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# **THE GUIDE OF FOREIGN WORKERS IN ROMANIA**

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This Guide addresses to foreign workers from non-EU Member States who are in Romania or wish to establish in Romania for work purpose. Inside this Guide you will find basic information concerning entry, stay and residence in Romania.

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## CHAPTER I: ENTRY AND STAY IN ROMANIA

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1. What are general terms which foreigners must observe in order to be allowed the entry and stay on the Romanian territory for work purpose?

To be able to entry Romania:

- they shall hold a valid state border crossing document accepted by the Romanian State;
- they shall hold a valid Romanian visa or a valid stay permit;
- they shall hold documents that justify the purpose and conditions of their stay and which prove the existence of appropriate means both for their support during the interval of their stay, and for the return to the state of origin or for the transit to another state where there is the certainty that they shall be allowed to enter;
- in the case of foreigners who transit the Romanian territory, it is certain that their entry on the destination state is allowed or that they will leave the Romanian territory;
- they are not included in the category of foreigners against whom the measure of interdicting the entry on the Romanian territory has been applied or who were declared undesirable;
- they have previously not infringed the purpose declared when obtaining the visa or, as the case may be, the purpose of entry or have not attempted to cross the Romanian border using false or falsified documents;
- on their names were not introduced alerts in the Schengen Informatic System in order to be refused the entry;
- they do not represent any threat for national defence and security, public order, health and moral probity.

2. What are the documents accepted by Romania at crossing the state border?

State border crossing documents accepted by the Romanian state are the following:

- passports, travel titles, sailor books or other similar documents;
- the identity card or other similar documents;
- travel documents of refugees;
- travel documents of stateless persons.

The foreign citizens, family members of Romanian citizens, as well as the foreigners titular of a permanent residence right on the territory of EU Member States are allowed to enter the Romanian territory in the special terms set by law.

### 3. What are the situations when foreigners are interdicted to enter the Romanian territory?

Foreigners shall be interdicted to enter the territory of the Romanian state if:

- they do not meet the conditions under section 2;
- they are signalled by international organisations to which Romania is a party, as well as by institutions specialised in combating terrorism, to finance, organise or support in any possible way or commit terrorism acts;
- there are indications that they are part of organised criminal groups with trans-national character or which support, through any means, the activity of these groups;
- there are serious reasons to consider that they have committed criminal offences or took part in committing criminal offences against peace and humanity, war crimes or crimes against humanity, provided in the international conventions to which Romania is party;
- they committed criminal offences during other stays in Romania or abroad against the Romanian state or a Romanian citizen;
- they introduced or tried to illegally introduce other foreigners on the Romanian territory;
- they have diseases, established by order of the Minister of Health, that can severely endanger public safety.

## 4. Visa

Visa shall give the holder the right to enter the territory of the Romanian state. Citizens of the states with whom Romania has signed agreements in this respect are exempt from visa compulsion under the conditions and for the staying intervals settled in these agreements.

For further information you may visit the following webpage:

[www.mae.ro/index.php?unde=doc&id=5807&idlnk=4&cat=5v](http://www.mae.ro/index.php?unde=doc&id=5807&idlnk=4&cat=5v)

### 1. What are the types of visa?

Subject to the purpose they are issued for, visas can be:

- a) transit visa;
- b) short stay visa;
- c) long stay visa;
- d) diplomatic visa and service visa.

## **2. What are the terms for granting visa?**

The Romanian visa shall be granted only if:

- a) the conditions regarding the entry in Romania are complied with;
- b) there is no reason of interdicting the entry in Romania;
- c) the alien was not finally sentenced for having committed offences abroad incompatible with the purpose for which he requests the visa;
- d) the general conditions provided for in this section, as well as the special conditions for visa granting, subject to the purpose for which the visa is requested, are complied with.

## **3. What are the authorities with competence in granting the Romanian visa?**

The Romanian visa is granted by:

- a) the Romanian diplomatic missions and consular offices abroad;
- b) the Romanian diplomatic missions and consular offices abroad, with the approval of the National Centre for Visas, after obtaining the notification of the Romanian Office for Immigration, in case of long stay visa;
- c) the Romanian diplomatic missions and consular offices, without the payment of consular taxes, in the case of long stay visas for the foreigners who are not family members of Romanian citizens.

## **4. What are the consequences of illegal immigration?**

The infringement of the legal provisions concerning the entry and stay on the Romanian territory for work purpose is sanctioned according to the legal provisions with fine amounting from 100 RON up to 1,200 RON, based on the gravity of the deed.

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## CHAPTER II: WORK AUTHORISATIONS

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With a view to carry out an activity in Romania, foreigners need a work authorization. The work authorization may be granted at the employer's request, by the Romanian Office for Immigration. This is needed for obtaining the long-term stay visa for employment or, as the case may be, of the stay permit for work purposes.

### **1. What are the types of work authorizations that can be granted to foreigners?**

The types of work authorizations that can be granted to foreigners are as follows:

- a) work authorization for permanent workers;
- b) work authorization for detached workers;
- c) work authorization for seasonal workers;
- d) work authorization for trainees;
- e) work authorization for sportsmen;
- f) nominal work authorization;
- g) work authorization for cross-border workers.

### **2. What are the documents needed by an alien in order to be issued a work authorization?**

With a view to obtain the work authorization, an alien needs the following documents:

- a) curriculum vitae, containing also his/her declaration on own responsibility that has no penal records, is capable of employment from a medical point of view and has minimum command of the Romanian language;
- b) copies of study documents in order to be employed in the function or in the job for which he/she requires employment, translated in Romanian and legalized by a public notary, diplomas, certificates and scientific titles obtained in the

education system abroad shall be accompanied by the recognition document from the Ministry of Education and Research, in the terms set by the relevant legislation;

- c) copies of documents which certify the vocational training acquired outside the education system or, as the case may be, which attests the occupational experience, translated and over-legalized in the terms set by law;
- d) copy of the alien's valid cross-border document;
- e) the alien's request to obtain the work permit;
- f) the alien's valid cross-border document on which shall be applied the long stay visa for employment;
- g) the legal record certificate from the alien's origin or domicile country attesting that he/she has no penal antecedents;
- h) the medical act attesting the health state, issued by the competent medical institutions, according to the legal provisions, indicating that the alien is capable of being employed;
- i) two photos type 3/4;
- j) the medical certificate and the updated fiscal attestation, if between the registration date of the application for obtaining the favourable notification and the registration date of the application for obtaining the work permit more than 60 days have passed.

The file needed for requesting the work authorization for permanent workers shall be submitted to the Romanian Office for Immigration by the employer together with his/her other documents.

The address of the Romanian Office for Immigration is: Str. Cpt. aviator Alexandru Șerbănescu nr. 50, sector 1, Bucharest.

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## CHAPTER III: LABOUR CONDITIONS

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By law, foreign citizens and stateless persons can be employed with individual labour contract based on the labour license issued according to the law.

### 1. How is concluded the individual labour contract?

The conclusion of an individual labour contract must usually be done in writing. The annexed clauses follow the direct negotiation between employer and employee. Prior to the conclusion or modification of the individual labour contract, the employer has the obligation of informing about the general clauses which he intends to inscribe or modify in the contract, according to the provisions of Labour Code. The individual labour contract is concluded in three copies, one for each party and one to be deposit to the Territorial Labour Inspectorate.

### 2. Which are the rights and obligations of the employee?

#### 1. Employees' rights in Romania

By law, employees cannot renounce the rights which are bestowed to them by the law. Any transaction which is envisaging a renouncing of lawfully recognized rights for employees or the limitation of such rights is sanctioned by absolute nullity.

In Romania, the employee has the main following rights:

- a) to receive wage for the work performed;
- b) to a daily and weekly rest;
- c) to an annual rest leave;
- d) to equal opportunities and treatment;
- e) to dignity in his/her work;
- f) to labour safety and health;
- g) of access to vocational training;
- h) to information and consulting;
- i) to participate at setting up and improving labour conditions and environment;
- j) to protection in case of dismissal;
- k) to collective and individual negotiation;
- l) to participate at collective actions;
- m) to establish or join a union.

#### 2. Employees' obligations in Romania

The employee's main obligations are as follows:

- a) to accomplish his/her work rate or, as applicable, to meet his/her duties according to the job description;
- b) to observe work discipline;
- c) to observe the provisions of the internal regulations, of the applicable collective labour contract, as well as of the individual labour contract;
- d) of faithfulness to the employer in performing his/her job duties;

- e) to comply with the steps of labour safety and health in the company;
- f) to observe the job secret.

### 3. Which are the rights and obligations of the employer?

#### 1. Employers' rights in Romania

The employer has the main rights:

- a) to set forth the organisation and operation of the company;
- b) to set forth the adequate duties of each employee, according to the law and/or according the terms of the applicable collective labour contract concluded at national level, at the level of an activity branch or group of units;
- c) to issue mandatory orders to the employee on condition they are lawful;
- d) to exercise the control over the way in which the job duties are carried out;
- e) to find whether departures from discipline have taken place and to apply adequate sanctions, according to the law, the applicable collective labour contract, and the internal regulations.

#### Employers' obligations in Romania

The employer's main obligations shall be as follows:

- a) to inform the employees on the work conditions and elements regarding the progress of work relationships;
- b) to permanently ensure the technical and organisational conditions envisaged when the labour norms were drawn up, and the adequate work conditions;
- c) to grant the employees all the rights deriving from the law, the applicable collective labour contract, and the individual labour contracts;
- d) to inform the employees, on a periodical basis, about the company's economic and financial position, except for sensitive or secret information, which, once disclosed, would be likely to prejudice the activity of the unit. The periodicity of communications shall be set forth by negotiation under the applicable collective labour contract;
- e) to consult the trade union or, as the case may be, the employees' representatives on the decisions likely to substantially affect their rights and interests;
- f) to pay all the contributions and taxes which fall upon him/her, as well as to withhold and transfer the contributions and taxes due by the employees, under the law;
- g) to establish the general book of employees and make the records stipulated by the law;
- h) to issue, on request, all the documents attesting to the petitioner's employee status;
- i) to make sure the employees' personal data are confidential.

Also the employers have the obligation of withhold and transfer on a monthly basis the wage taxes due by the employees.

The amount of contributions and taxes due by the employees and employers are annually set out through the state budget law and social insurance budget law.

### 4. How are settled the conflicts referring at individual labour contract rights and obligations?

The conflicts referring at the conclusion, progression, modification, suspension and ceasing of the individual labour contracts, the conflicts related with collective labour contracts' progression, with the payment of reimburses due for the covering prejudices caused by parties through not carrying out or not corresponding of obligations set out by the individual labour contract, conflicts related with the finding of individual or collective labour contracts' nullity or of some clauses of those and conflicts linked with finding the ceasing of collective labour contracts application, are considered conflicts of rights and are solved by the courts.

#### 5. How is established the working time?

For full time employers the normal duration of working time is of 8 hours per day and 40 hours per week. The legal maxim duration of working time cannot overpass 48 hours per week, including supplementary hours (with some exceptions).

The work carried out outside the normal duration of a weekly working time is considered supplementary work. Supplementary work cannot be carried out without the agreement of the employee, except the special situations or the urgent activities meant to prevent accidents or removing the consequences of an accident.

The activity from 22,00 to 6,00 is considered night work. The employees working at night are benefiting from either reduced working programme, either of a wage benefit.

#### 6. How are established the rest and leave entitlements?

The employees are entitled to lunch break and daily rest between 2 working days which cannot be less than 12 consecutive hours, to weekly rest which are granted in two consecutive days, usually Saturday and Sunday and to a leave of a minimum 21 days, also to unpaid leaves for personal emergencies, vocational training leaves and other leaves stipulated in the applicable collective labour contract or through the internal regulation.

#### 7. What are the wage entitlements to which employees are entitled for?

For the activity carried out based on the individual labour contract, each employee is entitled to a wage in cash. For establishing the wage is forbidden any discrimination based on gender, sexual orientation, genetics, age, nationality, race, colour, ethnicity, religion, political option, social origin, handicap, family situation or responsibility, union trade membership or activity. Yearly, it is set the minimum wage, based on the unique national collective labour contract. For the year 2008 the minimum wage is 500 RON.

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## CHAPTER IV: VALUE OF TAXES ON WAGES AND SOCIAL INSURANCE CONTRIBUTIONS

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In Romania, each employee and employer contributes to social insurance budget, health fund, unemployment fund, as well as to the state budget, through taxes.

For 2008 social insurance contribution quotas were set as follows:

- 1) During 1 January – 30 November 2008:
  - a) For normal working conditions 29%;
  - b) For extraordinary working conditions 34%;
  - c) For special working conditions 39%.
- 2) Starting with 1 December 2008:
  - a) For normal working conditions 27,5%;
  - b) For extraordinary working conditions 32,5%;
  - c) For special working conditions 37,5%.

Other quotas for social contributions:

- 1) Social insurance individual contribution quota, which is 9,5%, regardless of the working conditions;
- 2) Individual contribution quota due to the unemployment insurance budget, which is 0,5%;

The tax due for wages is 16%.

The social contribution quotas and the value of other taxes are set on a yearly base, through the Law of State Social Insurance Budget and the State Budget Law.

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## CHAPTER V: RECOGNITION OF DIPLOMAS AND QUALIFICATIONS

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As what it concerns the recognition of diplomas and qualifications obtained by citizens of third countries in the education system, the file which will be forwarded by the employers' company will comprise:

- 1) Standard request addressed to the Ministry of Education and Research, by which the acknowledgement of the diploma is asked (it will be mentioned the address and the phone number of the company);
- 2) Registration number;
- 3) A legal copy of the diploma, if it is in Romanian, or if not, a legal translation in original;
- 4) Xerox copy of the foreign citizen's passport (the pages having the identification data);
- 5) Letter from the company naming the position which it will be held by the person in question;
- 6) Copy of the registration certificate of the company;
- 7) Delegation of a company employee, who will deposit the file and to whom it will be hand it over the acknowledgement certificate;
- 8) Proof of payment for the sums due for diploma's acknowledgement, in original or certified copy.

NOTE: For validation the diplomas will have the Hague Convention Apostil (for the states which are part of this Convention) or Over-Attested label or will have attached the authentication certificate issued by the competent authorities from the origin country, taking into consideration the fact that, given the automatic acknowledgement, the acknowledgement of the education institution from the state of origin it is prevailing.

For more information, those interested can consult the address: [www.cnred.edu.ro](http://www.cnred.edu.ro)

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## CHAPTER VI: PENSIONS AND OTHER SHORT TERM BENEFITS

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### 1. In which conditions are the foreign citizens entitled to pension in Romania?

If they fulfil the conditions requested by the Law 19/2000 on the public pensions system of pensions and other social insurance rights, the insured foreigners can benefit all the rights mentioned by this law.

### 2. What are the categories of pensions from which the foreign citizens can benefit?

There are 4 categories of pensions:

- a) old-age pension
- b) early retirement pension or partial early retirement pension
- c) invalidity pension
- d) survivor pension

### 3. What are the conditions required for old-age pension?

For obtaining the old-age pension there are two conditions:

- a) standard pension age at present (January 2008) :  
for women: 58 years and 3 months (until 2015 it shall reach 60 years)  
for men: 63 years and 3 months (until 2015 it shall reach 65 years)

- b) minimum contributory period:  
at present, for men and women is 11 years and 6 months (until 2015 it shall reach 15 years)

At present, full contributory period is:

- for women: 26 years and 6 months (until 2015 it shall reach 30 years)
- for men: 31 years and 6 months (until 2015 it shall reach 35 years)

### 4. What are the conditions requested in order to benefit from early retirement pension or partial early retirement pension?

Insured persons can claim the early retirement pension with maximum 5 years before they reach the standard pension-age if they have exceeded their contributory periods with at least 10 years.

The insured persons who have completed the full contributory periods mentioned by the law and those who have at the most 10 years more than the full contributory period required may claim the partial early retirement pension by reducing the standard pension-age with maximum 5 years.

### 5. What are the conditions for the entitlement to invalidity pension?

Entitled to disability pension are the insured persons who have lost totally or at least half their work-capacity, because of:

- a) work accidents, according to the law;
- b) professional diseases and tuberculosis;
- c) ordinary diseases and accidents unrelated to work.

The full contributory periods necessary for obtaining an invalidity pension are:  
 (1) for the insured persons who have lost work-capacity because of ordinary diseases or accidents unrelated to work:

Insurance holder's age when disability occurred	Required contributory period (years)
below 25	5
25 - 31 years	8
31 - 37 years	11
37 - 43 years	14
43 - 49 years	18
49 - 55 years	22
older than 55	25

(2) at least half of the required contributory period stipulated in Table above if it was achieved by insured persons:

- until the date when the invalidity occurred
- handicapped before becoming insured persons in relation with the age at the expertise date.

(3) regardless the length of employment if the invalidity occurred as a result of a work accident, professional disease, tuberculosis during and due to serving military duties mentioned by the law.

(4) regardless the length of employment if the invalidity occurred as a result of involvement in the December 1989 Revolution or at the revolutionary events from December if the insured persons were included into a social insurance system at the date of their disability.

## 6. What are the conditions for the entitlement to survivor pension?

If the deceased insured person meet the conditions for obtain a pension, to a survivor pension are entitled:

a) Children are entitled to survivor's pension:

- until the age of 16;
- if they continue to study in a legal, organized education form until graduation, but without exceeding the age of 26;
- during the whole disability period regardless of the disability classification, if the disability occurred when they met any of the situations stipulated in point a) or b).

b) The surviving spouse:

- on reaching the standard pension age, if the couple had been married for at least 15 years. If the couple had been married for less than 15 years, but minimum 10 years, the survivor's pension amount due to the surviving spouse shall be reduced by 0.5 % for each month, respectively 6.0 % for each year less than the due marriage length.

- regardless of age, during the disability periods classified as 1<sup>st</sup> or 2<sup>nd</sup> degree, if the couple had been married for at least 1 year;
- regardless of age and marriage length, if the supporting spouse's death occurred because of work accident, professional disease or tuberculosis and if the surviving spouse's monthly earnings come from activities for which insurance is not mandatory, or if these earnings are smaller than 1/4 of the average national gross wage used to support the state social insurances budget;
- the surviving spouse who does not meet the terms stipulated by the law is entitled to survivor's pension for 6 months from the death date if, during that period his/her monthly earnings come from activities for which insurance is not mandatory, or if these earnings are smaller than 1/4 the average national gross wage;
- the surviving spouse who, at the supporting spouse's death date, had to support one or several children aged less than 7 years old, is entitled to survivor's pension until the youngest child becomes 7 years old, for the periods during which the surviving spouse has no monthly earnings from activities for which insurance is mandatory, or if these earnings are smaller than 1/4 of the average national gross wage used to support state social insurances budget.

The surviving spouse entitled to a personal pension, but also meeting the legal terms to receive survivor's pension following the partner's death, may opt for the more favourable of the two pensions.

#### 7. What other benefits may benefit foreign citizens?

Foreign citizens may benefit other short term benefits as:

- a) death allowance;
- b) spa cures tickets.

#### 8. What are the conditions for the entitlement to death allowance and what is its amount?

The death allowance is granted at request in case of death of the insured persons', pensioner's or a family member in his support.

In case of death of the insured person or pensioner the death allowance amount for the year 2008 is 1550 RON. The pensioner or the insured person is entitled to death allowance if a family member who dies is under his care and has no social insurance benefits of his own. The death allowance amount in this case is half of the value stipulated for the insured persons (for 2008 is equal to 775 RON).

#### 9. What are the conditions for the entitlement to spa cures tickets?

The National House of Pensions and Other Social Insurance Rights ensure the sending at spa cures of the insured persons for the work capacity rehabilitation and for maintaining the state of health of the pensioners. In the 2008 there are up to 550.000 spa cures tickets, from which 450.000 in spas and 100.000 for relaxation. From the number of 450.000 spas tickets there are 10.000 for work accidents and professional diseases. The spa cures tickets can be obtained from territorial houses of pensions and local houses of pensions from Bucharest.

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## CHAPTER VII:HEALTH INSURANCE \*

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\* text source from [www.cnas.ro](http://www.cnas.ro), for additional information: [www.cnas.ro](http://www.cnas.ro)

In order to be entitled to the package of sickness benefits for persons who optionally insure, a foreign citizen residing or staying in Romania should insure with the county insurance houses or the insurance house of Bucharest city otherwise he/she will pay the countervalue of sickness benefits in case of need.

In accordance with the provisions of Art.211 of the Law nr. 95/2006, all Romanian citizens having the residence in Romania, as well as the foreign citizens and stateless persons who requested and obtained the extension of the entitlement for temporary stay in Romania or have their residence in Romania, being able to proof the payment of contributions to the fund under the present law conditions, are considered insured persons.

In accordance with the provisions of Art.214 of the Law nr. 95/2006 „(1) The insured persons, from the states having concluded with Romania international agreements with provisions in the health field, are entitled to receive sickness benefits or other benefits granted on the territory of Romania, under the conditions provided by those international documents.

Social health insurance is optional for the following categories of persons who are not included in above mentioned provisions to (1):

- a) members of diplomatic missions accredited in Romania
- b) foreign citizens and stateless persons temporary staying in Romania without requesting the long stay visa.
- c) Romanian citizens with their residence abroad who are temporary staying in Romania

According to the provisions of Art.2 of the Order nr. 617/2007:

(1) Insured persons are considered all the Romanian citizens with their residence in Romania, as well as foreign citizens and stateless persons residing in Romania or who requested and obtained the extension of the entitlement for temporary stay in Romania under the law provisions and they are able to proof payment of the social health insurance contributions to the fund, further named contribution, under the law conditions and present methodological norms.

(2) Entitlement to insurance ceases when the right of residence or stay in Romania is lost, in case of decease or judicial declaration of the insuree's death.

(3) Entitlement to insurance ceases 3 month after last payment of contribution to the fund.

(4) Insured persons are entitled to receive the package of benefits from the date of starting payment contributions to the fund.

(5) Insured persons from the states having concluded with Romania international agreements, conventions or protocols with provisions in the field of health, receive sickness benefits granted on the territory of Romania under the conditions stipulated in that international documents.

(6) Social health insurance is optional for the following categories of persons who are not included in above (5):

- a) members of diplomatic missions accredited in Romania

b) foreign citizens and stateless persons who are temporary staying in Romania without requesting the long stay visa.

c) Romanian citizens with their residence abroad who are temporary staying in the country

(7) The phrase *who are temporary staying in the country* means visit, tourism, mission, transport, sportive activities, cultural, scientific and humanitarian activities, short term medical treatment or other similar situations that do not require the extension of a temporary stay entitlement, carried out by the Romanian citizens residing abroad and the stateless persons.

According to the provisions of Art.24 of the Order nr. 617/2007:

(1) The monthly contribution for the persons provided in Art. 214 paragraph (2) of the Law and who optionally insured, is calculated at the rate established by the Law applied to the amount of two minimum national gross basic salary for a package of sickness benefits established in the frame contract, starting with the month when the request for social health insurance was made.

(2) Foreign citizens and stateless persons, who requested and obtained the extension of the entitlement for temporary stay in Romania under the conditions of the law stipulating the regime of foreigners in Romania, are obliged to pay the contribution calculated upon the taxable income made on the territory of Romania, according to the Art.257 paragraph (2) of the Law, starting with the date of request.

(3) Foreign citizens, who obtained the permit of staying in Romania before entering into force of present methodological norms, are obliged to pay the contribution calculated upon the taxable income made on the territory of Romania from the date of the permit of stay, with the observance of contribution prescription term.

(4) The persons mentioned in paragraphs (2) and (3) who are not making taxable income on the territory of Romania and who are not insured persons, shall pay a monthly contribution calculated at the rate established by the Law applied to a minimum national gross basic salary in force on the date of payment, from the date of the request for entitlement extension, respectively the date of obtaining of the permit of stay.

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## CHAPTER VIII: UNEMPLOYMENT

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### *1. Can foreign citizens insure in the unemployment insurance system?*

Foreign citizens or stateless persons, who during their residence or stay in Romania are employed persons or make an income under the law conditions, can insure in the unemployment insurance system.

### *2. What are the conditions that foreign citizens or stateless persons should fulfil in order to receive unemployment benefits?*

In order to receive unemployment benefits, foreign citizens and stateless persons who worked in Romania and are unemployed should fulfil cumulatively following conditions:

- a period of contributions of minimum 12 month during the last 24 month proceeding the date of registration of the request for granting unemployment benefit;
- should not make income or could make income from authorised activities under the law smaller than the national minimum gross guaranteed salary;
- should not fulfil the condition for retirement
- should be registered with the local employment agency from his/her residence or stay area.

### *3. What are the contributions to be paid by insured persons for unemployment insurance*

Insured persons are obliged to pay the contributions for unemployment insurance, as follows:

- as employed person:
  1. the employer retains 0.5% from monthly gross income
  2. the employer shall pay 1% from the amount of the income which is the basis of calculation for the individual contribution to the unemployment insurance budget
- as self-employed person:

the insurance is optional, the contribution to the unemployment budget is 1.5% from the monthly income declared in the contract of insurance.

### *4. What are the conditions for granting of unemployment benefits*

Unemployment benefit is granted to unemployed persons for various periods depending on the period of contributions, as follows:

- 6 month, for a period of contributions of minimum 1 year;
- 9 month, for a period of contributions of minimum 5 years;

- 12 month, for a period of contributions higher than 10 years.

#### 5. *What is the amount of unemployment benefit?*

The unemployment benefit is an amount monthly granted which is established depending on the length of the period of contributions fulfilled, as follows:

- For a period of contributions of minimum 1 year, the amount represents 75% of the national minimum gross salary guaranteed in payment;
- Starting with a period of contributions of minimum 3 years, to the amount mentioned above is added an amount calculated applying a percentage rate to the average of the monthly basic gross salary in the last 12 month of contribution periods, as follows:
  - 3% for the persons with a period of contributions of minimum 3 years;
  - 5% for the persons with a period of contributions of minimum 5 years;
  - 7% for the persons with a period of contributions of minimum 10 years;
  - 10% for the persons with a period of contributions of minimum 20 years.

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## CHAPTER IX: RELEVANT LEGISLATION

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1. EMERGENCY ORDINANCE no. 56/20 June 2007 on employment and posting of the foreigners on the territory of Romania;
2. EMERGENCY ORDINANCE no. 194/12 December 2002 ( \*\*\* republished), on the regime of the foreigners in Romania;
3. Law no. 19/17 March 2000 on public system of pensions and other rights of social insurance;
4. Law no. 200/2004 on recognition of diplomas and vocational qualifications for the regulated professions in Romania;
5. Law no. 53/ 24 January 2003- Labour Code;

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## CHAPTER X: INSTITUTIONS, ADRESSES, USEFUL LINKS

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[www.mmssf.ro](http://www.mmssf.ro) (Ministry of Labour, Family and Equal Opportunities)

[www.inspectmun.ro](http://www.inspectmun.ro) (Labour Inspection)

[www.aps.mai.gov.ro](http://www.aps.mai.gov.ro) (Romanian Office for Imigration)

[www.insse.ro](http://www.insse.ro) (National Institute for Statistics)

[www.mfinante.ro](http://www.mfinante.ro) (Ministry of Economy and Finance)

[www.cnas.ro](http://www.cnas.ro) (National House for Health Insurance)

[www.anofm.ro](http://www.anofm.ro) (National Agency for Employment)

[www.cnpas.org](http://www.cnpas.org) (National House for Pensions and Other Social Insurance Rights)