the exploratory contacts and avoiding preferential treatments;
- the professional consumer protection manager's adequate knowledge and handling of proper social implications: avoiding real or potential conflict between the institution's interests and the wide social interests.

From our point of view the profession of consumer protection manager can be defined as a vocation that requires not only the existence of domain-specific knowledge but also skills and attitudes that can be used to guide and coordinate those working in the field of consumer protection.

3. Managerial process developed at the level of NACP

The consumer protection has both the form of a general trend, which fights for respecting the consumers' interests, and, most frequently, the form of some special actions, with programmes and objectives, which are well determined in time or space. It is one of the social policies which are promoted by any state and, due to its importance, it forms a self standing policy with objectives, priorities and own instruments.

In Romania, the Government's policy on consumer protection is achieved by the NACP.

This, focusing on the approach based on process of consumer protection management, has established a programme aiming to facilitate the integration of activities. In this respect, it has defined the activities and steps necessary to achieve results through a better understanding of their orientation to avoid waste and achieve greater social efficiency. The goals focused on addressing the procedural advantages at the level of NACP are concerned

with reducing costs and achieving greater predictability of results in consumer protection actions (Petrescu, I. Dobrescu, E., 2008).

To highlight the human factor involved in the managerial process carried out at the level of NACP, we conducted a research in this field.

3.1 Hypotheses and methodology

3.1.1 Hypotheses of research

(1) The major premise from which we started is that the most important factor in consumer protection management is the human being, which requires a different treatment applied to human capital as a factor of production and of consumer. In this respect, consumer protection management exercised at the level of NACP can and should implement the process of creating conditions for every man to show the maximum extent his possibilities and to receive what is appropriate according to the law in force at an appropriate quality level;

(2) Another hypothesis demanding checking is that consumer protection management exercised at the level of NACP and its procedural approach can ensure social efficiency only if the involved actions deal with key issues in the fields of planning - decisions, organization - coordination, training - leadership - mentoring, controlling - monitoring under the form of best managerial practices of consumer protection;

(3) And finally yet importantly, the fact that the managerial process carried out at the level of NACP must walk the path from quality to social responsibility within consumer, life and human health protection and the protection of the environment from the perspective of an integrated approach of Romania's sustainable development.

3.1.2 The methodology of research

The methodology of the research conducted at the level of NACP and its local institutions followed the specific steps of this type of process, following the accepted research standards for the consumer protection management. The defining elements of the research are:

- *the purpose of research* is to gradually analyze the consumers' training and information on their rights and understanding the level of information and knowledge about the practices sanctioned by the NACP, an institution set up for the Romanian consumers' protection;

- in terms of the typology of investigation, the research is qualitative, on field, exploratory, explanatory, mostly descriptive with the clear intent to generate data that describe certain groups' skills and characteristics, such as NACP and the Regional Commissioner for Consumer Protection;

- in detail, the methodology emphasized the operational and field analyze, which helped us recreate the managerial complex involving the human factor in ensuring its own

protection as a consumer. We have investigated the basic motivation processes, especially the human factor's skills and abilities to get involved in the consumer protection management. We used the evaluation scale in correlation with the consumers' behavior. We have also investigated the conflicts between the employees and the studied organizations, analyzing the power problems and the attitudes regarding change. We have insisted on the participation manner of the human factor to the consumer protection management and the satisfactions that are generated by the participation phenomenon. We were interested in the place and role of the human factor's behavioral standards under quality demands. In the research achieved according to the presented methodology, we wanted to determine the way the consumer protection management's subjects acknowledge and evaluate the impact of the human factor involvement in the managerial process and ensure the observance of the European Union exigencies and standards regarding the consumer protection.

- the researched community is represented by the NACP's managers, the ones from the Regional Commissioner for Consumer Protection from Sibiu and Brasov County Commissioner for Consumer Protection. Via direct contact, telephone or email a number of 260 consumers were asked to answer the questionnaire "C"; 180 has responded positively, with a response rate of 69%. Questionnaires and interviews were conducted by interviewers.

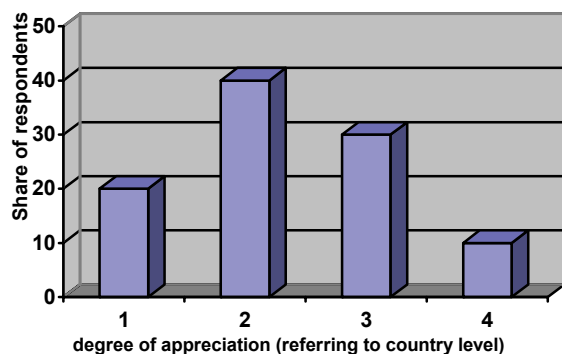
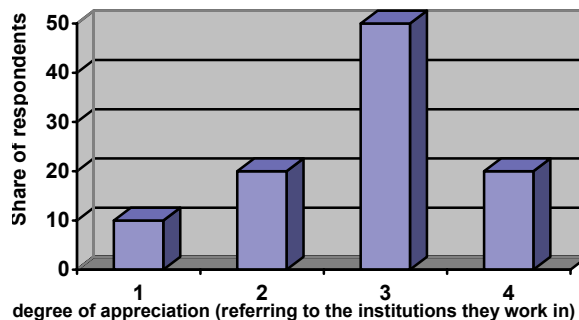
4. The results of the research

4.1 Human factor's involvement in consumer protection management

In the carried out study, according to the presented methodology, we tried to determine the extent to which the human factor is involved in the consumer protection management at the level of NACP and its local institutions. For this purpose, the questionnaire also included three specific questions:

- How do you feel about the human factor's involvement in the orientation and content of the consumer protection management practiced in Romania at the following levels:
 - The institution/organization where you work;
 - Generally, at the country level.

After processing the obtained data, the participants' opinions are situated at the level 'well' in the institutions/organizations they work in, and at the level 'satisfying', at the country level (Figure no. 1).



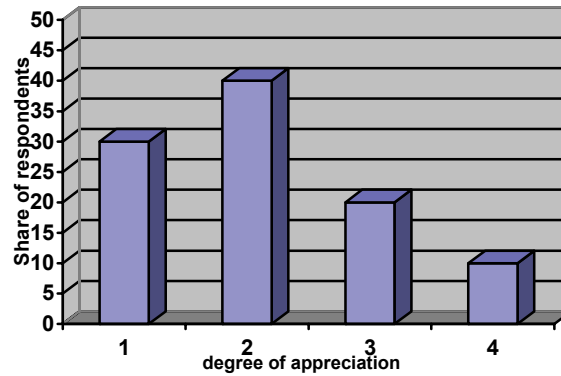
(1 – unsatisfactory; 2 – satisfactory; 3 – well; 4 – very well)

Figure no. 1: Human factor involvement in consumer protection management in Romania

• How would you rate the quality and effectiveness of the human factor's involvement in consumer protection management practiced in Romania compared to:

- Consumer protection management prevailing in the European Union;
- Consumer protection management practiced in the countries of Central Europe (Hungary, Poland, Czech Republic and Slovakia).

On the quality and effectiveness of human factor's involvement in consumer management practiced in Romania compared to other countries, the answers given by respondents do not distinguish between the consumer management prevailing in the European Union and that prevailing in the countries of Central Europe and it is presented as follows (Figure no.2):



(1 – unsatisfactory; 2 – satisfactory; 3 – well; 4 – very well)

Figure no. 2: The quality and effectiveness of human factor involvement in consumer protection management in Romania in comparison with the one practiced in Central European and EU countries

- In addition, in an open question the respondents were asked to indicate the strengths and weaknesses regarding the orientation way, the content, the quality and efficiency of human factor's involvement in the consumer protection management in Romania.

Particularly useful were the responses occurred on the strengths and weaknesses.

Strengths:

- analysis of the human factor's involvement in the consumer protection management reflects European principles and values, under Romania's status of European Union membership;

- in terms of objectives, the process of human factor's involvement in consumer management reflects our country's transition to the development of an added-value generating model. It is a new philosophy of development, abandoning the development model based on intensive use of resources, deteriorating natural capital. Focusing on knowledge and innovation we will need to focus on improving the quality of human life and protect the consumers;

- the human factor needs to be placed in practice as object and subject of consumer management;

- at the NACP level and its institutions' level, managers and professional staff is committed to the human factor by visible changes in their behavior.

Weaknesses:

- human relations, collective opinion and mood are not sufficiently studied and used in the process of involving the human factor in consumer protection management. The activities generating human relations are not pursued and are used to attach personnel to the general process of protecting consumers;

- the important ideas on the role and mode of action of the human factor as a consumer are not made properly and therefore instead of acting as an engine it acts as a brake. The communicative relations, perceptual relations, and even the sympathetic relations are not used to support consumer protection;
- the collective opinion is facing slightly the issue of consumer protection. Its relations with attitudes are neglected, creating difficulties in quantifying and measuring the intensity of opinions and attitudes oriented towards consumer protection.

4.2 Managerial capacity of NACP from the procedural approach

The qualitative component of our study allowed us to see the development of managerial capacity of NACP, as a national organism offering consumer protection services. The orientation towards the customers' needs has led NACP to set as priorities the understanding of current and future consumers' needs, fulfilling their protection requirements and striving to emulate their expectations.

This strategic-organizational principle led NACP to create complex procedural management anchored on an internal environment in which the human factor can be involved fully in order to achieve the Authority's mission.

The study found that NACP was concerned and was able to handle scientifically the organization of the managerial process that enabled:

- to achieve the goals and actions;
- to blend the general with the individual in developing rules and norms;
- to rationally distribute the activities into steps and stages;
- to coordinate, spatially and timely, the managerial process.

The study allowed us to notice the presence of some failures, of which the most significant appeared to be:

- NACP has not addressed the issue of inter-relationship between the process and the structure of consumer protection management. Considering the principles, mechanisms and methods of consumer protection management that reflect equally both the static and the dynamic of the managerial process carried out by NACP.
- Improving the links of the process and structure of the consumer protection management does not concern NACP; they resort neither to modern methods of mathematical modeling nor to the contemporary managerial technique.
- There is not sufficient practice of the content analysis, organizational analysis and psychosocial analysis of the conditions of the consumer protection management given by NACP and its regional and county institutions.

Instead, we found that NACP pays attention to the factors of consumer protection management, as a way of organizing the managerial process. Scientifically, when defining the functions, research initiated from the cyclic character of managerial process as well as the content of each stage's operations.

a) *The prediction function* is seriously considered. After a careful and profound analysis of the available resources, the past activity results, the current situation and the activity purposes, the main objectives were conceived:

- achieving a high level of consumer protection;
- anticipating the organizational climate and the future local, national and international conditions, in which there will be working the NACP;
- identifying the exact situation, while analyzing the main tendencies, the working hypothesis, the probabilities and substantiating the problematic estates;
- establishing the periodic reviews (monthly, quarterly, annual) with the purpose of analyzing the achievements compared to the results, reviewing the programs and eliminating the difficulties and ensuring the programs continuity in time;
- using the individual resources of the personnel, ensuring the active participation of those in obtaining the results, according to the stipulations of the NACP programmes and objectives.

Regarding the most important objective, achieving a high level of consumer protection, there have been established sub-objectives, the main being:

- *Continuing the European integration activity in general and of the process of community acquis assuming, in particular.* We mention the following specific actions:

- Involving the NACP in achieving European projects, through ensuring the efficient participation to the study groups, seminars and different consults which are organized by the European Committee on problems of consumer protection, inclusively by formulating warrants for the Romanian representatives who participate to the Coreper meetings (Committee of the Permanent Representatives) at Brussels. The number of the participations to the group reunions of the E. C. was 13 in 2008 and 4 in 2009.

- In order to further legislative process, NACP initiated and issued in the Official Gazette an important number of regulations. These were focused on the organization and function of the NACP, the establishment of assessment and selecting criteria of the consultancy centers and informing the consumers in the consumers' associations and others. The regulations, which were initiated and issued by NACP, were 28 in 2008 and 16 in 2009.

- The permanent approach of the issues of consumer got under NACP confirmation in order to adopt the necessary measures of applying the field existing regulations, at the European Union level: norms, regulations and decisions addressed to all the state members. In this direction, the progress registered in transposing and implementing the community acquis in the national legislation were, in the year 2008 a number of 5 transpositions, and 22 in the year 2009.

- *The reinforcement of the cooperation with the other institutions of the central and local administration, inclusively through issuing regulations, as well as the developing protocols of collaboration.*

The NACP entered collaboration protocols with Bucharest Metropolitan Library, based on an active partnership in the benefit of the citizens through ensuring the consumers'

information, counseling and education. Another protocol was signed with European Consumers' Centre regarding the insurance of an active collaboration focused on the mutual exchange of information on consumers' complaints about the international commerce. Another protocol, entitled „Family budget”, was signed with ACP Romania having as an object, establishing a partnership for the consumers' education in the financial domain. There have been established nine protocols in 2008 and 6 in 2009.

• *The development of the cooperation with the business environment as an instrument of promoting the consumers' rights and interests.*

For a better knowledge and understanding of the consumers' issues and particularly their legal rights, NACP continued in 2008 to inform the business environment on consumer protection provisions of the legislation and the pending legislative advanced proposals. To this end, the NACP presented the consumers' problems, emphasizing the need to promote responsible practices in the relationship between merchants and consumers. In addition, NACP continued in 2008 the tripartite public-private partnership to both advise and guide operators, suppliers of products and services and for the active involvement of consumers' NGOs in the information and education process.

Nationally, in 2009, territorial commissariats for consumer protection advised 2143 economic operators. 352 media counseling actions took place and 1214 without media out of 1566 actions developed in tripartite public-private partnership.

• *The development of the administrative capacity of NACP through priority programmes in the consumer protection domain, such as:*

- security surveillance of products and services;
- consumer protection through thematic controls;
- further legislative harmonization;
- informing and educating consumers permanently.

In order to improve human resources, a special emphasis was placed on NACP experts' participation in training programs and seminars. The main training programmes attended by NACP specialists in 2008 and 2009 were:

- the training session for online notification of dangerous consumer products “Business Application” (Brussels, September 2008);
- the training session on data entry procedure SMIS3-L2-Unit (Bucharest, October 2008);
- professional training course “Management of public institutions” (Bucharest, November 2008);
- seminar on “Selling products, guarantees and unfair trade practices”, workshop organized by APC, Bucharest, March 24, 2009;
- seminar on “The need for alternative dispute resolution systems in Romania”, Bucharest, May 14, 2009;

- seminar on “Social economy - a solution for integration of disadvantaged people” within the project “Social enterprise incubators in Bucharest-Ilfov region” implemented by the National Trade Union Bloc in partnership with ABN Consorzio, Bucharest, October 2009;

- seminar organized by Habitat, the League of Associations' Owners on “Ensuring access to decent housing and good quality at affordable prices - the cornerstone in respecting the right to a decent standard of living provided by the Romanian Constitution”, Bucharest, November 2009.

b) The institution is involved in a scientific manner in conceiving and handling *the organization, coordination and training functions*. These comprise general managerial activities and do not raise special problems for the NACP.

c) *The evaluation- control function*, through which NACP ensures that the process of consumer protection complies with the established rules and data. It points out the shortcomings and mistakes that can be removed, their repetition is thus avoided. The essential elements established by NACP to exercise the control function are the following:

- there is a certain finality previously designed as norms, criteria and rules;
- comparing the activities with the consumer protection criteria;
- the presence of a specific and effective mechanism of correcting improper activities in terms of consumer protection.

In order to ensure the security and/or conformity demands of the processes and services of NACP and its regional and county institutions, it ensures actions of supervision and control. In 2008 and 2009, among the taken measures which contributed to the improvement of these activities, we can notice

- the optimization of the performance indicators for evaluation of NACP;
- exchanging information between regional offices and institution's management during the working meetings held quarterly with county offices and regional inspectorates for consumer protection;
- implementing the Integrated Management Information System to improve managerial processes and streamlining current activities;
- checks and audits to some regional offices to identify non-conformities and eliminate them by setting recommendations.

While acting according to its attributions from the „NACP Strategy 2005-2012”, the Authority developed an intense activity, including taking 117.300 periodic operative actions, inclusively theme actions, which were organized at the local level. They targeted the security and conformity of some products and services and the manner of observing the consumers economic interests, developed by producers, providers, service developers, in custom houses, food markets, fairs and amusement areas, following the information provided by consumers, mass-media, other public administration organisms and own initiative. There were closed a number of 83.992 infringement records, among which 43% in food products, 37% to non-food products, and 20% in services development.

The supervision and control activity in the years 2008 and 2009, in the food and non-food products domain reflects in table no. 1.

Table no.1: The control activity of NACP in 2008 - 2009

	Number of controlled economic operators (thousands)	Applied fines (mill. lei)	Value of the amended products (mill. lei)
Food products			
2008	17,5	24,2	4,2
2009	21	35	6,3
Non-food products			
2008	15,93	20,31	7,5
2009	13,33	22,32	5,5

An important objective of NACP is represented by *the strengthening of the informing counseling and educating activities for the consumers.*

The informing counseling and educating activities for the consumers developed by NACP in 2008 and 2009 is being presented in table no. 2.

Table no. 2: The informing counseling and educating activities for the consumers developed by NACP in 2008 and 2009

	Issued articles	Radio and TV shows	Press conferences	Press announcements	Press controls
2008	11662	15269	927	119	568
2009	15420	21320	1275	230	720

NACP has also issued and published the Guide of the buyer of goods of precious metals and/or precious stones and a poster with Romanian brands.

The guide contains general information about precious metals and stones, and contains important details regarding acquisitions from this field. It is the first guide of this type in Romania.

4.3 Several warning signals

Starting with the fact that the human factor represents a major element in the consumer protection management, we wanted that, through the quality research, to identify the manner in which the managerial process sat the level of the National Authority for Consumers Protection and its subordinate institutions respond to the consumer protection demands. The study and analysis of the documents and the interviews have emphasized interesting and useful aspects for several major themes.

First, we noticed *the low presence of the theoretical element in the human factor's involvement* in the consumer protection management, especially psycho-economic and total quality aspects. The consumers know insufficiently the essential aspects of the market

economy and products existence. They do not know the short life cycles of the products, the negative impact of some products, such as detergents, herbicides, and abandoned packages.

The consumers' behavior is not sufficiently approached. Both theoretical and pragmatic approaches are missing, that should be at the basis of some studies regarding the consumers' information. We consider the amount of information given by the producer, the form and quantity it is being transferred to the consumer. The existence of a simple label cannot comprise the information in a clear, precise and explicit manner (Bejat, M., 1971).

Most of the companies manifest interest in knowing the consumer: what he wants, what he thinks, how he consumes. It is necessary to be well understood and exploited the personal and group influences regarding the acquisition of products. Here, the consumer protection management can intervene, emphasizing the correct quality and orientation of the information given to the consumers.

The tricky publicity is a piece of information oftenly presented when selling a product or service, meant to influence the consumer, in different manners. It is important to know the consumers' influencing perspective. The apparition of some refined elements of influence, undefined by a controlling organism, allows the existence of some economic agents on the market, agents that do not respect the law.

Another imported theme is the *products market surveillance domains*. Because the existing products range is high, the market surveillance is done through theme controlling actions on different domains of activity (quality, the way of selling, the label manner, groups of products). The insufficiencies we have noticed in this domain can be resumed as follows:

- the lack of a classification and communication method for the complaints and information demands of the consumers;
- in the field of food products market surveillance there were not enough controls in order to verify if the ingredients list is according to the technical specifications of any producer and current regulations;
- in the services domain, there was not sufficiently approached the internet sell of products and services;
- there was not enough control through lab tests in the non-food products domain.

We have discovered insufficiencies in the management of relations between *the National Authority for Consumer Protection and the national institutions for collaboration and cooperation*. They function only in case of noticing some legislation or when there are demands from employers to change legislation. In general, the controlling act regarding the lawfulness of the economic agent's behavior and function, on the market, is not explicitly regulated. There are institutions that control the same thing or even the same areas. A minimum of double coverage for at least 10% is not met. The same fields are controlled in parallel and therefore there is a negative reaction from the economic agent against so many controls (Bomboş, S.G., 2003).

Last, but not least, we were interested in our study in the management of the relations between the National Authority for Consumer Protection and the local special institutions. We have especially insisted on the approaching manner at the county level, by involving the prefecture in adopting some decisions of joined control during time periods of

maximum consume of products and services. We noticed that, due to overlapping control, rivalry among state institutions suffocated the economic agent. Among the control institutions that frequently overlap in the food domain, we mention the veterinary organ, the consumer protection, the agriculture agency, and the communitarian police.

In the management of the National Authority for Consumer Protection, we have seen neither a proper concern for *the public officer's career problems*, nor *the existence of a performance evaluation programme or of a personnel-promoting programme*, things that would ensure a better involvement in the officers' activities.

5. Improvement suggestions for the activity of the National Authority for Consumer Protection and its subordinate institutions from the perspective of human factor's involvement in the consumer protection management

- Currently, the President of the NACP subordinates to the Ministry of Economy that supervises economic agents. We consider that such subordination cannot ensure a functional independence and efficiency to the NACP and therefore, we propose that in the future, the NACP should be under the subordination of the Romanian Parliament or the Romanian Government – the General Secretariat of Government. In this manner, the independency of the control organ and a bigger flexibility in its actions are ensured.

- In order to improve the activity of the market supervision, its organization is necessary, considering the following activities:

- supervision of the market on the following domains: food, non-food, services, issuing control procedures on product types;

- analyzing the complaints;

- proposing the control themes at the national level;

- supervising the current legislation observance by the economic operators, and the control organisms in the regional and county committees.

- In order to improve the activity of supervision and control, considering the small number of workers, there is necessary to improve the employees, especially the ones in the consumer protection committees, teaching them the current legislation. In addition, funds for transportations and mobile labs are necessary.

- The legislation issue in the field of consumer protection according to the EU directions, in clear form, excluding the possibility of illegal interpretations.

- It is also necessary to insist on increasing the social responsibility at the level of the National Authority for Consumer Protection and its committees and employees.

- The solving manner of the registered complaints needs improving, according to the European Union regulations and recommendations. It is best to define a unitary procedure of solving the complaints, with a precise establishment of the stages.

- The consumer protection management must become more and more interested in problems of life protection, health and environment protection.

- The work style of the managers in the field of the consumer protection must be precisely defined; its content must be adapted to the specific problems of consumer protection by using many improvement possibilities.

- The ways to increase consumer managers' work efficiency must be extended. The following should be considered: efficient use of time by the manager, programming the manager's work, increasing the efficiency of meetings and working sessions, improving head-subordinate relationships, functional service device use, effectiveness of training and professional development, using psycho-socio-pedagogy to increase staff and consumer managers' work efficiency.

Conclusions

According to the European Union laws and under the supervision of the National Authority for the Consumer Protection, a general effort for involving the human factor in the consumer protection management is made. The process is obvious in both theory and practice of consumer protection management, in planning the developing strategies and policies, in the managerial organization, in the informational-decisional system, in the methods, techniques, and used managerial instruments.

Based on the researches, three hypotheses were confirmed. On numerous ways of investigation, we observed that the human factor is placed, in the consumer protection management, as the main capital, not only as a production factor, but also as a consumer. We have also observed that at the level of NACP, there are efforts for creating conditions for every man to manifest his own possibilities and receive a quality level according to what is legally proper.

Secondly, there can be noticed that at the level of NACP, the consumer protection management is approached with its favorable consequences: increasing the social efficiency, the responsible handling, under the form of good practices in the fields of planning – decisions, organization – coordination, training – management – leading, control - supervision.

Moreover, finally, in the third place, the managerial process developed at the level of NACP goes from quality to social responsibility, based on the human factor's life and health in our society's sustainable development environment.

As the findings of our study show, some of the above-mentioned domains are placed on an advanced position, others are left behind under the aspect of satisfying the integration demands in the European Union values. We can notice the insufficiency sopping process, based on some correct and judicious SWOT analyses.

Based on the research results we can conclude that the human factor's implementing process in the consumer protection management has the position of a useful answer to the Romanian state's demands to direct the National Authority for the Consumer Protection as a force of improving its own management and of its subordinate institutions'.

The results of the research represent, in our opinion, a starting point for improving the managerial capacity of NACP and its institutions with a favorable impact on the Romanian and European consumer's concern.

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