

GMS Flash Alert

Employment Law

2022-053 | March 11, 2022



Romania - Measures Adopted to Ease Ukrainians' Access to Labour Market

On Tuesday, 8 March, Romania's Emergency Ordinance no. 20/2022 was published in the Romanian official journal (*Monitorul Oficial*) setting out new support measures and humanitarian assistance for foreign citizens from Ukraine.¹ The changes were adopted in view of the current situation in Ukraine and the mass migration it has generated. (For related coverage, see [GMS Flash Alert 2022-045](#), 4 March 2022.)

WHY THIS MATTERS

The changes have been adopted by the government to support people who travel to Romania as a result of the armed conflict in Ukraine. The measures help ensure the right to education and health, protection of children and people with disabilities, as well as fiscal measures which aim to facilitate sponsorship and donations by companies.

One of the most important changes aims to smooth access of Ukrainian citizens to the Romanian labour market during the period of the armed conflict.

Right to Work in Romania

Ukrainian citizens who enter Romania, and do not request protection, can be employed in Romania without obtaining a work permit (an exemption from the normal rules for foreign citizens). They are granted the right to stay in Romania for work purposes, without being required to obtain a long-term visa for local employment.

In addition, they will have access to the Romanian unemployment system, under the same conditions applicable to Romanian citizens.

Ukrainian citizens who come from areas in Ukraine affected by the armed conflict, and who do not have supporting documents attesting their professional qualifications, can be employed, provided they file an affidavit with their

Romanian employer. The purpose of the document is to confirm that they do not have a criminal record and that they have the necessary professional qualifications for the job. Employment of Ukrainian citizens under these circumstances can be made for 12 months, with the possibility of extension for six-month periods up to a maximum of one year.

Romanian employers can set a probation period when concluding the employment contract, during which they are able to check that the employee meets the professional requirements of the job. Employment of Ukrainian citizens based on an affidavit is not possible for Ukrainian citizens who intend to exercise a regulated profession in Romania (e.g., doctor, nurse, architect, etc.) whether independently or as an employee.

KPMG NOTE

The Ordinance does not make any reference to immigration procedures for family members of Ukrainian citizens who have the legal right to stay in Romania or any tax and social security facilities applicable to either Ukrainian citizens employed in Romania as a result of the armed conflict or Romanian employees who make donations.

FOOTNOTES:

1 See "Ordonanta de Urgenta nr. 20 privind modificarea si completarea unor acte normative, precum si pentru stabilirea unor masuri de sprijin si asistenta umanitara," publicata in *Monitorul Oficial* nr. 231 (8 Martie 2022) at: <https://www.monitoruloficial.ro/Monitorul-Oficial-PI-231-2022.html>.

* * * *

Contact us

For additional information or assistance, please contact your local GMS or People Services professional* or one of the following professionals with the KPMG International member firm in Romania:



Mădălina Racovițan
Partner,
Head of People Services
Tel. +40 372 377 782
mracovitan@kpmg.com

Simona Duncă
Manager,
People Services
Tel. +40 372 377 800
sdunca@kpmg.com

* Please note the KPMG International member firm in the United States does not provide immigration or labour law services. However, KPMG Law LLP in Canada can assist clients with U.S. immigration matters.

The information contained in this newsletter was submitted by the KPMG International member firm in Romania.

© 2022 KPMG România SRL, a Romanian limited liability company and a member firm of the KPMG global organization of independent member firms affiliated with KPMG International Limited, a private English company limited by guarantee. All rights reserved.

www.kpmg.com

kpmg.com/socialmedia



© 2022 KPMG LLP, a Delaware limited liability partnership and a member firm of the KPMG global organization of independent member firms affiliated with KPMG International Limited, a private English company limited by guarantee. All rights reserved. Printed in the U.S.A. NDPPS 530159

The KPMG name and logo are registered trademarks or trademarks of KPMG International. The KPMG name and logo are trademarks used under license by the independent member firms of the KPMG global organization.

KPMG LLP is the U.S. firm of the KPMG global organization of independent professional services firms providing Audit, Tax and Advisory services. The KPMG global organization operates in 147 countries and territories and has more than 219,000 people working in member firms around the world.

Each KPMG firm is a legally distinct and separate entity and describes itself as such. KPMG International Limited is a private English company limited by guarantee. KPMG International Limited and its related entities do not provide services to clients.

Flash Alert is a GMS publication of KPMG LLP's Washington National Tax practice. To view this publication or recent prior issues online, please click [here](#). To learn more about our GMS practice, please visit us on the Internet: [click here](#) or go to <http://www.kpmg.com>.