

Romania – Construction Sector

(Last update of the information: December 2014)

Mandatory declarations on posting

Mandatory declaration 5 days before posting workers start working in Romania.

Legal base: G.D. no. 104/2007 to regulate specific procedure concerning the posting of employees in the transnational provision of services in Romania.

Minimum wages

It is a mandatory minimum wage by Law no. 53/2003 – Labour code. The level of the minimum wage is set through government decision. Since 1st of July 2014 the minimum wage is 900 RON (about 205 EUR).

- In the Construction sector, the minimum wage is set at 1,100 lei per month (including the worker's taxes, but not those of the employer) and applies only to companies who have signed the agreement.

Wage supplements

Night working hours are taken to be between 10:00 p.m. and 06:00 a.m. and are eligible by national law for a bonus of 25%.

Other minimum bonuses provided for in the Sectoral Agreement are:

- 1) difficult working conditions = 10%,
- 2) dangerous working conditions = 10%,
- 3) humiliating working conditions = 25%,
- 4) harmful working conditions = 10% and specific bonuses for working underground, mining, etc., negotiated separately at company level.

The overtime bonus cannot exceed 25% of the basic wage. Workplaces must be designated with the agreement of the signatory parties to a collective labour contract.

The following are negotiated through collective labour contracts at company level:

- 1) luncheon and holiday vouchers, only if the company is free of state debt – the maximum value of a luncheon voucher is 9.35 lei per working day;
- 2) free transportation to and from the workplace or for regular visits to the family;
- 3) free meal, especially for those who are working in tunnels (underground) – in this case, the luncheon vouchers are no longer available.

Rewards may also be granted periodically.

Maximum working time and minimum rest

The normal working schedule is 8 hours per day and 40 hours per week.

For companies in the agreement, standard working time is 10 hours per day from April to November and an additional tariff is not paid. On the other hand, when work is interrupted by difficult winter conditions, insured workers do not actually work, but their individual labour contracts are not suspended: taxes and fees are covered by the SASeC member Construction Workers' Social Fund.

Saturdays, Sundays and Public Holidays are not working days. However, should work be required on these days, bonuses are granted, negotiated under collective labour contracts at company level or under individual contracts.

Minimum paid annual holiday

The annual holiday is a minimum of 21 working days and a maximum of 28 working days.

Minors between 16 and 18 years of age have a minimum of 24 working days' leave. New employees have from 20 working days' leave in their first year. The annual holiday may be divided up, provided that no fraction is less than 10 days. Holiday pay cannot be less than the basic wage. The annual holiday must be scheduled.

Useful links

- Romanian Immigration Office: www.ori.mai.gov.ro
- Labour Inspection (IM - Inspekția Muncii): controlling the transport activities in terms of labour relation and health and safety at work; www.inspectmun.ro
- General Federation of Trade Unions – FGS FAMILIA: www.fgs.ro; office@fgs.ro
- Joint Committee for Migrant and Posted Workers (MM): www.mm.org.ro

Type of discipline for temporary type of work

The activity of employment agencies is regulated in Romania under Government Decision

No. 1256/2011 on the operating conditions and authorisation procedure for temporary-work agencies and its Application instructions.

Information points

General Federation of Trade Unions – FGS FAMILIA: www.fgs.ro; office@fgs.ro

Joint Committee for Migrant and Posted Workers (MM): www.mm.org.ro

Ministry of Labour, Family, Social Protection and Elderly www.mmuncii.ro

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