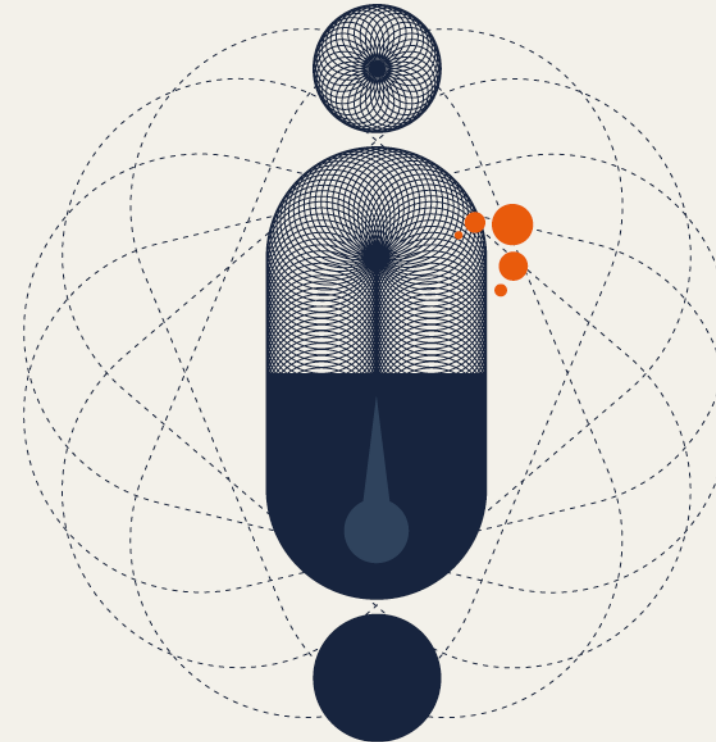


/ Business Review – Working Romania ONLINE 2020

The evolution of the Romanian workforce market

29 April 2020



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/ Agenda

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Legal aspects regarding work from home

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Flexible & efficient working schedule concept

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Maintaining employment relationship: the solidarity/team spirit between the employer and the employees during extreme conditions/crisis time

4

Government subsidies for employers, technical unemployment eligibility criteria

5

Importing workforce

/ Legal aspects regarding work from home

Flexible & efficient working schedule concept

Work from home:

- **Law no. 81/2018 regarding telework activity:** only with consensus of the parties
- **Law no. 53/2003 – Labor Code – working from home:** work performed without using informational technology or other electronic communicating means
- **Presidential Decree no. 195/2020 – on teleworking:** unilateral decision of the employer – temporary applicability

Flexible & efficient working schedule:

- Art. 52 para. (3) of the Labor Code, regarding the reduced working schedule by unilateral decision of the employer
Remark: de lege ferenda – required an improvement of the implementation and a more in depth REVISAL software
- Flexible working schedule – art. 118 of the Labor Code – consent of the employee expressly provided

Note= health and safety requirements must be carefully observed for the implementation of the working from home concept

Revisal registration of the working from home activity is mandatory

/ Maintaining employment relationship - solidarity

Government subsidies

Law principles

- Art. 8 of the Labor Code – good faith and consensus, information and consultation are the core principles of the employment relationship
- Contractual solidarity for the survival of the employment relationship (communication improvement):

- Temporarily agree to salary reduction
- Taking annual leave during crisis
- Temporarily agree to part time working schedule

- Allowing employees to perform work from home
- Rewarding schemes
- Fidelity programs

Subsidies

- Reimbursements offered by government for technical unemployment – eligibility of employers
- Free paid days for childcare

Remark: Authorities should prepare subsidies and supporting schemes for employers for restarting the activity

/ Importing workforce

Remarks

- ▶ **2019 – record for the work permits contingent: 30,000 (5,500 in 2017 and 7,000 in 2018)**
 - ▶ during the emergency state the activity of the immigration of authorities is suspended
 - ▶ the number of work immigrant will decrease in 2020 considering the available work force returned from overseas
 - ▶ the number will continue to be reduced considering the limitations that will still be imposed after the restart of the economy
 - ▶ there is a significant increase of the nationalism throughout the states, including Romania, and a fear of globalization considering the current context

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Cătălin advises Romanian and international clients from a large number of industries (including automotive, chemicals, primary and reinsurance, financial services, generic drugs, real estate, IT, food, media, food production, pharmaceutical) on employment and pensions.

He represents clients in front of the Courts of Law and public authorities. He also advises clients on private enforcement and compliance issues and in dawn raid scenarios. In employment law, Cătălin can refer to comprehensive experience and work for the private clients.

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