

# Global Immigration alert

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## Romania

### Romania introduces new rules on employment and secondment of third-country nationals

#### Executive summary

On 27 April 2026, the Romanian Government approved a law that introduces significant regulatory changes to the processes governing the employment of third-country nationals. The new legislation aims to regulate the activities of the foreign placement agencies to protect third-country nationals from abuse or exploitation by employers and agents, while also safeguarding the interests of Romanian workers as well as workers from the European Union (EU) or European Economic Area (EEA) member states and the Swiss Confederation.

#### Key developments

Government Emergency Ordinance No. 32/2026 entered into force on 27 April 2026 and introduced the following key changes:

- **Shortage occupations list:** The list facilitates the employment of permanent, seasonal or cross-border foreign workers in sectors where the local workforce is insufficient.
- **Foreign placement agencies:** Agencies now require authorization from the National Unemployment Agency and must comply with strict obligations, including:
  - Elimination of any commission, fee or charge payable by the foreign worker
  - Establishment of a financial deposit of €75,000 for the placement of up to 250 foreign workers, with the possibility to increase the deposit by an additional €50,000 for each subsequent tranche of 250 workers placed
- **Placement contract:** A signed contract between the placement agency, the employer and the foreign worker is required to clearly define the rights and obligations of each party and to prevent abuses, including the elimination of commissions charged to foreign workers.
- **Employment contracts:** Individual employment contracts must be concluded in bilingual format, in Romanian and in a language understood by the foreign worker. Previously, multinational companies, in most of the cases, had bilingual contracts.
- **Single request concept:** The new regulation eliminates separate work and secondment authorizations and introduces a unified employment process:
  - Placement agencies and authorized employers now have exclusive rights to submit applications for the D/AM2 Visa. Previously, the work authorization application, which is now replaced by the single request, was made by the employer.
  - Employers, whether authorized or not, may submit applications for the D/AM1 Visa. Previously, the work authorization application, which is now replaced by the single request, was made by the employer.
- **New [electronic platform](#):** The new platform supports employer and agency registration and authorization, the publication of the shortage occupations list, and the management of local employment applications. Previously, procedures were managed through separate platforms, largely paper-based submissions to multiple authorities, without a centralized digital interface. The new platform replaces this system with a single national portal for registrations, authorizations and applications.
- **Work visas:** The new D/AM1 Visa for highly skilled workers and the D/AM2 Visa for permanent, seasonal or cross-border workers will be issued for maximum 90 days of stay, with multiple entries.
- **Annual quota:** The regulation limits the admission of new foreign workers to those employed through single

requests for shortage occupations only. Previously, the single quota system applied to all categories of foreigners who applied for the right to work in Romania (i.e., highly skilled workers, permanent workers, assignees, seasonal workers, cross-border employees, athletes, etc.) and it was a standard procedure for employment.

- **Secondment:** Under the new regulation, secondment of third-country nationals is limited to assignments from the EU/EEA or the Swiss Confederation, or those falling under the intra-corporate transferee (ICT) framework.
- **Long-term Visas:** The new long-term visa for work purposes and vacation (D/VM) will be issued to eligible applicants and the visa validity will be determined based on Romania's treaties with other countries, and it cannot be extended.
- **Visa fees:** The visa fee of the long-stay visa is increased to €300 from €120 previously.

#### Impact on employers

Under the new legislation, employers that fail to comply with legal obligations or commit serious breaches may face fines of up to RON40,000, suspension or removal from the official registers, bans on hiring foreign workers, enforcement of financial guarantees to cover unpaid obligations and, in extreme cases, referral to the criminal authorities. Authorities may apply these measures cumulatively depending on the severity and recurrence of the violations. Additionally, as the new electronic platform is not yet operational, employers may face delays in hiring new foreign workers and should consider these timelines into their workforce planning to mitigate potential operational disruptions.

#### Key steps

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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