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News Flash

November, 2018



**New legislative changes applicable to
the Romanian Labor Code**

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In the Official Gazette no. 963, from 14.11.2018, was published the Government Emergency Ordinance no. 96/2018 amending and supplementing the Labor Code - Law no. 53/2003 republished.

Thus, starting with 14.11.2018, the following provisions came into force:

1. Employed women can opt to continue the working relationships after the retirement age (63 years), by the age of 65, the employers being obliged to comply with their decision

- The individual labor contract ends lawfully "at the moment of the cumulative fulfillment of the standard age conditions and of the minimum retirement contribution or, exceptionally, for the woman employed who opts in writing to continue the execution of the individual labor contract, within 60 calendar days preceding the fulfillment of the standard age and the minimum retirement contribution for pension, at the age of 65 (...)" - Article 56 para. (1) letter c)
- "The employer cannot restrict or limit the right of the employee to continue the activity under the conditions stipulated in para. (1) letter c) the first sentence." - Article 56, para. (3)

2. The minimum gross basic salary is differentiated according to studies and length of service

- "By Government Decision, can be established an increase of the minimum gross basic salary per country guaranteed in the payment (...), differentiated according to the level of studies and the length of service." - Article 164, para. (1¹)
- "All rights and obligations established by law in relation to the minimum gross basic salary per country guaranteed in payment shall be determined using the minimum gross basic salary per country guaranteed (...)" - Article 164, para. (1²)

Please note that the minimum gross salary is to be increased by Government Decision either from 01.12.2018 or from 01.01.2019, but this document is still in the project stage.

We will revert with more details after the approval and publication of the Decision for the establishment of the minimum gross basic salary per country guaranteed in payment.

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