



Stimati colaboratori,

**Legea nr. 145/2020 pentru modificarea si completarea Legii nr. 448/2006 privind protectia si promovarea drepturilor persoanelor cu handicap**

**In vigoare de la 25 iulie 2020**

**Publicata in Monitorul Oficial, Partea I nr. 648 din 22 iulie 2020. Forma aplicabila la 23 septembrie 2020.**

Protectia si promovarea drepturilor persoanelor cu handicap au la baza si principii privind:

- libertatea optiunii, a controlului sau/si a deciziei asupra propriei vieti, a serviciilor si formelor de sprijin de care beneficiaza;
- integrarea si incluziunea sociala a persoanelor cu handicap, cu drepturi si obligatii egale cu ale tuturor celorlalti membri ai societatii, cu respectarea nevoilor specifice persoanelor cu handicap.

- ❖ Prin *adaptare rezonabila la locul de munca* se intelege totalitatea modificarilor facute de angajator pentru a facilita exercitarea dreptului la munca al persoanei cu handicap; presupune modificarea si/sau adaptarea programului de lucru in conformitate cu potentialul functional

Dear collaborators,

**Law no. 145/2020 for the amendment and completion of Law no. 448/2006 on the protection and promotion of the rights of persons with disabilities**

**In force since July 25<sup>th</sup> , 2020**

**Published in the Official Gazette, Part I no. 648 of July 22<sup>nd</sup>, 2020. Form applicable on September 23<sup>rd</sup>, 2020.**

The protection and promotion of the rights of persons with disabilities are also based on principles regarding:

- freedom to choose, control and/or decide on one's own life, services and forms of support from which one benefits;
- integration and social inclusion of persons with disabilities, with rights and obligations equal to those of all other members of society, respecting the specific needs of persons with disabilities.

- ❖ *Reasonable adaptation to the workplace* means all the changes made by the employer to facilitate the exercise of the right to work of the disabled person; involves modifying and/or adapting the work schedule in accordance with the functional potential of the disabled person,

al persoanei cu handicap, achiziționarea de echipament asistiv, dispozitive și tehnologii asistive și alte măsuri asemenea.

- ❖ *Angajarea asistată* reprezintă opțiunea de angajare care facilitează munca în locurile de muncă obișnuite de pe piața competitivă a muncii și care presupune oferirea de sprijin în căutarea locului de muncă și la locul de muncă, transport, tehnologii ajutoare, instruire, specializare și adaptarea sarcinilor în conformitate cu potențialul persoanei cu handicap.
- ❖ *Unitate protejată autorizată* este acea entitatea de drept public sau privat, cu gestiune proprie, în cadrul căreia sunt angajate minimum 3 persoane cu handicap, care reprezintă cel puțin 30% din numărul total al angajaților, iar timpul de lucru cumulativ al acestora reprezintă cel puțin 50% din totalul timpului de lucru al tuturor angajaților, precum și orice formă de organizare aleasă pentru desfășurarea unei activități economice de către o persoană fizică detinătoare a unui certificat de încadrare în grad de handicap.

Este asimilată unității protejate forma de organizare pentru desfășurarea unei activități economice de către persoană fizică detinătoare a unui certificat de încadrare în grad de handicap, dacă aceasta:

- este autorizată în baza unei legi speciale să desfășoare activități independente, atât

purchasing assistive equipment, assistive devices and technologies and other similar measures.

- ❖ *Assisted employment* means the employment option that facilitates work in regular jobs on the competitive labor market and involves job search and job support, transportation, assistive technologies, training, specialization and job adaptation accordingly with the potential of the disabled person.
- ❖ *Authorized protected unit* is that entity under public or private law, with own management, in which at least 3 disabled people are employed, which represents at least 30% of the total number of employees, and their cumulative working time represents at least 50 % of the total working time of all employees, as well as any form of organization chosen for carrying out an economic activity by a natural person holding a certificate of disability.

It is assimilated to the protected unit the form of organization for carrying out an economic activity by the natural person holding a certificate of classification in the degree of disability, if it:

- is authorized on the basis of a special law to carry out independent activities, both

individual, cat si in una din formele de organizare ale profesiei respective;  
- este persoana fizica autorizata sau membru titular al unei intreprinderi individuale ori al unei intreprinderi familiale.

Persoanele care solicita incadrarea in grad de handicap beneficiaza de gratuitate pentru obtinerea documentelor medicale si pentru evaluarile medicale si psihologice solicitate in vederea intocmirii dosarului de evaluare complexa.

Finantarea activitatilor, evenimentelor, manifestarilor educative destinate copiilor si tinerilor cu handicap integrati in invatamantul de masa/invatamantul special integrat, organizate in invatamantul de masa/invatamantul special integrat, se poate asigura inclusiv prin parteneriat public-privat.

In cadrul procesului de invatamant, indiferent de nivelul acestuia, persoanele cu handicap au dreptul la dotarea cu echipament tehnic adaptat cerintelor educationale ale persoanei cu handicap, inclusiv aplicatii informatice sau dispozitive pentru transformarea textului scris/vorbit in forme alternative de comunicare vizuala, auditiva, augmentativa, dupa caz.

Pentru asigurarea accesului persoanelor cu handicap in unitatile si institutiile de invatamant, autoritatile publice au obligatia sa asigure pregatirea cadrelor didactice in vederea adaptarii practicilor educationale

individually and in one of the forms of organization of the respective profession;  
- is an authorized natural person or a member of an individual enterprise or of a family enterprise.

Persons requesting a degree of disability benefit free of charge for obtaining medical documents and for the medical and psychological evaluations requested in order to prepare the complex evaluation file.

The financing of activities, events, educational manifestations destined for children and young people with disabilities integrated in mainstream education/special integrated education, organized in mainstream education/special integrated education, can be ensured also through public-private partnership.

In the educational process, regardless of its level, people with disabilities have the right to be equipped with technical equipment adapted to the educational requirements of the person with disabilities, including computer applications or devices for transforming written/spoken text into alternative forms of visual, auditory, augmentative communication, as the case may be.

In order to ensure the access of the disabled persons in the educational units and institutions, the public authorities have the obligation to ensure the training of the teachers in order to adapt the educational



pentru elevii cu handicap din grupe sau clase de invatamant obisnuit.

Autoritatile administratiei publice locale, precum si societatile comerciale ce detin licenta de traseu au obligatia sa:

- achizitioneze mijloace de transport in comun adaptate nevoilor persoanelor cu handicap, dotate inclusiv cu sisteme de avertizare audio si video;
- adapteze mijloacele de transport in comun aflate in circulatie, in limitele tehnice posibile, conform reglementarilor in vigoare, pentru a raspunde nevoilor persoanelor cu handicap, inclusiv in ceea ce priveste dotarea acestora cu sisteme de avertizare audio si video;
- realizeze, in colaborare ori in parteneriat cu persoane juridice, publice sau private, programe de transport al persoanelor cu handicap.

Persoanele cu handicap grav beneficiaza de gratuitatea transportului interurban, la alegere, cu orice tip de tren, in limita costului unui bilet de tren interregio IR cu regim de rezervare la clasa a II-a, cu autobuzele sau cu navele de transport fluvial, pentru 24 de calatorii pe an calendaristic.

Persoanele cu handicap accentuat beneficiaza de gratuitatea transportului interurban, la alegere, cu orice tip de tren, in limita costului unui bilet la tren interregio IR cu regim de rezervare la clasa a II-a, cu autobuzele sau cu

practices for the disabled students from the usual educational groups or classes.

The local public administration authorities, as well as the companies holding the route license have the obligation to:

- purchase means of public transport adapted to the needs of disabled people, equipped with audio and video warning systems;
- to adapt the means of public transport in circulation, within the possible technical limits, according to the regulations in force, in order to respond to the needs of the disabled persons, including regarding their endowment with audio and video warning systems;
- carry out, in collaboration or in partnership with legal entities, public or private, transport programs for people with disabilities.

Persons with severe disabilities benefit from the free intercity transport, on request, with any type of train, within the cost of an interregional IR train ticket with a second class reservation regime, with buses or river transport ships, for 24 of trips per calendar year.

People with accentuated disabilities benefit from free intercity transport, at choice, with any type of train, within the cost of a ticket for an interregional IR train with a second class reservation regime, with buses or ships for river transport, for 12 trips per calendar year.



navele pentru transport fluvial, pentru 12 calatorii pe an calendaristic.

Persoanele cu handicap pot opta, la cerere, pentru acordarea gratuitatii la transportul interurban sau pentru decontarea carburantului necesar autoturismului adaptat handicapului, conform legii, si aflat in proprietatea acestora, fara a depasi suma de 1.500 lei, anual, pentru persoanele cu handicap grav, respectiv 750 lei, anual, pentru persoanele cu handicap accentuat.

Autoritatile publice au obligatia sa initieze si sa dezvolte forme de stimulare a angajatorilor, in vederea angajarii si pastrarii in munca a persoanelor cu handicap, inclusiv prin incurajarea acestora in sensul adaptarii programului si normelor de lucru.

Pentru integrarea persoanelor cu handicap in munca, angajatorii asigura accesul acestora la ocuparea unui loc de munca adaptat, dupa caz, in conformitate cu potentialul functional si capacitatea de adaptare a acestora.

Persoanei cu handicap i se garanteaza egalitatea de sanse in prestarea activitatii si i se asigura accesibilizarea locului de munca si adaptarea sarcinilor in conformitate cu potentialul sau functional.

Autoritatea Nationala pentru Persoanele cu Dizabilitati poate finanta sau, dupa caz, cofinanta programe de interes national in vederea accesibilizarii institutiilor si a cladirilor publice pentru toate persoanele cu handicap, indiferent de tipul de handicap.

Persons with disabilities can opt, upon request, for free intercity transport or for the settlement of fuel necessary for the car adapted to the disability, according to the law, and owned by them, without exceeding the amount of 1,500 lei, annually, for people with severe disabilities, respectively 750 lei, annually, for people with accentuated disabilities.

Public authorities have the obligation to initiate and develop forms of incentive for employers, in order to employ and retain people with disabilities, including by encouraging them to adapt the program and work rules.

For the integration of people with disabilities in work, employers ensure their access to employment adapted, as appropriate, in accordance with their functional potential and ability to adapt.

The disabled person shall be guaranteed equal opportunities in the performance of the work and shall be provided with access to the workplace and with the task adjusted in accordance with its functional potential.

The National Authority for Persons with Disabilities may finance or, as the case may be, co-finance programs of national interest in order to make institutions and public buildings accessible to all persons with disabilities, regardless of the type of disability.



Nerespectarea dispozitiilor prezentei legi constituie contraventie si se sanctioneaza cu amenda cuprinsa intre 10.000 lei- 100.000 lei.

Failure to comply with the provisions of this law constitutes a contravention and is sanctioned with a fine between 10,000 lei - 100,000 lei.

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