

accace



The guide for employing foreign citizens (EU and non-EU) in Romania





EMPLOYER OBLIGATIONS IN REGARD TO FOREIGN CITIZENS

According to Romanian legislation, in order to employ foreign citizens, Romanian employers must fulfill certain obligations and must follow some steps that, in the case of citizens from outside the EU, are not very simple.

As such, the difficulty level in the employment process depends on the origin of the citizen that needs to be employed in Romania.

We will next detail the procedure that must be completed in the case of citizens coming both from and outside the EU space.

- **Employment of foreign citizens from the European Union (EU), European Economic Space (EES) or the Swiss Confederation (SC)**
- **Required documents for obtaining the Registration Certificate**
- **Employment of foreign citizens from outside the EU**
- **Long-term Visa and Single Permit**
- **Employment notice deadlines**

CONTENTS

Employment of foreign citizens from the European Union (EU), European Economic Space (EES) or the Swiss Confederation (SC)	4
Required documents for obtaining the Registration Certificate	5
Employment of foreign citizens from outside the EU	5
Worker Categories	7
Terms for the employment notice	7
Long-term visa	7
Single permit	8

EMPLOYMENT OF FOREIGN CITIZENS FROM THE EUROPEAN UNION (EU), EUROPEAN ECONOMIC SPACE (EES) OR THE SWISS CONFEDERATION (SC)

Considering that an employer wishes to employ in Romania a foreign citizen from the EU, EES or SC for more than 3 months, he must file for registration of residency for the expat citizen at the county offices of the General Inspectorate for Immigration.

A dossier must be filled, containing the following documents:

- Work contract in original/copy or a certificate issued by the employer (original)
- An application form
- A print screen from REVISAL (signed and stamped by the employer)
- Tax receipts

Based on the documents mentioned above, for the citizens of the EU, EES or SC employed on Romanian territory, the General Inspectorate for Immigration will issue a Certificate of Registration in the same day. This certificate is valid for a period of up to 5 years, but no shorter than 1 year.

At this time, based on the CNP received from IGI, the expat employee can be added to the 112 Statement without facing any issues at its validation and he will also be enlisted in the Social Security system.

The foreign employee must also request from the employer a certificate required for the doctor and must enlist at a family physician in Romania. This is due to the fact that one of the mandatory pieces of information required for declaring the CASS tax is the one in regard with the employee's regional Health House.

For the individual work contract, the salary is calculated as for a resident employee, local legislation being enforced. As such, the employer will calculate and retain social contributions and income tax in conformity with the legal requirements in effect at the moment the calculation is made. Until the 25th of next month, all these are declared through the 112 Statement and are paid to the state in the name of the employee.

In case of detachment, some aspects must be taken into consideration in order to identify in what state the employee is due to pay his social contributions. The income tax will be paid in Romania, because this is the central point of his interests, being the place where he performs the activities in order to obtain the income.

The income for the citizens detached in Romania is declared through Statement 224. This is a monthly statement and is handed in monthly by the detached at the ANAF branch where he has residency.

REQUIRED DOCUMENTS FOR OBTAINING THE REGISTRATION CERTIFICATE

In order to obtain the Registration Certificate, depending on purpose, the following documents must be handed in:

1. Employment

- Application Form
- ID Card/Passport (original and copy)
- Work contract (original and copy) or certificate issued by the employer (original)
- "Print Screen" from the general registry of employment records (REVISAL), in particular the section concerning information regarding the work contract, stamped and signed by the employer in order to authenticate it
- Taxes

2. Secondment

- Application Form
- ID Card/Passport (original and copy)
- Secondment contract, secondment address translated and authenticated as according to law and the address of the branch/company from Romania, in order to confirm the fact that the employee is detached for the period mentioned in the secondment contract
- Taxes

EMPLOYMENT OF FOREIGN CITIZENS FROM OUTSIDE THE EU

In this case, **the employer must obtain an employment notification**. The non-EU citizen may be employed with full-time 8 hours/day in Romania only by a single employer, be it an individual or a legal entity. Foreign citizens who hold a work permit may be employed by another employer with a part-time contract of up to 4 hours/day. The employer will obtain the employment notification from the local county branch of the General Inspectorate for Immigration where he has his head office. In order to do this, he must file a series of documents and pay a number of taxes.



Individuals that do not have Romanian citizenship or the citizenship of another EU or EES state may be employed in Romania, only if the following conditions are met:

- Special requirements regarding professional education, experience in the field and proper authorization are fulfilled
- Vacancies cannot be filled by Romanian citizens, EU or SEE member states citizens or permanent residents on Romanian territory
- Proof that the employee is medically able to perform his activity
- Have no criminal record that proves incompatibility with the work they perform or will perform in Romania
- Is included in the annual quota approved by Government Decision
- The employer has paid to day his obligations to the state
- The employer actually carries out the type of work for which the employment authorization is issued
- The employer must not have been sanctioned in the past 3 years for undeclared work or illegal employment

Depending on the type of activity that the employee performs here, there are multiple categories in which he may be classified: permanent workers, probationary, seasonal etc. After obtaining the work permit, the employer must forward this document to the employee, and he will obtain a long-term visa for employment from the proper diplomatic missions and the consular offices of Romania.

In order to obtain the visa, a serie of documents must be filled. The visa tax is EUR 120 and must be paid in the state in which the application is made.

Long-term visa is granted for a period of 90 days, with one or more trips allowed. After this step, the employee must obtain his single permit. The required documents are filed personally by the applicant (a picture will be taken) at the local branch of the General Immigration Inspectorate with at least 30 days prior to the expiration of the visa.

The single permit is renewed with at least 30 days before the expiration of the prior one. The salary is handled the same as in the case for EU citizens, as long as he is employed and detached.

Exceptions:

- Holds the position of administrator in a company with foreign participation and is the only person appointed to this position
- Is a professional athlete and has evidence that he/she performed a similar activity in another country
- Asks for an employment notice for trans-border workers
- Asks for an employment notice for seasonal workers

An employment notice is required in order to be employed in Romania even in the following situations:

- The employee originates from a state that does not require a visa in order to enter Romania;
- Has a right of residence due to family reunion reasons;
- Is detached on the territory of Romania.

WORKER CATEGORIES

Depending on the type of activity that is to be performed in Romania, one can be employed as a:

- Permanent worker
- Probationer worker
- Seasonal worker
- Cross-border worker
- Highly skilled worker
- Detached worker
- ITC worker

TERMS FOR THE EMPLOYMENT NOTICE

The General Immigration Inspectorate solves the request for releasing the employment notice in a **maximum term of 30 days** from the requests' registration. In the cases where extra checks are required, the term can be extended with a **maximum of 15 days**.

After obtaining the employment notice, the employer must send this document to the employee and he will obtain the long-term visa for employment from the diplomatic and consular missions of Romania.

Long-term visa

Required documents:

- A copy of the employment notice issues by the General Immigration Inspectorate, or, by case, documents from which results the fact that the foreign is eligible to be employed without an employment notice
- Proof of means of support at the level of the minimum gross wage guaranteed to be paid for the entire period mentioned in the visa
- Criminal record certificate or any other document with the same judicial value issue by the authorities of the state of domicile or residency
- Medical insurance valid for the entire period of the visa's availability

For secondment, the following documents are required:

- Copy of the secondment notice issued in accordance with the special legislation regarding the employment and secondment of foreign workers on Romanian territory
- Proof of means of support at the level of the minimum gross wage guaranteed to be paid



for the entire period mentioned in the visa

- Criminal record certificate or any other document with the same judicial value issue by the authorities of the state of domicile or residency
- Medical insurance valid for the entire period of the visa's availability

The visa tax is EUR 120 and is paid in the state where the solicitation is made.

The long-term visa is issued for a period of 90 days, with one or more trips included.

Single permit

After entering Romania, a single permit must be obtained. The required documents are filed personally by the applicant (a picture will be taken) at the local branch of the General Immigration Inspectorate with at least 30 days prior to the expiration of the visa.

For the first extension of the right of stay (obtaining the first single permit) for employment the following documents must be filed:

- Application
- Transit document (passport, travel title) in both original and copy
- Proof of legal possession of living space in both original and copy
- Work contract
- Salary
- Medical certificate
- Other taxes

The single permit is renewed with at least 30 days prior to the old one's expiration.

The General Immigration Inspectorate solves the request for releasing the employment notice in a maximum term of 30 days from the requests' registration. In the cases where extra checks are required the term can be extended with a maximum of 15 days.



Disclaimer

Please note that our publications have been prepared for general guidance on the matter and do not represent a customized professional advice. Furthermore, because the legislation is changing continuously, some of the information may have been modified after the publication has been released. Accace does not take any responsibility and is not liable for any potential risks or damages caused by taking actions based on the information provided herein.



ABOUT ACCACE



With more than 550 professionals, over 2000 international companies as customers and branches in 13 countries, Accace counts as one of the leading outsourcing and advisory services providers in Central and Eastern Europe.

Accace offices are located in the Czech Republic, Hungary, Poland, Romania, Slovakia, Ukraine, Bosnia and Herzegovina, Croatia, Germany, Macedonia, Montenegro, Serbia and Slovenia. Locations in other European countries and globally are covered via Accace's trusted network of partners.

CONTACT US!

E-mail: romania.office@accace.com

Tel.: + 40 314 050 440

[Online contact form](#)

[Subscribe to our Newsletter!](#)

MORE ABOUT US:

www.accace.com | www.accace.ro



..:accace