

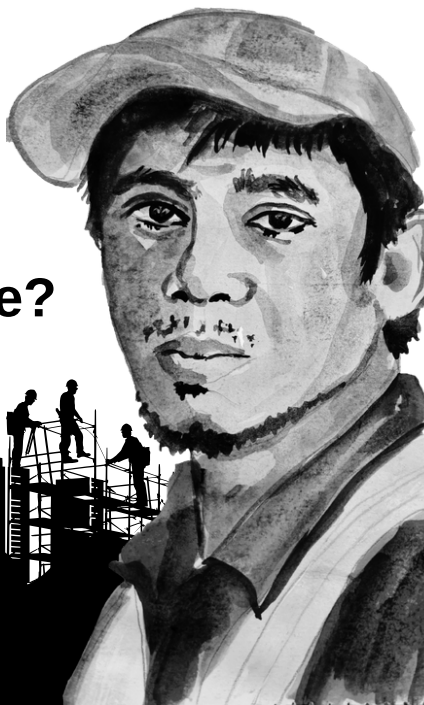


MINISTERUL JUSTIȚIEI
AGENȚIA NAȚIONALĂ DE ADMINISTRARE
A BUNURILOR INDISPONIBILIZATE



I AM A MIGRANT WORKER,

What does
the new law
say about me?



CENTRUL DE RESURSE
JURIDICE



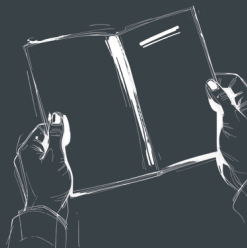
In 2026, the law regarding migrant workers changed. It is important that you read and understand how these changes will impact your situation. This brochure mentions the new regime of non-EU foreign workers* introduced by OUG 32/2026 and the most important rights you should know.

To work legally in Romania, you must have an employer in Romania and, in most situations, a long-stay visa for employment. The new procedure is based on the single application submitted through [WorkinRomania.gov.ro](https://workinromania.gov.ro).

**(except Ukraine, Serbia and Moldova)*

Note: This brochure provides general information, not legal advice.

For specific issues, consult the appropriate authorities or legal experts.



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, pay slips, 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.**

MAIN CHANGES:

- **You have to stay with your employer for your first 6 months in Romania ever, not one year at every employer. In order to leave before, they have to terminate your contract. If you wish to leave and they don't, you have to prove a very serious breach of the work contract.**
- **If you are hired through an agency, you have to stay at the same agency for your first 2 years in Romania ever. If you lose your job, your first agency has to offer you 2 jobs during the 90 days grace period.**
- **Salaries must be payed by bank transfers. Cash payment is illegal.**
- **The employer has provide you with Romanian culture and language courses for free.**
- **If the employers gives you the accommodation, it cannot be more than 25% of your salary.**

MAIN CHANGES:

- Not every employer can hire you. Big employers can get authorized online and hire you directly. Smaller employers can only get registered. They cannot hire you directly but through a placement agency. The agency must be authorized.
- If you are hired through an agency, you must also sign a placement contract (between you, registered employer, agency). This will not apply when you are hired directly. All contracts must be translated so that you understand what you sign.
- Work permits do not exist anymore. The online application is called a unique request. If approved, you are eligible for a TRC.

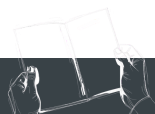
RESIDENCE AND LEGAL STAY RIGHTS

Right to a residence permit

When you come to Romania for work, you initially get a long-stay visa and then must obtain a temporary residence permit (TRC) for employment. With a valid TRC, you have the right to live and work in Romania. The TRC serves as your identity document in Romania and proof of your legal status. It is typically granted for up to 2 years at a time (or the length of your work contract, if shorter) and can be extended/renewed annually.

Unique Request vs. Work Permit

By the new law, works permits do not exist anymore. Now, when an employer wants to hire you, they must submit a Unique Request on WorkInRomania.Gov.Ro. If accepted, you will automatically be eligible for a TRC.



IMPORTANT:

If you do not find a job after 90 days of being unemployed, your TRC automatically expires, no matter the date inscribed on it. If your TRC expires before the 90 days, your right to stay in Romania expires at that date as well.



IMPORTANT:

Even if your TRC has a validity of 2 years, if during the 2 years you are unemployed for more than 90 days and do not find a certified employer or agency to submit a unique request on the platform, you automatically become illegal. Also, if your TRC expires before the 90 days (for example, TRC expires on 3 June 2027, 90 days expire on 31 July 2027), the right to stay in Romania also ends on the 3rd of June 2027, when the TRC expires.

EMPLOYMENT RIGHTS

By the new law, not every employer can hire migrant workers. There are two types of employers, **registered and authorized**. Authorized employers can hire you directly, without an agency. Registered employers cannot hire you directly, but only **through an authorized agency**, based on a **placement contract** (between: you, employer, agency). You can check agency status on www.workinromania.gov.ro. Employer status is not public, but you can ask them for proof of registration or authorization.

Exception: A registered employer can hire you directly (without an agency) if you have obtained a right to work under the previous law. This employer can only hire some foreign workers. The number of hired foreign workers should not exceed its average number of employees (including locals) for the previous year.

Agencies and employers in Romania are strictly forbidden to ask for recruitment or administration fees from you or to deduct from your salary. If you are asked to pay any amount (typically 1-2000 euros), you should know that this is an illegal practice, punished by the new law. This does not apply to agencies in your home country.

You can be asked to pay for your visa and TRC issue/renewal.

If your employer provides you with housing, they can charge you rent and deduct it from your salary, but monthly rent cannot exceed 25% of your monthly net wage.

Theoretically, not all jobs are available for migrant workers, as general non-EU recruitment (D/AM2 visa route) is permitted only for occupations officially listed as experiencing labor shortages. However, the list does contain the main jobs migrants usually have.

Right to a work contract

You have the right to a written individual employment contract (Contract Individual de Muncă). If you will be employed through an agency, you will also have to enter into an additional three-party (you, employer, agency) placement contract.

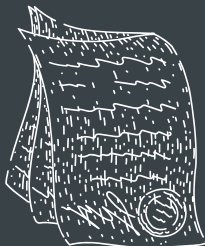
All contracts must also be translated in your language or another international language that you understand (e.g. English).

They must clearly state your role, salary, working hours, and conditions. The placement contract must also specify whether your employer will provide housing, transportation (initial journeys to Romania and from the airport to the workplace/residence as well as regular transport between your workplace and residence) or food. If the employer provides housing, the conditions must be specified.

The placement contract must also include contact details of several public authorities where you can report abuses.

You must receive a copy of each contract. You have the right to understand what the contracts say before you sign them, so take your time to read them.

The employment contract must be registered in REGES. If you want to check your contract, you can follow these steps:



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. By the new law, **wages must be paid only into a bank account held in your name, to ensure full transparency and auditability. Cash payments are illegal.**

Gross salary: 4325 lei/month

Net (in hand): 2699 lei/month



Employment taxes* in Romania are CAS (pension) (25%), CASS (health) (10%), and income tax (10%), plus the employer's contribution (CAM of 2.25%). The total taxes withheld from gross pay amount to 41.5%. They all go to the Romanian state.

**You cannot simply add the percentages together (25% + 10% + 10%) because the income tax applies to what remains after subtracting pension and health contributions, making the actual tax total 41.5%.*

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 compensated with paid time off within 90 days, or with extra pay at least 75% above your regular salary.

Overtime cannot be forced. You cannot be fired or suffer any other consequences (i.e. lower pay) if you refuse to work overtime. You have the right to rest at least 48 consecutive hours per week, and you have the right to breaks during the workday. Excessive schedules (e.g. 10-12 hour days with no rest) are illegal.



If you have such problems, document them (keep proof of everything) and file a complaint the the Labour Inspection.

Right to safe working conditions

You are entitled to a safe and healthy workplace. Employers must provide safety training, proper equipment (for example, helmets or 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.

By the new law, employers should provide you with confidential complaint mechanisms, including through the online platform [WorkInRomania.Gov.Ro](https://workinromania.gov.ro).



Please beware that all the complaints sent here will be seen by the Immigration authorities.

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 equal 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 report it to the Labour Inspection.

Right to join a union and strike

You have the right to join a trade union or workers' association. Unions can help protect your rights and represent you in conflicts. The law forbids your employer to punish you for union membership. In Romania, all workers have the right to freely join or form a trade union to protect their interests. The new law expressly mentions that you have the right to participate in strikes.

Right to keep your documents

No one, apart from the competent public authorities, can take away your passport or TRC. Your employer cannot legally withhold your identity documents.

Unfortunately, some employers try to withhold workers' passports, but this is illegal and punishable by fines. Your employer is only entitled to keep copies.



Always keep your documents safe with you. If an employer takes your documents, ask for them in written form (WhatsApp). Authorities can help if an employer refuses to return your passport or TRC. You can contact your county IGI, explaining the situation and attaching all the proof you have.

JOB CHANGES & RESIDENCY EXPIRATION

Right to change employers

Romanian law allows you to change jobs or employers, but with some conditions: During the first 6 months with your initial employer in Romania (from the date of the start of your work as registered in REGES), you generally CANNOT initiate a change of employer (i.e. by resignation).

IMPORTANT: If you breach the 6-month term, your employer can recover from you the amounts paid for your accommodation, transport and language/cultural courses.

If the employment terminates before 6 months through both party agreement (art. 55 b) or being fired (art. 61 of the Labor Code), another employer can hire you, but the conditions described in the “90-Day Grace Period and its limitations” below still apply.

After 6 months at the same employer, but before 2 years since you started working in Romania, you can initiate a change of employer, but only **through your placement agency**, except for the situation in which the authorization of the agency was revoked, in which case you can follow the standard procedure (i.e. find a new agency or authorized employer).

The law is silent regarding non-agency workers, which should mean that in this case, you are free to initiate a change of employer before the 2-year term (but the 6-month term still applies).

For agency placed workers, after the 2 years have passed, you still must find an agency to place you (but it can be a different one), unless you find work directly with an authorized employer.

If you want to leave before the 6-month term, you need to prove a serious breach done by the employer of the terms and conditions of the contract or of the employment relationship. This will take time and it is not an easy procedure, as you will need to file a complaint to the Labour Inspection first. However, you can always send a request to your employer on article 55, b): request to end the contract on the legal basis of both party agreement. If the employer accepts and gives you the termination letter, you can change your employer.

The **“release letter” (known as A-code or Acord)** provided by the old law no longer exists in the new regime. You only need the termination letter (**decizie de încetare**).

90-Day Grace Period and its limitations

If your employment ends while you are in Romania, you have a legal grace period to stay in the country and look for a new job. The grace period can last for:

- **90 days** from the registration of the termination of your employment, **if you do not get unemployment benefits, except if your TRC expires before the 90 days term, in which case the grace period ends on the expiry of the TRC,**
- the duration for which you get unemployment benefits, if applicable.

During the grace period:

- if you were placed through an agency, it must provide you with written documents containing at least two job offers; Your refusal will be submitted by the agency to IGI and ANOFM.
- if you worked directly with an authorized employer, it must connect you with an agency.

While the law does not expressly mention this, it should be possible for you to also find a new agency/authorized employer directly, if the 2-year term mentioned above has passed (for agency placed workers) or is not applicable.

If a new job cannot be found in these conditions, you will be returned to your home country.

**VERY IMPORTANT
AS SOON AS THE GRACE PERIOD IS
OVER, YOU AUTOMATICALLY
BECOME ILLEGAL.**

If you do not have a unique request submitted during the grace period, your stay becomes illegal. From that moment, you risk fines, administrative detention (but NOT criminal sanctions), and deportation.

LEGAL RIGHTS & PROCEDURES

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:

1. Voluntary return – most common. You are given a deadline to leave Romania on your own.
2. 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 should decide in 30 days. For escorted return, court should decide in 5 days. **In practice, both can take longer.**

Usually, your contestation 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. However, these are not covered by the Romanian state.

Sometimes, migrant workers fall into an irregular status through no fault of their own, for instance, if an employer fails to submit paperwork on time or if an IGI appointment is scheduled past the grace period deadline. In such situations, contesting may be an option, but outcomes vary widely: while some cases have been resolved successfully, others have been rejected. Every situation should be evaluated individually.

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 Labor Inspectorate (Inspekția 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.

Important rule for any complaint:

Always ensure you receive an official registration number (număr de înregistrare) when submitting a claim or petition to any institution. By law, authorities are required to provide an official response within 30 days (this does not apply to claims submitted in court, or administrative requests subject to special deadlines, only general petitions). Keep your registration number safe so you can follow up on the status of your request.

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:

Registration numbers contain a number and the date you submitted the request/complaint (Eg: Nr. 23/3.07.2028). You should either receive a small piece of paper with both or a confirmation e-mail containing the registration number.

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 TRC, 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.

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 trimiter). 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. Read more here:



FAMILY LIFE AND INTEGRATION RIGHTS

Right to family reunification

If you hold a TRC with a validity period of 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 requirements for family reunification can be consulted at any IGI office or online, on their website.

The application will be sent to IGI, General Inspectorate for Immigration. Your application should 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

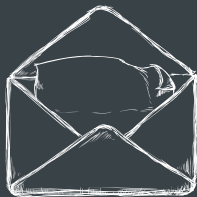
Family members who come to Romania on a reunification permit have the right to live, study, and (for adults) work in Romania. For example, your spouse can work in Romania without needing a separate work permit once they have a family reunification residence card. Your children have the right to go to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

Integration Rights

By the new law, employers are legally required to provide non-EU workers with at least 6 months of Romanian language and cultural orientation classes (minimum 6 hours/week). The costs are fully covered by the employer.



PUBLIC INSTITUTIONS



In Romania, you will always interact with public authorities. As a migrant, the most important public authorities are:

IGI – General Inspectorate for Immigration: Search on Google for your city/county and the keyword "IGI" for finding the relevant contact details. Ask for a registration number whenever you ask or complain.

IM – Labour Inspection: There are territorial offices and a general e-mail. Search on Google for your city/county and the keyword "ITM" for finding the relevant contact details. You can also use search on Google for „petiție ITM” and fill in their form.

ANITP – National Agency against Human Trafficking - You can hover through the map to find their contact on their website.

Police – You can go to the police station physically and complain. Ask for a registration number. You can also complain online if you search for „petiție online poliție”.

Prosecutor's Office – You can search on Google the name of the city you live in alongside the word „parchet”. Send the complaint on their e-mail. The e-mail should look like pt_ialomita@mpublic.ro or pj_sector_6@mpublic.ro.

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.

General Guidance:

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

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

Victims of Human Trafficking:

eLiberare Association: info@eliberare.com
adpare@adpare.eu

TRADE UNION:

Blocul Național Sindical: bns@bns.ro

**Acees here the text of the brochure
if you want to copy-paste it for
translations:**



**Still have questions?
Contact us at office@crj.ro**

DREPT: Protecție integrată pentru victime migrante
Centrul de Resurse Juridice
august, 2026

Proiect cofinanțat din valorificarea activelor confiscate în proceduri penale prin
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