

I AM A MIGRANT* WORKER,

these are my rights.

*non-EU







Under Romanian law, legally employed migrant workers have the same rights as Romanian workers.

Once you obtain a work visa and a permit, you are entitled to equal treatment in employment, health care, and access to public services and justice just like any Romanian citizen.

This brochure will mention the most useful rights you should know, grouped by category.

Note: This brochure provides general information, not legal advice. For specific issues, consult the appropriate authorities or legal experts.



EMPLOYMENT RIGHTS

Right to a work contract

You have the right to a written individual employment contract. This contract should clearly state your role, wages, working hours, and conditions. It must be registered with authorities and you have the right to receive a copy. A valid contract is required for your work permit and residency. Remember that the contract represents your will as well. You have the right to understand and agree to it prior to signing it.

Right to minimum wage and fair pay
By law, you must be paid at least the
legal minimum wage in Romania.
Employers cannot pay you less than a
Romanian worker for the same job. Any
agreed salary must be honored and paid
on time. Paying below the minimum
wage is illegal.

Right to limited working hours

Your working hours are limited by law for your safety and well-being. The standard work week is 40 hours (8h/day). The maximum legal limit is 48h/week, including overtime. Overtime must be voluntary and paid time off within 90 days, or with extra pay of at least 75% more than your regular salary. Overtime cannot be forced. You cannot be fired if you refuse to work extra hours. You have the right to rest, at least 1 day off per week and breaks during the workday. Excessive schedules (e.g. 10-12 hour days with no rest) violate the law.

Right to safe working conditions

You are entitled to a safe and healthy workplace. Employers must provide safety training, proper equipment (for example, helmets, gloves if needed), and ensure the workplace meets health and safety standards. If you face a dangerous situation, you have the right to refuse work that endangers your life or health.

Right to equal treatment & non-discrimination

It is illegal for employers to discriminate against you because you are a foreigner. You have the right to the same treatment as local workers in pay, promotions, and workplace conditions. For example, your employer cannot give better schedules or higher pay to Romanian workers just because of nationality. Harassment or abuse at work is not allowed. If you face

discrimination or abuse, you have the

Right to join a union

right to report it.

You have the right to join a trade union or workers' association. Unions can help protect your rights and represent you in conflicts. Your employer cannot punish you for union membership, that is against the law. In Romania, all workers have the right to freely join or form a trade union to protect their interests. You don't have to be a Romanian citizen to join a union.

Right to keep your documents

No one can take away your passport or permit. Your employer cannot legally withhold your identity documents. Unfortunately, some employers try to hold workers' passports, this is an abusive and illegal practice. Always keep your documents safe with you. Authorities can help if an employer

refuses to return your passport.





Passport TRC Contract **Work permit**

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VERY IMPORTANT!

IF YOUR EMPLOYER IS ABUSIVE, YOU WILL NEED PROOF.

Keep evidence of everything:

- Take pictures of every document you sign (contract, papers, pay slips).
- Save copies of work schedules, payslips, or messages about work.
- If possible, record conversations or threats (audio/video).
- Write down dates, names, and details of any abusive situation.

Without proof, it is much harder to defend your rights in front of the authorities or in court.

Workers cannot give up their legal rights. Any agreement where you "renounce" your rights is invalid and has no effect. Even if your employer asks you to sign away your rights, the law protects you.

MEDICINE

HEALTH CARE RIGHTS

Right to health insurance

If you are working legally, you are enrolled in the national health insurance system. Both you and your employer contribute to Romania's public health fund. Legally resident foreign workers have the right to health insurance and medical services just like Romanian citizens. Once you obtain your permit, you should receive a personal identification number which allows you to register with a family doctor (general practitioner).

Emergency care is free for everyone, even if you are not insured or if your stay is undocumented, but only in life-threatening situations.

Access to medical care

With health insurance, you have the right to use public healthcare services under the same conditions as Romanians. You can go to public clinics and hospitals for consultations, treatment, and prescriptions.

Specialized doctors in public hospitals can be seen if you first visit your family doctor (general practitioner). The family doctor gives you a referral ticket (bilet de trimitere). This document allows you to see a specialist or get certain medical tests free of charge or discounted within the public system. Without this referral, you may have to pay the full cost.



FAMILY LIFE AND INTEGRATION RIGHTS

Right to family reunification

If you hold a legal residence permit for at least one year, you have the right to apply for your immediate family to join you in Romania. This is called family reunification. Immediate family usually means your spouse (husband or wife) and your minor children. You must show you have stable income, suitable accommodation in Romania, health insurance, and that you can support your family. Upon approval, your family members can get long-stay visas and then residence permits in Romania for family reunification.

The application will be sent to IGI, General Inspectorate for Immigration. Your application will be solved within 3 months. You will receive a written answer.

- If approved, you must send the approval letter to your family members.
- They must take it to the Romanian embassy or consulate in their country within 60 days, together with their application for a long-stay visa for family reunification.

The next step is for your family members to obtain this long-stay visa at the Romanian embassy/consulate where they live.

Rights of family members

Family members who come to Romania on a reunification permit have the right to live, study, and (for adults) work in Romania. For example, your spouse can work in Romania without needing a separate work permit once they have a family reunification residence card. Your children have the right to go to school in Romania just like any other children – education is compulsory and free in public schools for school-age children.

RESIDENCE AND LEGAL STAY RIGHTS



Right to a residence permit

When you come to Romania for work, you initially receive a long-stay visa and then must obtain a temporary residence permit for employment. With a valid residence/work permit, you have the legal right to live and work in Romania for the duration of the permit. The permit serves as your identity document in Romania and proof of your legal status. It typically is granted for up to 1 year at a time (or the length of your work contract, if shorter) and can be extended/renewed annually as long as you continue to meet the requirements (employment, sufficient income, etc.).

Right to change employers

Romanian law allows you to change jobs or employers, but with some conditions. After you have completed one year with your initial employer, you are generally free to take a new job if you wish, but you have to update your work permit with the new employer's details. If you want to change your employer within the first year of your contract, current law requires that you obtain a written agreement from your initial employer (unless the employer failed to meet their obligations, such as not paying you). This rule, unfortunately, restricts your freedom to change jobs early on. So be aware that in the first 12 months, it can be difficult to switch jobs without your first employer's permission. After one year, you can change jobs by getting a new work authorization for the new employer (without needing the old employer's consent).

90-day unemployment grace period If your employment ends (for example, your contract is terminated or you resign) while you are in Romania, you have a legal grace period of 90 days to stay in the country and look for a new job. During this 90-day period you should urgently try to find a new employer who can sponsor a new work permit for you. After 90 days without a new work permit, your legal stay expires. There is no way to extend your legal residency beyond 90 days if you have no valid work permit or other permit.



VERY IMPORTANT

AS SOON AS 90 DAYS ARE OVER, YOU AUTOMATICALLY BECOME ILLEGAL.

If you do not have a valid permit after 90 days in Romania, your stay becomes illegal. From that moment, you risk fines, detention, and deportation. Right to appeal a return decision
If you are found staying illegally in
Romania, IGI (Immigration) can issue a
return decision. There are two types:

- Voluntary return most common.
 You are given a deadline to leave
 Romania on your own.
- Escorted return (deportation) if you are considered a risk (e.g. crossed the border illegally, identity not confirmed, already banned from entry).

Important to know:

The decision must be in Romanian and in an international language you understand.

You have the right to ask for translation of the main points.

You will receive the decision directly, by mail, or by posting at IGI's office.

You can contest the decision in court within 10 days.

- For voluntary return, court decides in 30 days.
- For escorted return, court decides in 5 days.

Usually, your appeal suspends the deportation until the court decides, but not in all cases (e.g. if declared "undesirable").

You have the right to a lawyer and interpreter. If you cannot afford one, you can ask for free legal aid.

Sometimes migrant workers become "illegal" even though it is not their fault. For example, maybe the employer forgot to send the documents to IGI, or the appointment at IGI was scheduled after the 90 days expired. In these cases, you have big chances of winning your case if you appeal.

EQUAL TREATMENT AND ACCESS TO JUSTICE



Equal access to services

You have the right to access public services and goods without discrimination. For example, you can open a bank account, rent housing, or get services from public institutions under the same conditions as locals. Service providers (landlords, banks, hospitals, etc.) cannot refuse you just for being a foreigner.

Right to non-discrimination

Discrimination is illegal in all areas of life. You cannot be denied housing, education, medical care, or other public services because of your nationality, race, religion, or ethnicity. If you experience discrimination (for example, a landlord or official treats you unfairly due to being a migrant), you have the right to file a complaint.

Right to justice and complaint If your rights are violated, you have the right to seek justice and help:

- You can report labor abuses (like unpaid wages, excessive hours, lack of contract) to the Labour Inspectorate (Inspectia Muncii). They can inspect and sanction employers for breaking labor laws.
- You have the right to sue your employer in court for breaches of contract or rights (e.g. if you weren't paid or were injured due to negligence) and ask for damages.
- If you face criminal exploitation (human trafficking, forced labor, physical abuse), you have the right to go to the police. Victims of human trafficking or forced labor have special protections and assistance in Romania, including possible temporary residence permits if you cooperate with authorities.

Protection from retaliation

Your employer cannot punish you for standing up for your rights. They cannot threaten to cancel your visa or deport you for complaining. While many migrants fear complaining due to dependence on the employer, remember that Romanian law prohibits firing or penalizing a worker for filing a complaint in good faith. If you are punished for speaking up, that itself is illegal.

Personal freedom

No one can confine you or seize your personal belongings. Practices such as confiscating your passport or locking workers in are against the law. You have the right to leave an employer after finishing agreed notice procedures. If an employer is holding you against your will or has taken your documents, you should contact the police or immigration authorities, as these acts can amount to criminal offenses (such as deprivation of liberty).

IMPORTANT TIPS AND REMINDERS

90-day rule

After losing your job, you have 90 days to legalize your status with a new job – **no exceptions!** There is currently no legal way to extend your stay beyond 90 days without employment or another basis. Overstaying can lead to a return decision and a ban on re-entry. Always keep track of your permit expiry and the 90-day clock if you stop working.

Changing jobs

Remember that if you want to change jobs in the first year, you need your current employer's approval by law. After 1 year, you can change employers more freely (with a new work permit application). Plan accordingly, try to resolve issues with your employer, and if you must leave, be aware of the bureaucracy involved so you don't run out of legal time.

Keep your documents safe

Never give your passport or residence permit to anyone except authorities when required. Employers have no right to hold your passport. If an employer asks for your documents "for safekeeping" or any reason, decline. Always keep copies of your documents (passport, visa, contract, permit) in a safe place. In case of loss or theft, report to the authorities immediately.

Important news for ride-hailing drivers and couriers in Romania: The National Trade Union Bloc (BNS) has launched the first national trade union dedicated to people working through digital platforms like Uber, Bolt, Glovo, Wolt, Blue, and others. This new union is called the Sindicatul Lucrătorilor de pe Platforme Digitale (SLPD), which translates to the National Union of Digital Platform Workers. Its goal is to bring together all platform workers, including foreign (non-EU) workers, so that you have a collective voice to defend your rights and improve your working conditions.

The union has set up regional contact points via WhatsApp and phone. You can directly reach out to a contact person in your area who can provide information and help you join:

- BNS Bucharest Center: 0721 720 342 – for Bucharest, Ilfov, Prahova, Dâmboviţa, Argeş, Giurgiu, Teleorman, Călăraşi, Ialomiţa.
- BNS Brăila Center: 0766 441 303 for Brăila, Galaţi, Vrancea, Buzău, Tulcea, Constanţa, Iaşi, Bacău, Vaslui, Neamţ, Suceava, Botoşani.
- BNS Craiova Center: 0752 073 447 for Dolj, Mehedinţi, Olt, Vâlcea, Gorj, Caraş-Severin, Hunedoara, Timiş, Arad.
- BNS Cluj Center: 0722 810 013 for Cluj, Alba, Sibiu, Braşov, Covasna, Harghita, Mureş, Bistriţa-Năsăud, Maramureş, Sălaj, Bihor, Satu Mare.

Feel free to send a WhatsApp message to the number for your region, in English or Romanian. Let them know you are a platform worker interested in joining the union. The union representatives will respond and help with any questions or next steps.

Information and help

In practice, accessing the rights in this brochure or filing complaints with institutions can be complicated, especially because of language barriers or unclear procedures. In such situations, NGOs working with migrants can be valuable partners. They can provide information, help with translation, and support communication with authorities, making the process more accessible and effective. Many issues arise from lack of information. Make sure you understand your contract and rights. If you are unsure, seek advice.

You can contact organizations for guidance on migrant rights. For example:

Centre for Legal Resources (CLR) - office@crj.ro

Romanian Forum for Refugees and Migrants (ARCA) - office@arca.org.ro

Migrasis Association - apmlromania@gmail.com

International Organization for Migration (IOM) Romania - iombucarest@iom.int

If you received a return decision, you can ask for legal assitance from:

Romanian National Council for Refugees (CNRR) - office@cnrr.ro



If you are a victim of human trafficking or know of somebody that is a victim of human trafficking, you can contact organizations like:

eLiberare Association - info@eliberare.com

ADPARE - adpare@adpare.eu

The General Inspectorate for Immigration (IGI) can also provide information on rules for staying in Romania.



Don't hesitate to ask for help if something seems wrong.



You don't just have obligations, you also have rights!

DIECT CO-FINANȚAT DE:



SCAN
THE CODE
FOR OTHER
LANGUAGES:

বাংলা සිංහල नेपाली





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