



## HOW TO HIRE MY FIRST EMPLOYEE IN ROMANIA

### MAIN LEGAL STEPS TO FOLLOW TO HIRE A FIRST EMPLOYEE

To hire, a company must first register at the Territorial Labor Inspectorate and get access to the Electronic Register of Employees for recording all individual employment contracts.

The main steps to recruit employees are:

- Public declaration of the available job (through company recruiting, a job announcement on the company website, or on job sites, written press, a job announcement in the local employment agency workforce);
- Examining requests from potential employees;
- Interviews with candidates who qualify for the job;
- Testing the selected candidates, if necessary;
- Selecting the best candidate and notification the other ones about the decision made
- Proper hiring of the selected candidate which involves requesting certain documents from the employee (identity card, education and other certifications, medical certificate, attesting that the concerned person is able to perform the respective activity, other documents required depending on the type of work) and then concluding the individual employment contract with the selected employee and the job description with duties and responsibilities of the post.

### DESIGN AND CONTENTS OF AN EMPLOYMENT CONTRACT

The individual employment contract must contain:

- Identity of the parties, employer and employee with their identification data;
- Subject of the contract;
- Length of the individual employment contract (limited or unlimited);
- The workplace, where activity will take place;
- The position/occupation;
- Job description;
- Criteria for evaluating the professional activity of the employee;
- The length of work (full/partial);
- The length of the leave the employee is entitled to;
- The basic pay, other components of earned income;
- The payment frequency for the wage the employee is entitled to;
- Other clauses: the length of the probationary period, the conditions under which the contracting parties may give notice and its length;
- The rights and obligations regarding the employee and employer;
- How to solve conflicts related to the closure, performance, amendment, suspension or termination of employment.

### CAN SOMEBODY DO BUSINESS FOR ME AND NOT BE AN EMPLOYEE?

Besides a labor contract, a person can carry out activities for the company in the following forms, if related conditions are fulfilled:

- As day laborers, to run occasional unqualified activities, for which they are paid. Employment relationship is



- established by an agreement between the parties, without having to conclude an individual labor contract, for a period of at least one day;
- With civil contract for services, for occasional activities and excluding dependency report between employee and employer;
  - As authorized physical persons, who are authorized to perform economic activities based on professional qualification they hold, and are registered at the territorial fiscal bodies. Authorized physical person will issue an invoice for their services. Working with authorized physical person can be made only if these are independent activities.