

Romania

Worker Classifications

There are no official subcategories of Workers in Romania.

Fixed Term Contracts

Fixed-term contracts are permitted for specific reasons such as seasonal business, the replacement of temporarily absent workers, and in cases of a temporary rise in business but must not exceed 36 months. A fixed term contract cannot be extended more than two times, and cannot exceed the 36 month maximum with the extension(s). Depending upon the length of the contract, anywhere from 5 to 45 days' notice may be required to terminate the agreement.

Probationary Periods

Probationary periods are permitted for up to 90 days. For workers in management positions, a probationary period of 120 days is permissible. Notice is not required to terminate an employment agreement during the probationary period if the Worker is deemed professionally unfit.

Holidays

In Romania, Workers recognize 15 paid public holidays. If work is performed on a public holiday, it should be compensated with a paid day off in lieu within 30 days or, if not possible, 200% of wages.

Vacation

Workers are entitled to at least 20 working days of paid vacation each year. The vacation allowance should be paid five days before the commencement of leave. A Worker can request to take leave in multiple periods, but one of the periods must be 10 days. Generally, vacation should be taken in the year it is earned, but that may be extended to a maximum of 18 months after the year of accrual. Vacation time cannot be 'cashed out.' However, accrued but unused vacation is payable at the termination of the employment relationship.

Sick Leave

After one month of service, Workers are entitled to paid medical leave when they have an injury or illness. The maximum duration of paid time off is 183 days per year, which can be increased up to 18 months for certain illnesses. Employers are responsible for issuing sick leave pay but may recover amounts paid beyond five days of absence by deduction from other payment obligations to the state.

Working Hours

A standard workweek in Romania is 8 hours per day or 40 hours per week. Work performed at night (between 10:00 p.m. and 6:00 a.m.) cannot exceed 8 hours within 24 hours. Workers are entitled to a 30-minute unpaid meal break after six hours of work. Shifts should be separated by 12 hours of consecutive rest. Weekly, Workers should be afforded two consecutive days of rest.

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Overtime

Hours exceeding the standard workweek are considered overtime. A worker must consent to performing overtime work. Overtime must not exceed 8 hours per week except in limited, exceptional circumstances. Overtime should be compensated with paid leave during the usual work time within 60 days of when the overtime was worked. If that is not possible, overtime may be compensated at 175%.

Mandatory Bonuses

A 13th-month salary is not mandatory or customary in Romania.

Termination

Except in cases of severe or repeated breach of duty, termination requires at least 20 working days' notice after conducting a disciplinary investigation. Dismissal for poor performance can only take place after the employer has verified the Worker's professional competence and determined that other suitable work is not available. Dismissal for economic reasons must be reinforced by strong economic justification.

Resignation

Workers in non-management positions may provide up to 20 working days' notice of resignation (45 working days for management positions). Workers may resign without notice if the employer fails to fulfill its contractual obligations.

Other End Of Employment Rules

Redundancies are the termination of employment by the employer due to economic grounds, without grounds or fault by the employee. Redundancies are generally based on economic grounds and must reveal a real and serious cause for a reduction in the number of jobs available.

Benefits

Workers and their employers contribute to a social security scheme that provides pensions, healthcare, and unemployment benefits.

Leave

Maternity and Paternity Leave

Romanian law provides for a period of 126 mandatory maternity leave days, of which 63 days can be granted before the due date and 63 days after the due date. The employee can receive more than 63 days for each of the periods,