



E-Handbook on Cross-border Enforcement

OSH for Mobile Workers

ROMANIA

Committee of Senior Labour Inspectors (SLIC)

Last version adopted at the 83rd SLIC Plenary in Stockholm, 10 May 2023

TABLE OF CONTENTS

FOREWORD	4
DIRECTORY	5
NATIONAL REPORT: ROMANIA	9
1. THE LABOUR INSPECTORATE	9
1.1. ORGANISATION OF THE LABOUR INSPECTORATE.....	9
1.2. NATIONAL LEGISLATION AND ILO CONVENTIONS RATIFIED ON LABOUR INSPECTION	10
1.3. COMPETENCES OF LABOUR INSPECTORS	10
1.3.1. Occupational Safety and Health (OSH)	10
1.3.2. OSH or Labour Law Matters	11
1.3.3. Labour Law	12
1.3.4. Social Security	12
1.4. INSPECTORS' POWERS	13
1.5. MECHANISMS OF COOPERATION AND EXCHANGE OF INFORMATION WITH OTHER NATIONAL PUBLIC BODIES	14
2. POSTING OF WORKERS	15
2.1. NATIONAL LEGISLATION	15
2.2. ADMINISTRATIVE REQUIREMENTS AND CONTROL MEASURES	15
2.2.1. Deadline to submit the declaration.....	15
2.2.2. Content of the declaration of posting.....	15
2.3. SOCIAL SECURITY PROCEDURES.....	16
2.4. WORK RELATED ACCIDENTS / OCCUPATIONAL DISEASES OF POSTED WORKERS	17
2.5. NATIONAL AUTHORITIES INVOLVED IN POSTING OF WORKERS.....	17
3. COOPERATION AND MUTUAL ASSISTANCE	18
3.1. LEGISLATION ON MUTUAL ASSISTANCE.....	18
3.2. BILATERAL AND MULTILATERAL AGREEMENTS ON LABOUR INSPECTION ..	18
3.3. REQUEST AND RECEPTION OF INFORMATION FROM OTHER INSPECTORATES	18
3.4. TOOLS FOR EXCHANGING INFORMATION	19
3.4.1. IMI (Internal Market Information System) for Posting of workers...19	
3.4.2. KSS (Knowledge Sharing System)	19
3.5. FINES AND EXECUTION OF FINES PROPOSED OR IMPOSED BY THE LABOUR INSPECTORATE	19
ANNEX E-HANDBOOK (UPDATING 2023)	22
1. About the Directive (EU) 2020/1057 of the European Parliament and of the Council of 15 July 2020 laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in the road transport sector and amending Directive 2006/22/EC as regards enforcement requirements and Regulation (EU) No 1024/2012	22
1.1. Transposition to National Legislation	22
1.2. Competences of the SLIC Member on road transport.....	22

2.	About Article 20.2.c) of Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers regarding health and safety conditions of workers' accommodation.....	23
2.1.	Transposition to National Legislation	23
2.2.	Competences of the SLIC Member on health and safety conditions on workers' accommodation	23
3.	About Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals.....	23
3.1.	Transposition in National Legislation	23
3.2.	Competences of the SLIC Member on sanctions and measures provided in this Directive	23
4.	JOINT AND CONCERTED INSPECTIONS ON OSH MATTERS	24
4.1.	Is it allowed to organise concerted and joint inspections on OSH matters with other inspectorates?	24
5.	NATIONAL INFORMATION AND INITIATIVES FOR MOBILE WORKERS	24
5.1.	Please describe the initiatives you have implemented (e.g.: website, flyers, documents...)	24
6.	COOPERATION WITH ELA.....	24
6.1.	Do you regularly collaborate with the national liaison officer?	24
6.2.	Could you provide any useful information regarding your participation in working groups, campaigns, training, etc.?.....	24

FOREWORD

The first version of the E-Handbook on Cross-border Enforcement was published in 2016 and updated in 2019. The last version was published in 2021 in the [Library of the SLIC public site](#) on the EU collaborative platform CIRCABC.

This last version had a format that enhances a better public disclosure of the organisation of the bodies and entities dealing with the inspection of occupational safety and health in EU Member States, as well as in Norway and Switzerland. The purpose of that E-Handbook was to provide labour inspectorates with informative tools to facilitate cooperation and mutual assistance with competent bodies from other countries.

The new working group on Mobile Workers on OSH matters, which replaced the previous working group dedicated to cross-border enforcement, was mandated to update the content of the E-Handbook for several reasons.

First, it was necessary to add new regulations such as the new Directive (EU) 2020/1057 laying down specific rules for posting of drivers in the road transport, a sector which moreover includes aspects related to the enforcement of working time under Directive 2006/22/EC, a matter that is considered a part of OSH legislation in many Member States.

Secondly, it was necessary to enlarge the content of that handbook following the new scope of the working group dedicated to mobile workers. A mobile worker is someone who works in more than one Member State or travels to other Member States as part of his job (posted workers, cross-border workers, seasonal workers, temporary workers, migrant workers...).

Therefore, the handbook should include information on the competence of SLIC Members on legislation about Third Country National workers. This includes Directive 2014/36 on seasonal workers in aspects related to the health and safety conditions such as workers' accommodation and Directive 2009/52 on sanctions. These directives have been explicitly mentioned in the current EU strategic framework on health and safety at work 2021-2027 in a changing world of work.

Moreover, it was necessary to complement some aspects related to the practice of concerted and joint inspections on OSH matters regarding the legal possibility to carry them out in each Member State.

Lastly, the SLIC working group considered that the easiest way to update the existing E-Handbook was to maintain its structure, with the updated information provided by Member States, and to complete it with new items gathered in a specific annex.

Finally, the handbook needed a new title reflecting its purpose and also support to gain more visibility among labour inspectors on the field.

We hope that this document will be a useful tool for national labour inspectorates and beyond, for all organisations involved in OSH matters for mobile workers.

This new updated version was announced to SLIC members at the 82nd Plenary session of 12 October 2022, held under the Czech Presidency.

DIRECTORY

Austria	<p>ARBEITSINSPEKTION</p> <p>Favoritenstraße 7 A-1040 Wien</p> <p>https://www.arbeitsinspektion.gv.at/inspektorat</p>
Belgium	<p>SURVEILLANCE ON WELL-BEING AT WORK and SURVEILLANCE ON SOCIAL LAW</p> <p>Blerotstraat/rue Blerot 1 B-1070 Brussels</p> <p>http://www.employment.belgium.be In Dutch: www.werk.belgie.be In French: www.emploi.belgique.be</p>
Bulgaria	<p>GLI EA (General Labour Inspectorate Executive Agency)</p> <p>http://www.gli.government.bg/en</p>
Croatia	<p>STATE INSPECTORATE</p> <p>Šubićeva 29, 10 000 Zagreb</p> <p>https://dirh.gov.hr/</p>
Cyprus	<p>DEPARTMENT OF LABOUR INSPECTION (DLI) http://www.mlsi.gov.cy/mlsi/dli/dliup.nsf/index_en/index_en?OpenDocument</p> <p>DEPARTMENT OF LABOUR (DL) https://www.mlsi.gov.cy/mlsi/dl/dl.nsf/index_en/index_en?OpenDocument</p> <p>DEPARTMENT OF LABOUR RELATIONS (DLR) https://www.mlsi.gov.cy/mlsi/dlr/dlr.nsf/home_en/home_en?openform</p>
Czech Republic	<p>STATE LABOUR INSPECTION OFFICE OF THE CZECH REPUBLIC</p> <p>Kolářská 13 746 01 Opava</p> <p>Email: opava@suip.cz https://www.suip.cz/web/en</p>
Denmark	<p>ARBEJDSTILSYNET</p> <p>Landskronagade 33 2100 København Ø</p> <p>Email: at@at.dk http://engelsk.arbejdstilsynet.dk/en/</p>
Estonia	<p>TÖÖINSPEKTSIOON</p> <p>Mäealuse 2/3, 12618 Tallinn Estonia</p>

	<p>Email: ti@ti.ee www.ti.ee</p>
Finland	<p>TYÖSUOJELUHALLINTO</p> <p>Email: tyosuojelu.viestinta@avi.fi https://www.tyosuojelu.fi/web/en</p>
France	<p>DIRECTION GÉNÉRALE DU TRAVAIL</p> <p>39-43 quai André Citroën 75902 Paris Cedex 15</p> <p>Email: dgt.dir@travail.gouv.fr https://travail-emploi.gouv.fr/ministere/organisation/article/dgt-direction-generale-du-travail</p>
Germany	<p>LASI Länderausschuss für Arbeitsschutz und Sicherheitstechnik (Gremium der Länder)</p> <p>LASI Vorsitz (bis 2024): Ministerium für Wirtschaft, Arbeit und Tourismus Baden-Württemberg;</p> <p>Theodor-Heuss-Straße 4, 70174 Stuttgart</p> <p>https://lasi-info.com</p>
Greece	<p>LABOUR INSPECTORATE</p> <p>8, Dragatsaniou str, 10110 Athens,</p> <p>Email: dpseaye@hli.gov.gr https://www.hli.gov.gr/</p>
Hungary	<p>MINISTRY OF ECONOMIC DEVELOPMENT, STATE SECRETARY OF EMPLOYMENT POLICY</p> <p>Kálmán Imre utca 2. Budapest, 1054-Hungary</p> <p>Email: munkavedelmi-foo@gfm.gov.hu http://www.mvff.munka.hu</p>
Ireland	<p>HEALTH AND SAFETY AUTHORITY</p> <p>The Metropolitan Building James Joyce Street Dublin 1</p> <p>Email: contactus@hsa.ie https://www.hsa.ie/eng</p>
Italy	<p>ISPETTORATO NAZIONALE DEL LAVORO</p> <p>Piazza della Repubblica, 59 00185 Roma</p> <p>https://www.ispettorato.gov.it</p>

Latvia	<p>VALSTS DARBA INSPEKCIJA (VDI)</p> <p>38 k-1, Kr.Valdemara Street Riga LV -1010</p> <p>Email: vdi@vdi.gov.lv https://www.vdi.gov.lv</p>
Lithuania	<p>STATE LABOUR INSPECTORATE OF THE REPUBLIC OF LITHUANIA (SLI)</p> <p>19 Algirdo str. LT-03607 Vilnius Lithuania</p> <p>Email: info@vdi.lt https://www.vdi.lt</p>
Luxembourg	<p>INSPECTION DU TRAVAIL ET DES MINES</p> <p>3 Rue des Primeurs, 2361 Strassen, Luxembourg</p> <p>www.itm.public.lu</p>
Malta	<p>OCCUPATIONAL HEALTH AND SAFETY AUTHORITY</p> <p>17, Triq Edgar Ferro, Pietà PTA 1533 Malta</p> <p>Email: ohsa@ohsa.mt http://www.ohsa.mt/</p>
Norway	<p>ARBEIDSTILSYNET</p> <p>Arbeidstilsynet Postboks 4720 Torgarden 7468 Trondheim</p> <p>Email: post@arbeidstilsynet.no https://www.arbeidstilsynet.no/en/</p>
Poland	<p>PAŃSTWOWA INSPEKCJA PRACY (PIP)</p> <p>28/30, Barska St., 02-315 Warsaw</p> <p>Email: kancelaria@gip.pip.gov.pl https://www.pip.gov.pl/en</p>
Portugal	<p>AUTORIDADES PARA AS CONDIÇÕES DE TRABALHO</p> <p>Praça de Alvalade, 1 1749-073 Lisboa</p> <p>Email: dir.mail@act.gov.pt http://www.act.gov.pt</p>

Romania	<p>INSPECTIA MUNCII</p> <p>Str. Matei Voievod, Nr. 14 Sector 2, București</p> <p>Email: comunicare@inspectiamuncii.ro www.inspectiamuncii.ro</p>
Slovakia	<p>NÁRODNÝ INŠPEKTORÁT PRÁCE</p> <p>Masarykova 10 040 01, Košice</p> <p>Email: nip@ip.gov.sk https://www.ip.gov.sk/home/</p>
Slovenia	<p>LABOUR INSPECTORATE OF THE REPUBLIC OF SLOVENIA (LIRS)</p> <p>Štukljeva cesta 44 SI-1000 Ljubljana</p> <p>http://www.id.gov.si/en/</p>
Spain	<p>ORGANISMO ESTATAL INSPECCION DE TRABAJO Y SEGURIDAD SOCIAL (OEITSS)</p> <p>Paseo de la Castellana 63 28046 Madrid</p> <p>https://www.mites.gob.es/itss/web/index.html</p>
Sweden	<p>THE SWEDISH WORK ENVIRONMENT AUTHORITY</p> <p>Svetsarvägen 12 SE 171 41 Solna</p> <p>Email: arbetsmiljoverket@av.se https://www.av.se/en/</p>
Switzerland	<p>STATE SECRETARIAT FOR ECONOMIC AFFAIRS (SECO) WORKING CONDITIONS – FEDERAL LABOUR INSPECTION</p> <p>Holzikofenweg 36 CH-3003 Bern</p> <p>Email: abea@seco.admin.ch www.seco.admin.ch/seco/de/home/Arbeit/Arbeitsbedingungen/Arbeitnehmerschutz.html</p>
The Netherlands	<p>NETHERLANDS LABOUR AUTHORITY</p> <p>PO Box 90801 2509 LV Den Haag</p> <p>https://www.nl labourauthority.nl/</p>

NATIONAL REPORT: ROMANIA

LABOUR INSPECTORATE	INSPECTIA MUNCII – Labour Inspectorate
OTHER COMPETENT AUTHORITIES	<ul style="list-style-type: none"> • National Institute of Public Health • Ministry of Economy • National Commission for Nuclear Activity Control • Ministry of Labour, Family, Social Protection and Elderly • National Research and Development Institute on Occupational Safety “Alexandru Darabont” • National House of Public Pensions • Ministry of National Defence • Ministry of Internal Affairs • National Administration of Penitentiaries • Romanian Intelligence Service • Foreign Intelligence Service • Special Telecommunications Service

1. THE LABOUR INSPECTORATE

1.1. ORGANISATION OF THE LABOUR INSPECTORATE

The Labour Inspectorate is a specialized body of central public administration subordinated to the Ministry of Labour and Social Justice and is seated in Bucharest. The Labour Inspectorate has territorial labour inspectorates set up in every county of Romania, acts as a state authority, providing the control exercise over labour relations (including undeclared work, safety and health at work and market surveillance).

Specific attributions for labour inspectors are structured on the two areas of activity in the enforcement of safety and health at work and market surveillance (OSH) and in the regulations in the enforcement of labour relations regulations (LR)

The number of labour inspectors at executive level (in 2017)

-	OSH : central level	27	territorial level	465
-	LR : central level	19	territorial level	871

1.2. NATIONAL LEGISLATION AND ILO CONVENTIONS RATIFIED ON LABOUR INSPECTION

The National legislation governing Labour Inspectorate has been set up and operates on the basis of Law no. 108/1999, republished, which is in line with the ILO instruments – Convention no. 81 and no.129.

Figure N° 1: International Conventions on Labour Inspection ratified

CONVENTION	RATIFIED	NOT RATIFIED
ILO Convention 81 on Labour Inspection in Industry and Commerce	X	
ILO Convention 129 on Labour Inspection in Agriculture	X	
Maritime Labour Convention 2006	X	
ILO Convention 187 on Promotional Framework for Occupational Safety and Health		X

1.3. COMPETENCES OF LABOUR INSPECTORS

1.3.1. Occupational Safety and Health (OSH)

The Labour Inspectorate (Inspectia Muncii) is the competent body on occupational safety and health with the exceptions listed below:

Figure N° 2: Map of competence on Occupational Safety and Health

MATTERS	COMPETENCE OF THE LABOUR INSPECTORATE	OTHER PUBLIC BODIES WITH COMPETENCE
OSH, in general terms	Yes	
Occupational Safety, in general terms	Yes	
Occupational Health, in general terms	No	National Institute of Public Health - Ministry of Health
Work-related accidents	Yes	National House of Public Pensions
Trade of Machines and Equipments	Yes	Ministry of Economy
Radiations	No	National Commission for Nuclear Activity Control
Explosives	Yes	National Institute for

		Research and Development in Mine Safety and Protection to Explosion
Mines	Yes	National Institute for Research and Development in Mine Safety and Protection to Explosion
Vessels	Yes	
Retail sector	Yes	
Horecca	Yes	
Agriculture	Yes	
Construction industry	Yes	
Aviation	Yes	
Railway	Yes	
Road Transport	Yes	
REACH	Yes	
Self Employed	No	
Police	No	
Civil Servants	Yes	With the exception those working in: National Administration of Penitentiaries and Secret Service Agencies
Military personnel and premises	No	Ministry of National Defence
Penitentiaries	No	
Customs	Yes	

1.3.2. OSH or Labour Law Matters

Figure N° 3: Map of competences in matters which could be considered within OSH or Labour Law

MATTERS	Yes	No
Working hours	X	
Bullying and harassment	X	
Third Party Violence	X	

1.3.3. Labour Law

Figure N° 4: Map of competences on Labour Law matters

MATTERS	Yes	No	COMMENTS
Salaries	X		
Equal Treatment	X		
Labour rights	X		
Foreign workers	X		
Others			<ul style="list-style-type: none"> identifying and tackling of undeclared work; matters related to the conclusion, execution, modification, suspension and termination of the individual employment contracts; the protection of Romanian citizens working abroad; the posting of workers in the framework of the transnational provision of services; the compliance with temporary work regulations; matter related to the completion and submission of the general register of employees; the activity by daily workers; record of collective agreements at the level of the enterprise; the protection and promotion of the rights of persons with disabilities; the apprenticeship; the rights of employees in the event of transfers of undertakings, businesses or parts of undertakings or businesses; the setting up of the general framework for informing and consulting employees.

1.3.4. Social Security

Figure N° 5 Map of competences on Social Security Matters

MATTERS	Yes	No	COMMENTS
Affiliation of workers (REGISTER)		X	The electronic register of employees contains data related to information contained in individual labour contracts, such as starting date, salary, job title, no of hours a day et cetera. This information is gathered and held at the Labour Inspectorate.
Contributions to Social Security		X	Social security refers to social contributions paid by employers,

System			which is not in the sphere of competence of Labour Inspectorate.
Social Security benefits		X	
Private pension funds		X	
Others			

1.4. INSPECTORS' POWERS

Figure N° 6: Map of Inspectors' powers

POWERS	Yes	No	COMMENTS
Visit workplaces	X		
Request for documents	X		
Summon employers to the Inspection Office	X		
Recommendations / Assistance	X		Supplying information to employers and employees on the means of complying with the legal provisions in its areas of competence - Law no. 108/1999, republished (Art.6, 1b); Providing services, specific to its field of activity - Law no. 108/1999, republished (Art. 6 , 1d);
Injunction / Improvement notice	X		Labour inspectors impose measures to the employer, with a view to remedying, in a determined period, the noncompliance observed - Law no. 108/1999, republished (Art. 19 i)
Initiate an administrative punishment procedure		X	
Initiate a judicial punishment procedures		X	
Imposing fines	X		Labour inspectors have the right to find contraventions and apply sanctions, as provided by the laws in force - Law no. 108/1999 republished (Art. 19, o).
Stoppage /	X		

Prohibition Notice			
Notify offences to the Public Prosecutor or the Judge	X		Labour inspectors have the right to refer the cases or situations identified as infringements to the criminal investigation authorities, when there is evidence of an infringement - Law no. 108/1999, republished (Art. 19, n)
Others			Labour inspectors have the right to impose the prohibition, the restriction, the withdrawing of a product from the market or recalling it, by specifying the reasons that led to this decision - Law no. 108/1999, republished (Art. 19, j).

1.5. MECHANISMS OF COOPERATION AND EXCHANGE OF INFORMATION WITH OTHER NATIONAL PUBLIC BODIES

Figure N° 7: Cooperation mechanisms with other national public bodies

BODIES	Yes	No	COMMENTS
Tax Authorities	X		
Social Security bodies	X		
Police	X		
Public Prosecutor		X	
Others			National Institute of Public Health General Directorate of Customs National Institute of Statistics In order to fulfil its responsibilities, the Labour Inspectorate shall co-operate at national and international level, on the grounds of protocols, agreements and memoranda concluded with similar bodies, inspectorate services of other areas, public or private organizations, organisations of social partners and any other organisation established and operating according to the law (Law no.108/1999, republished, Art. 8).

2. POSTING OF WORKERS

2.1. NATIONAL LEGISLATION

Posting of Workers Directive (Directive 96/71/EC) was transposed into the Romanian legislation by:

- Law no. 344/2006 concerning the posting of workers within the framework of transnational provision of services, repealed.
- GD no. 104/2007 for regulating a specific procedure on the posting of workers within the framework of transnational provision of services in the Romanian territory, repealed.
- Law No 16/2017 on the posting of workers in the framework of the transnational provision of services
- Decision No nr.337/2017 approving the implementing rules for the posting of workers in the framework of the transnational provision of services in Romania.

Figure N° 8: EU Directives on posting of workers implemented

DIRECTIVE	Yes	No	DATE
Directive 96/71	X		2006
Directive 2014/67	X		2017
Directive 2018/957		X	

2.2. ADMINISTRATIVE REQUIREMENTS AND CONTROL MEASURES

According to GD no 337/2017, undertakings posting workers to Romania have to submit a statement regarding the posting activity, in the Romanian language, to the territorial labour Inspectorate in charge of the county where the actual work will take place, at least one day prior to the beginning of work.

2.2.1. Deadline to submit the declaration

The undertakings/companies making the posting shall inform the territorial labour inspectorate of any change in the posting of workers within five days of its occurrence.

2.2.2. Content of the declaration of posting

Figure N° 9: Content of the posting declaration

COMPANY DATA		
	YES	NO
Identity of Service Provider	X	
Representative of the company in your country	X	

A person designated for acting as a representative into collective bargaining within the host Member State		X
Activity		X
Authorization in the sending MS		X
If it is a Temporary Work Agency or not		X
Identity Tax Number	X	

WORKERS DATA		
	YES	NO
Anticipated number of clearly identifiable posted workers	X	
Name of workers	X	
Nationality	X	
Age	X	
Role	X	

POSTING DATA		
	YES	NO
Envisaged beginning	X	
End date of the posting	X	
Anticipated Duration	X	
Address(es) of the workplace	X	
Nature of the services justifying the posting	X	
Contractor	X	

LABOUR CONDITIONS		
	YES	NO
Working hours		X
Salaries		X
Collective accommodation		X
Use of dangerous agents		X
Prevention services		X

2.3. SOCIAL SECURITY PROCEDURES

In Romania, the National House for Public Pension (NHPP) delivers the A1 forms.

Posting companies do not have to submit A1 forms to the authorities and the Labour Inspectorate does not have access to the portable A1 document.

Figure N° 10: Position of the Labour Inspectorate with regard to A1 forms

	Yes	No
Access to A1 forms delivered by national authorities		X
The Labour Inspectorate is consulted about the approval of A1 forms by competent institutions		X
Access to A1 forms delivered by other Member States		X

2.4. WORK RELATED ACCIDENTS / OCCUPATIONAL DISEASES OF POSTED WORKERS

Labour Inspectorate receives in some cases immediately and effectively notifications of work related accidents suffered by posted workers.

According to GD no 337/2017, undertakings posting workers to Romania have submit a statement, in the Romanian language, the territorial labour Inspectorate in charge of the county where the actual work will take place, at least one day prior to the beginning of work regarding the posting activity (see point 2.5).

The specific legislation does not mention any obligation of the undertaking making the posting to notify at once the territorial labour inspectorates on the accidents suffered by posted workers. In practice, few cases have been reported where posted workers who suffered accidents with temporary incapacity to work left Romania shortly after the event, thus making investigation procedures even more difficult.

2.5. NATIONAL AUTHORITIES INVOLVED IN POSTING OF WORKERS

Figure N° 11: Authorities involved in posting of workers

	Yes	No
Labour authorities	X	
OSH authorities	X	
Customs authorities		X
Tax authorities	X	
Social Security Institutions	X	
Others		

3. COOPERATION AND MUTUAL ASSISTANCE

3.1. LEGISLATION ON MUTUAL ASSISTANCE

Figure N° 12: Legislation and International Conventions signed and ratified

	RATIFIED / IMPLEMENTED	APPLICABLE TO L.I.	COMMENTS
Legislation on Mutual Assistance implementing Dir. 96/71 and Dir. 2014/67	Yes	Yes	Laws no. 344/2006 repealed and 16/2017
European Convention in Criminal Matters	Yes	No	
Convention 094 Council of Europe	No		
Others			

3.2. BILATERAL AND MULTILATERAL AGREEMENTS ON LABOUR INSPECTION

Figure N° 13: Bilateral Agreements signed

COUNTRIES	DATE
Hungary	2008
Spain	2009
Portugal	2009
Italy	2010
Cyprus	2011
Moldova	2012
Slovakia	2018
Moldova	2022

3.3. REQUEST AND RECEPTION OF INFORMATION FROM OTHER INSPECTORATES

Figure N° 14: Exchange of information from other Labour Inspectorates

MATTERS	YES	YES But subjected	NO

		to previous Protection Data Authorities supervision or approval	
Does current regulation in your country allow providing information directly to other Labour Inspectorates?	X		By the IMI
Does current regulation in your country allow receiving information directly from other Labour Inspectorates?	X		By the IMI

3.4. TOOLS FOR EXCHANGING INFORMATION

3.4.1. IMI (Internal Market Information System) for Posting of workers

Figure N° 15: Liaison office of the Labour Inspectorate in IMI

	Yes	No
Use of IMI by the Labour Inspectorate	X	
In affirmative case, specify the liaison offices	Central Authorities Labour Inspection Romania E-mail address:secretariatigs@inspectiamuncii.ro	

3.4.2. KSS (Knowledge Sharing System)

The Romanian Labour Inspectorate is registered in the KSS System and answers requests within its sphere of competences.

Labour Inspection Romania
E-mail address:secretariatigs@inspectiamuncii.ro

3.5. FINES AND EXECUTION OF FINES PROPOSED OR IMPOSED BY THE LABOUR INSPECTORATE

Figure N° 16: Nature of fines

	Yes	No
Penal or criminal fines		X
Administrative fines	X	
Others		

Figure N° 17: Execution time of fines

	Yes	No
After the first judgement of the courts		X
After the final judgement of the courts	X	
After the first administrative decision		X
After the binding administrative decision	X	
Others		

If the fine is impugned it will be executed after the final judgement of the court

Figure N° 18: Nature of Courts where fines can be appealed

	Yes	No
Penal/Criminal courts		X
Labour/Civil courts	X	
Courts for administrative affairs	X	
Others		

Figure N° 19: Authorities with competence to collect fines

	Yes	No
Labour Inspection Authorities		X
Labour/ Government Authorities		X
Tax/Customs Authorities	X	
Courts		X
Others		

Fiscal Authorities are competent to collect fines.

Figure N° 20: Legal framework to collect fines imposed by authorities from other Member States

	YES	IF YES, is it applicable to Labour Inspectorate proceedings?	NO Authorities supervision or approval	COMMENTS

Framework Decision 2005/214	X	No		
Directive 2014/67 on administrative fines	X	Yes		Law no. 16/2017
International or Bilateral Conventions			X	
Other National Rules				

ANNEX E-HANDBOOK (UPDATING 2023)

SLIC MEMBER: Mr Dantes Nicolae BRATU / alternate: Mr Cristian Bogdan CĂLINA
MEMBER STATE: ROMANIA

1. About the Directive (EU) 2020/1057 of the European Parliament and of the Council of 15 July 2020 laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in the road transport sector and amending Directive 2006/22/EC as regards enforcement requirements and Regulation (EU) No 1024/2012

1.1. Transposition to National Legislation

Transposition	National Law or Regulations	Date
Yes	Law No. 16/2017 with subsequent amendments, the last one on May 12, 2022	20 May 2017

1.2. Competences of the SLIC Member on road transport

LEGISLATION	COMPETENCE	COMMENTS
Regulations 1071/09, 1072/09 and 1073/09 on road transport activity	Yes	
Regulation 561/06 on driving time	Yes	
Directive 2006/22 on social legislation in road transport	No	
Article 1 of Directive 2020/1057 on posting of workers on road transport	Yes	

2. About Article 20.2.c) of Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers regarding health and safety conditions of workers' accommodation

2.1. Transposition to National Legislation

Transposition		National Regulations Collective Agreements	Law, or	Date
Yes		Ordinance No. 25/2014 with amendments, last on 28 October 2022		28 November 2014

2.2. Competences of the SLIC Member on health and safety conditions on workers' accommodation

COMPETENCE	COMMENTS
Yes	
No	NO

3. About Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals

3.1. Transposition in National Legislation

Transposition		National Regulations	Law or	Date
	No			

3.2. Competences of the SLIC Member on sanctions and measures provided in this Directive

COMPETENCE	COMMENTS
Yes	
No	NO

4. JOINT AND CONCERTED INSPECTIONS ON OSH MATTERS

4.1. Is it allowed to organise concerted and joint inspections on OSH matters with other inspectorates?

Yes, by legal rules	
Yes, by bilateral agreements	Yes
No	

5. NATIONAL INFORMATION AND INITIATIVES FOR MOBILE WORKERS

5.1. Please describe the initiatives you have implemented (e.g.: website, flyers, documents...)

On the website of the Labour Inspection, in the "Guidelines" section, there is the section "Transnational posting information", having the subsection "Transnational posting of drivers".

6. COOPERATION WITH ELA

6.1. Do you regularly collaborate with the national liaison officer?

Yes

6.2. Could you provide any useful information regarding your participation in working groups, campaigns, training, etc.?

Our labour inspectors took part among others at the following ELA actions:
Roadpol Truck&Bus Campaign
IMI-Prove Programme meeting dedicated to the new IMI System modules for road transport