



Ordonanta de urgenta nr. 92/2020 pentru instituirea unor masuri active de sprijin destinate angajatilor si angajatorilor in contextul situatiei epidemiologice determinate de raspandirea coronavirusului SARS-CoV-2, precum si pentru modificarea unor acte normative

In vigoare de la 29 mai 2020

1. Incepand cu data de 1 iunie 2020, angajatorii ai caror angajati au beneficiat de indemnizatii de 75% din salariul de baza, ca urmare a suspendarii temporare a contractului de munca, din initiativa angajatorului, beneficiaza, pentru o perioada de trei luni, de decontarea unei parti din salariu, suportata din bugetul asigurarilor pentru somaj, reprezentand 41,5% din salariul de baza brut corespunzator locului de munca ocupat, dar nu mai mult de 41,5% din castigul salarial mediu brut. Angajatii trebuie sa fi avut o durata a suspendarii contractului individual de munca de minimum 15 zile in perioada starii de urgenta sau de alerta. Angajatorii au obligatia mentinerii raporturilor de munca pana la data de 31 decembrie 2020, cu exceptia lucrarilor sezonieri.
2. Nu pot beneficia de aceasta decontare, urmatoorii angajatori:
 - institutii si autoritati publice;
 - angajatorii care la data solicitarii acordarii acestor sume se afla in faliment, dizolvare, lichidare sau care au activitatile suspendate sau restrictii asupra acestora din alte motive decat cele generate de raspandirea coronavirusului SARS-CoV-2.

Emergency Ordinance no. 92/2020 for the establishment of active support measures for employees and employers in the context of the epidemiological situation caused by the spread of the SARS-CoV-2 coronavirus, as well as for the modification of some normative acts

In force since May 29th, 2020

1. Starting with June 1st, 2020, employers whose employees received benefits of 75% of the basic salary, as a result of the temporary suspension of the employment contract, at the initiative of the employer, benefit, for a period of three months, from the settlement of a part of the salary, supported from the unemployment insurance budget, representing 41.5% of the gross basic salary corresponding to the job occupied, but not more than 41.5% of the average gross salary gain. Employees must have had a duration of suspension of the individual employment contract of at least 15 days during the state of emergency or alert. Employers shall be required to maintain employment relationships until 31st December 2020, except for seasonal workers.
2. The following employers cannot benefit from this settlement:
 - public institutions and authorities;
 - employers who at the date of requesting the granting of these amounts are in bankruptcy, dissolution, liquidation or who have suspended activities or restrictions on them for reasons other than those generated by the spread of SARS-CoV-2 coronavirus.



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| <p>3. Sumele prevazute la pct.1 nu se cumuleaza cu subventiile care se acorda in cazul angajatilor pentru care angajatorii au incheiat cu agentii judetene pentru ocuparea fortei de munca, respectiv a municipiului Bucuresti contracte sau conventii in baza art. 80, 85 si 93⁴ din Legea nr. 76/2002</p> <p>4. De prevederile de la pct. 1, pot beneficia si persoanele care au conventii individuale de munca incheiate in baza Legii nr. 1/2005 privind organizarea si functionarea cooperatiei, republicata.</p> <p>5. In vederea decontarii unei plati din salariu, asa cum am precizat anterior, angajatorii vor suporta integral contravaloarea salariilor angajatilor care beneficiaza de prevederile prezentei ordonante de urgenta. Incepand cu data de intai pana la data de 25 a lunii urmatoare perioadei de raportare careia ii sunt aferente veniturile, vor depune electronic, la agentii pentru ocuparea fortei de munca judetene, precum si a municipiului Bucuresti, in raza carora isi au sediul social, urmatoarele documente:</p> <ul style="list-style-type: none"> - cerere semnata si datata (modelul va fi aprobat prin ordin al presedintelui Agentiei Nationale pentru Ocuparea Fortei de Munca, in termen de 5 zile de la intrarea in vigoare a prezentei ordonante de urgenta); - declaratie pe proprie raspundere; - lista persoanelor care beneficiaza de aceasta suma. <p>6. Decontarea se efectueaza in termen de cel mult 10 zile de la data indeplinirii de catre angajatori, a obligatiilor declarative si de plata aferente veniturilor din salarii si asimilate salariilor din perioada de raportare pentru care se face solicitarea, iar plata se va face prin virament in conturile deschise de angajatori la institutiile de</p> | <p>3. The amounts provided in point 1 are not cumulated with the subsidies granted in the case of employees for whom the employers have concluded with the county agencies for employment, respectively of the municipality of Bucharest contracts or conventions based on art. 80, 85 and 93⁴ of Law no. 76/2002</p> <p>4. The provisions of point 1 may also benefit persons who have individual labor conventions concluded based on Law no. 1/2005 regarding the organization and functioning of the cooperation, republished.</p> <p>5. In order to settle a pay from the salary, as previously mentioned, employers will fully bear the equivalent value of the salaries of employees who benefit from the provisions of this emergency ordinance. From the first date to the 25 of the month following the reporting period to which the income is related, they will submit electronically, to the county employment agencies, as well as to the municipality of Bucharest, within have their registered office, the following documents:</p> <ul style="list-style-type: none"> - signed and dated application (the model will be approved by order of the president of the National Agency for Employment, within 5 days from the entry into force of this emergency ordinance); - statement on one's own responsibility; - the list of persons benefiting from this amount. <p>6. The settlement is made within maximum 10 days from the date of fulfillment by the employers, of the declarative and payment obligations related to the incomes from salaries and assimilated to the salaries from the reporting period for which the request is made, and the payment is made by bank transfer in the accounts opened by</p> |
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credit.

7. Angajatorii care, in perioada 1 iunie 2020-31 decembrie 2020 incadreaza in munca, pe perioada nedeterminata, cu norma intreaga, persoane in varsta de peste 50 de ani ale caror raporturi de munca au incetat din motive neimputabile lor, in perioada starii de urgenta sau a starii de alerta, inregistrati ca someri in evidenta agentiilor pentru ocuparea fortei de munca judetene, respectiv a municipiului Bucuresti, primesc lunar, pe o perioada de 12 luni, pentru fiecare persoana angajata din aceasta categorie, 50% din salariul angajatului, dar nu mai mult de 2.500 lei.
 8. Angajatorii care incadreaza in munca, dar nu mai tarziu de data de 31 decembrie 2020, pe perioada nedeterminata, cu norma intreaga, persoane cu varsta cuprinsa intre 16 si 29 de ani inregistrati ca someri in evidenta agentiilor pentru ocuparea fortei de munca judetene, respectiv a municipiului Bucuresti primesc lunar, pe o perioada de 12 luni, pentru fiecare persoana angajata din aceasta categorie, 50% din salariul angajatului, dar nu mai mult de 2.500 lei.
 9. Prevederile de mai sus sunt aplicabile si in cazul incadrarii in munca a cetatenilor romani carora le-au incetat raporturile de munca cu angajatorii straini aflate in derulare pe teritoriul altor state, din motive neimputabile lor, prin concediere.
 10. In cazurile mentionate la pct. 7, 8 si 9, angajatorii au obligatia mentinerii raporturilor de munca pentru o perioada de minimum 12 luni de la implinirea termenului de 12 luni, prevazut anterior. In caz contrar, angajatorii sunt obligati sa restituie in totalitate, agentiilor pentru ocuparea fortei de munca sumele incasate pentru fiecare persoana pentru care a incetat
- employers at credit institutions.
 7. Employers who, between June 1st, 2020 and December 31st, 2020, hire, for an indefinite period, full-time, persons over 50 years of age whose employment relationships have ceased for reasons not attributable to them, during the state of emergency or alert status, registered as unemployed in the records of the county employment agencies, respectively of the Bucharest municipality, receive monthly, for a period of 12 months, for each person employed in this category, 50% of the employee's salary, but not more than 2,500 lei.
 8. Employers who are employed, but not later than December 31st, 2020, for an indefinite period, full-time, persons aged between 16 and 29 registered as unemployed in the records of the county employment agencies, respectively of the Bucharest municipality receive monthly, for a period of 12 months, for each person employed in this category, 50% of the employee's salary, but not more than 2,500 lei.
 9. The above provisions are also applicable in the case of employment of Romanian citizens whose employment relations with foreign employers in progress on the territory of other states have ceased, for reasons not attributable to them, by dismissal.
 10. In the cases mentioned in points 7, 8 and 9, the employers have the obligation to maintain the labor relations for a period of at least 12 months from the fulfillment of the term of 12 months, previously provided. Otherwise, the employers are obliged to reimburse in full, to the employment agencies the amounts collected for each person for whom the employment



raportul de munca anterior termenului mentionat, plus dobanda.

11. Acordarea indemnizatiilor prevazute la art. XI si art. XV din Ordonanta de urgenta a Guvernului nr. 30/2020 se prelungeste si dupa data de 31 mai 2020 pentru toate domeniile de activitate in care se mentin restrictii in conditiile Legii nr. 55/2020, pana la ridicarea acestor restrictii.

relationship ended before the mentioned term, plus the interest.

11. Granting the indemnities provided in art. XI and art. XV of the Government Emergency Ordinance no. 30/2020 is extended after May 31, 2020 for all fields of activity in which restrictions are maintained under the conditions of Law no. 55/2020, until the lifting of these restrictions.

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