

Legal Alert

September 25, 2019

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Amendment to the manner of applying the fines in case of breach of the legal provisions regarding overtime

On September 18, 2019, the Chamber of Deputies adopted the Law amending art. 260 para. (1) letter i) of the Law 53/2003 – Labour Code as follows:
*"Constitutes a minor offence and is sanctioned with a fine ranging from RON 1,500 to RON 3,000 the non-compliance with the provisions regarding the **overtime for each person identified as performing overtime.**"*



Amendment to the manner of applying the fines in case of breach of the legal provisions regarding overtime

The novelty brought by the Law refers to the **application of the fine**, in an amount ranging from RON 1,500 to RON 3,000, **for each person identified for whom the legal provisions regarding the additional work are not observed**.

The current regulation provides that the fines for non-compliance with the legal provisions regarding the overtime range between RON 1,500 and RON 3,000, without correlating the amount of the fine with the number of identified employees. Therefore, a small amount of the fine could not have a dissuasive effect.

Thus, the correlation of the amount of the fine with the number of employees performing overtime (for whom the legal provisions are not observed) was pursued, to ensure a proportionality between the fine and the scale of the contravention.

Important: The law will be sent for promulgation to the President of Romania, who can either promulgate it in the form presented above, or send it back for review to the Parliament. If the law is promulgated as adopted by the Chamber of Deputies, it will enter into force in 3 days after its publication in the Official Gazette.

For further questions regarding the aspects mentioned in this alert, please contact us.



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