



1. TYPES OF EMPLOYMENT RELATIONSHIPS

In Romania, a migrant can work based on a *labour contract* or a *civil contract*.

THE LABOUR CONTRACT between an employer and an employee is regulated by the Romanian Labour Code and it should mainly include the following:

- Information about the employer and the employee
- Type of work (job title, function, and description of responsibilities of the employee)
- Place of work
- Salary (shown in gross amount, that is including taxes and cannot be less than the minimum wage 850 RON for full-time)
- Start date and duration (fixed or indefinite, including trial period if applicable)
- Working time (part-time or full time)
- Right to daily or weekly rest breaks
- Right to time off and paid legal holidays
- Right to paid holiday leave
- Right to sick pay
- Right to overtime pay
- Rules for contract termination – notice of dismissal or resignation.

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IMPORTANT !

- Non-EU nationals need a work authorization to take up employment in Romania.
- The employer is responsible for applying for a work authorization to the General Inspectorate for Immigration.
- Some categories of immigrants **DO NOT** need a work authorization to work in Romania including family members of Romanian citizens, permanent residents, refugees, asylum seekers after 1 year of stay, tolerated people etc. For more information contact ARCA staff.
- Students need a work authorization and can only work part-time (up to 4h/day).
- The contract is signed by the employer and the employee in two copies, one for each party.
- Always keep a copy of your employment contract and your job description !
- The contract must be concluded in writing and registered by the employer to the Labour Inspectorate no later than one day before the first day of work.

THE CIVIL CONTRACT is regulated by the Civil Code and it is not subject to the Romanian Labour Code regulations.

It is concluded when the work requires the execution of specific tasks usually for a determined period of time.

Generally, in case of civil contracts there is greater freedom of taking up employment by the employee because:

- the refusal to execute commands does not constitute a breach of the contractual obligations
- the place and time of work may be specified, but it is not necessary, the completion of the job within a limited period of time is more important than the details of its performance
- there is no subordination relation between the employer and the employee
- there is no obligation to collect all social security contributions and grant leave to the employee

➤ **The official language of the contract is Romanian. Migrants have the right to be informed of its content in a language that they understand.**

➤ **The employer is responsible to pay all your social security contributions (deducted from your gross salary).**

➤ **BEFORE signing a contract, contact ARCA to ensure you understand all its ins and outs and that it fully complies with the legislation in place!**

2. ACCESS TO PUBLIC SERVICES

Non-EU nationals legally residing in Romania:

- have free access to medical health services based on a employment contract or provided that they pay the public health insurance monthly
- benefit from equal and free access to education in the pubic system (up to 18 years old)
- can access the judicial system

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IMPORTANT !

Contact ARCA for detailed information on how to access medical services in Romania, the compulsory education system or the judicial system.