



Dragi colaboratori,

Avand in vedere contextul actual generat de epidemia de COVID-19 (coronavirus), angajatorii care sunt in situatia de a-si reduce temporar activitatea, pot opta pentru somajul tehnic sau reducerea programului de lucru, in conformitate cu prevederile din Codul Muncii.

Astfel, pe durata reducerii și/sau a intreruperii temporare a activitatii, salariatii implicati in activitatea redusa sau intrerupta, care nu mai desfașoara activitate, beneficiaza de o indemnizatie, platita din fondul de salarii, ce nu poate fi mai mica de 75% din salariul de baza corespunzator locului de munca ocupat.

Aceasta indemnizatie se numeste somaj tehnic.

Pe durata reducerii și/sau a intreruperii temporare a activitatii, salariatii se vor afla la dispozitia angajatorului, acesta avand oricand posibilitatea sa dispuna reinceperea activitatii.

Somajul tehnic reprezinta suspendarea contractului de munca si se raporteaza in Revisal.

Perioada de somaj tehnic reprezinta vechime in munca.

Potrivit unui proiect de lege, Guvernul a anuntat ca pentru perioada suspendarii contractului individual de munca din initiativa angajatorului, in cazul intreruperii

Dear collaborators,

Considering the current context caused by the COVID-19 epidemic (coronavirus), the employers who are obliged to temporarily reduce their activity, can opt for technical unemployment or a reduction in working hours, in accordance with the provisions of the Labor Code.

Thus, during the reduction and/or temporary interruption of activity, employees involved in the reduced or interrupted activity, who are no longer in employment shall be entitled to an allowance paid from the salary fund which shall not be less than 75 % of the basic salary corresponding to the job occupied.

This allowance is named technical unemployment.

During the reduction and/or temporary cessation of work, employees will be available to the employer, who shall have at any time the possibility of ordering the recommence of the activity.

Technical unemployment represents the suspension of the employment contract and it is reported in Revisal.

The period of technical unemployment represents seniority in work.

According to a draft law, the Government announced that for the period of suspension of the individual employment contract on the initiative of the employer, in the event of

temporare a activitatii, indemnizatia de care beneficiaza salariatii va fi suportata de stat, in anumite conditii.

Astfel, pentru a fi considerat eligibil un operator economic, se iau in calcul urmatoarele date interne: balanta contabila, dovada contractelor suspendate, marimea companiei.

Totodata, firma nu trebuie sa aiba datorii la bugetul de stat si trebuie sa prezinte dovada contractelor de munca si obligativitatea pastrarii angajatului pentru cel putin inca 6 luni.

Potrivit Codului Muncii, o alta alternativa pentru angajatori ar fi reducerea programului de lucru de la 5 zile la 4 zile pe saptamana, cu reducerea corespunzatoare a salariului, pana la remedierea situatiei care a cauzat reducerea programului, dupa consultarea prealabila a sindicatului reprezentativ de la nivelul unitatii sau a reprezentantilor salariatilor, dupa caz.

temporary interruption of activity, the compensation to employees will be borne by the state under certain conditions.

Thus, for an economic operator to be considered eligible, the following internal data shall be taken into account: balance sheet, proof of suspended contracts, size of company.

At the same time, the company must have no debts to the state budget and must present proof of the employment contracts and the obligation to keep the employee for at least another 6 months.

According to the Labor Code, another alternative for employers would be to reduce working hours from 5 days to 4 days a week, with a corresponding reduction in wages, until remedying the situation that caused the reduction of the program, after consulting the representative union at the unit level or the employees' representatives, as the case may be.

Contact:

Florentina Susnea
Managing Partner
florentina.susnea@pkffinconta.ro

Maria Popa
Tax Manager
maria.popa@pkffinconta.ro