

PARLIAMENT OF ROMANIA – CHAMBER OF DEPUTIES

Executive Summary on

Opinion concerning the Proposal for a Directive of the European Parliament and of the Council on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers – COM(2013)236

Regarding the merits of COM (2013) 236, the Chamber of Deputies issued the following opinion, acknowledging the added value of the aforementioned proposal.

Thus, the Chamber observed that the proposal for a directive establishes a common framework suitable for the uniform application of the rights granted to workers and their families.

It also introduces legal obligations in order to guarantee appropriate remedies for migrant workers at national level; any EU worker who believes that has been the victim of discrimination on the grounds of nationality should be able to make use of appropriate administrative and/or judicial procedures to challenge the discriminatory behavior.

Furthermore, the proposal establishes measures stimulating national authorities to support migrant workers, where there has been a violation of their rights.

The Chamber agreed that the future directive shall significantly contribute to a better understanding and observance of the EU legislation, requiring Member States to ensure that the interested parties are better informed, with no further burdening of the employers.

This area is regulated in Romania by the *Government Expeditious Ordinance 102/2005* on the free movement in Romania of citizens of the EU Member States, the European Economic Area and the Swiss Confederation, establishing the conditions for the free movement, residence and permanent residence in Romania, as well as the limits of these rights based on public order, national security or public health. According to the aforementioned ordinance, the EU citizens and the members of their families, having residence on the Romanian territory, benefit from the same treatment as Romanian citizens in terms of the application of EU treaties.

For the EU citizens residing in Romania there are no restrictions concerning the access to the national labor markets.

The Chamber of Deputies also considered that the completion of the current EU legal framework would be useful and necessary in order to ensure the observance and the unitary and nondiscriminatory application of the EU legislation on the free movement of workers, especially the access to employment – the eligibility conditions and work conditions stipulated by article 45 TFEU and articles 1-10 of the Regulation (EU) no 492/2011. Furthermore, it considered that the transposition of the future directive into Romanian legislation will encounter no difficulties, given the fact that the citizens of other EU Member States have equal standing as the Romanian citizens when applying for a job on the Romanian territory.