

HR & PAYROLL ALERT

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Noi prevederi privind codul muncii

În Monitorul Oficial nr. 893/30.09.2020 a fost publicata Legea 213/2020 pentru modificarea și completarea Legii 53/2003 – Codul Muncii, ce prevede:

- Posibilitatea pentru fiecare parte (angajat si/sau angajator) sa fie asistata de catre un consultant extern specializat in legislatia muncii sau de catre un reprezentant al sindicatului atat la negocierea, incheierea sau modificarea contractului de munca, cat si pe durata concilierii unui conflict individual de muncă.
- Posibilitatea ca salariatii sa fie asistati pe durata cercetarii disciplinare de catre un consultant extern specializat in legislatia muncii sau de catre un reprezentant al sindicatului al carui membru este.
- Modalitatea de organizare a activitatii de resurse umane si salarizare de catre angajator:
 - a. prin asumarea de către angajator a atribuțiilor specifice;
 - b. prin desemnarea unuia sau mai multor angajați cu atribuții privind activitatea de resurse umane și salarizare;
 - c. prin contractarea unor servicii externe specializate în resurse umane și salarizare, coordonate de un expert in legislatia muncii

New provisions regarding labour law

The Law 213/2020 for amending the provisions of the Law 53/2003 – Labour Code, was published in the Official Gazette no. 893/ 30.09.2020, and stipulates:

- Each party (Employee and/or Employer) may be assisted by an external consultant specialised in labour law or by a trade union representative during negotiation, conclusion or amending the employment agreement, as well as during a labour conflict.
- The employees may be assisted during the disciplinary investigation by an external consultant specialised in labour law or by a representative of the trade union of which he is a member.
- Human resources administration and payroll computation may be organised as follows :
 - a. the employer assumes specific responsibilities
 - b. by appointing one or more employees with responsibilities in this area
 - c. by sub-contraction the function to a third party specialised in human resources and payroll calculation services, coordinated by an expert in labour legislation

Mazars Alert contains a selection of the latest major issues occurred in the Romanian legislative framework, it is intended only to provide information and, hence, shall not be deemed to provide professional advice or consultancy. Therefore, we assume no responsibility in this respect.

Should you require any information related to the foregoing, please do not hesitate to contact us.

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