



employment - legal changes published in March 2022

Order of the Minister of Labour and Social Protection no. 301/2022 on the approval of the Procedure for the employment of Ukrainian citizens arriving from the armed conflict zone of Ukraine was published in the Official Gazette of Romania, Part I, no. 240 of 10 March 2022, in force from the same date.

The Order has approved the Procedure for the employment of Ukrainian citizens arriving from the armed conflict zone of Ukraine, provided in the annex which forms an integral part, with the following points being noted:

- Ukrainian citizens arriving from the armed conflict zone of Ukraine and seeking to enter the labor market, but who do not have documents proving their professional qualifications or work experience, **may apply to** local agencies for employment, respectively at the Bucharest Municipal employment agency for registration. The employment of Ukrainian citizens shall be performed based on an affidavit, attesting the fulfillment of the conditions for professional qualification and experience for the activity to be assigned, respectively, the lack of criminal record which shall be incompatible with the activity to be performed on the Romanian territory;
- registration at the local agencies for employment, respectively at the Bucharest Municipal employment agency is performed based **on a form of identity, passport or other document proving identity**. Following the registration, the persons shall have free access to the services and measures provided for by Law no. 76/2002 on the unemployment insurance system and employment stimulation;
- completion of the affidavit, available in both Romanian and Ukrainian, shall be performed with the support and assistance of the career guidance counsellor;
- after having completed the activities of the professional information and counselling services, the person is mediated in work on a job vacancy corresponding to his/her declared qualifications and experience and receives the assignment order to report to the employer;
- the interview or work test shall be held at the employer for whom the person has been assigned.

Government Decision no. 367/2022 on the establishment of certain conditions for ensuring temporary protection, as well as for amending and supplementing certain regulations in the field of foreigners was published in the Official Gazette of Romania, Part I, no. 268 of March 18, 2022, in force from the same date.

The Decision transposes Decision (EU) no. 382/2022 establishing the existence of a mass influx of displaced persons from Ukraine and introducing temporary protection for these citizens.

In relation to this, foreigners and stateless persons who were legally residing in Ukraine and who cannot return to their country of origin in safe and stable conditions, both those who came to Romania after the outbreak of the armed conflict and Ukrainian citizens who were on the territory of Romania before the event shall benefit from temporary protection on Romanian territory.

At the same time, stateless persons and third-country nationals other than Ukrainians who were granted national protection shall continue to benefit from this protection.

The General Inspectorate for Immigration shall issue a residence permit on the territory of Romania, assigning a personal identification number, similar to the one assigned to asylum seekers.



The expenses incurred in granting temporary protection following the application of the provisions of this Decision shall be covered by the state budget and by non-fundable external funds.

Law no. 73/2022 for amending and supplementing the Government Emergency Ordinance no. 158/2005 on leave and social health insurance allowances was published in the Official Gazette of Romania, Part I, no. 315 of March 31, 2022, entering into force on April 03, 2022.

The law provides that, in the case of a child for whom quarantine or isolation measure has been ordered under the conditions of Law no. 136/2020, republished, as subsequently amended and supplemented, namely for infectious and contagious diseases, the insured persons for whom quarantine or isolation is not ordered shall be entitled to receive leave and compensation for the supervision and care of the child up to the age of 18.

According to the law, the allowance shall be granted on the basis of the sick leave certificate issued by the attending physician, or where applicable, by the family doctor who has taken care of and monitored these persons, for a period of time determined by the evolution of the disease and the duration of monitoring.

The duration of the allowance takes in consideration the number of calendar days corresponding to the duration of the sick leave as determined by the attending physician or, where applicable, by the family doctor.