

## employment - legal changes published in August 2019

**Government Ordinance no. 22/2019 on establishing measures for the application of Regulation (EU) 2016/589 of the European Parliament and of the Council of 13 April 2016 on a European network of employment services (EURES), access of workers to mobility services and better integration of labor markets and amending Regulations (EU) no. 492/2011 and (EU) no. 1.296 / 2013** was published in the Official Gazette of Romania, Part I, no. 708 of August 28, 2019, coming into force on the same date.

Among other things, the Ordinance lays down the conditions which a private legal entity must meet to become **a EURES member**. Thus, in addition to all the conditions set out in Regulation (EU) 2016/589 and the criteria set out in Annex no. I, legal entities must also meet the following requirements:

- (a) **To have the headquarters, to be registered and to operate in Romania**, to have worked at least 2 years before submitting the application for admission as EURES members, to have as main scope of activity "*Activities of employment placement agencies*", **NACE code 7810, or "Temporary employment agency activities", NACE code 7820, and be registered with the territorial labor inspectorate in whose area they are based as employment placement agents for employment abroad** or as specialized service providers for employment placement, under the conditions provided by Law no. 156/2000 regarding the protection of Romanian citizens working abroad, republished, or accredited as specialized service providers for the stimulation of employment, under the conditions provided by the Criteria for accreditation of the specialized service providers for the stimulation of employment, approved by Government Decision no. 277/2002, with the subsequent modifications and additions, or to be accredited as temporary employment agents, under the conditions provided by the Government Decision no. 1.256/2011 regarding the operating conditions, as well as the procedure for authorizing the temporary employment agent;
- (b) **To have the necessary conditions and facilities for the smooth running of the activity**, namely space, personnel and equipment;
- (c) **To own a website / portal or self-service tools or similar**, through which job applicant and employers can access the services offered and visibly ensure interoperability with the EURES portal, through a link posted on the managed website/portal;
- (d) **To have databases on the applications and offers for employment, apprenticeship and internship abroad**, as the case may be, information regarding the conditions of the employment and the

qualifications and skills of the applicants in their records, communicated to the EURES National Bureau of Coordination in the State of origin;

- (e) **To provide all EURES services provided for in the Regulation, free of charge, to job applicants, employers and / or workers;**
- (f) **To prove the fulfillment of the payment obligations** under the law;
- (g) **To prove that they are not in the state of insolvency**, in the process of mandatory enforcement, judicial reorganization, bankruptcy, dissolution, liquidation or special administration, they have not suspended the activities by which they provide the EURES services and that they have no restrictions on them;
- (h) **To prove that they have not been sanctioned for minor offences in the last 2 years** for violating the legal provisions regarding the mediation of employment;
- (i) To prove that **they have at least 2 full-time employees**, qualified in the field of human resources and who know at least one foreign language of European circulation;
- (j) **The personnel involved in the management, coordination and provision of EURES services shall be available to be qualified and trained** to perform the tasks deriving from the status of EURES membership.

Private legal entities in Romania also have the option of becoming **EURES partners** by fulfilling a smaller number of requirements than those provided for membership.

**Government Decision no. 634/2019 for amending Government Decision no. 34/2019 regarding the establishment of the quota of newly admitted workers on the labor market in 2019** was published in the Official Gazette of Romania, Part I, no. 719 of August 30, 2019, coming into force on the same date.

Thus, by this Decision, the Government increases the number of newly admitted workers, who can enter the Romanian labor market by the end of 2019, from 20,000 workers to 30,000.