

Government Emergency Ordinance no. 4/2025 for amending and supplementing certain normative acts

In force from February 21st , 2025

- In 2025, the additional work performed within the special activities of an operative or unforeseen nature by the [...]mountain rescuers, beyond the normal working hours, on weekly rest days, public holidays and on other days when, in accordance with the regulations in force, no work is done, which cannot be compensated with appropriate free time in the next 90 days after the performance of overtime, shall be paid with an increase of [...]the basic salary due, at the minimum level established in art. 123 para. (2) of Law no. 53/2003 - Labor Code, republished, with subsequent amendments and completions. The authorizing officers have the obligation to order measures to ensure with priority the free time corresponding to the additional work performed, under the conditions of the law, without affecting the degree of efficiency of the missions.
- In 2025, for the activity carried out by military personnel, police officers and penitentiary policemen from public defense, public order and national security institutions on weekly rest days, public holidays and other days when, in accordance with the regulations in force, no work is done, as well as for overtime, which cannot be compensated with appropriate free time, performed beyond the normal working hours by these categories of personnel within the framework of special activities of an operative or unforeseen nature in the field of public order and safety, in compliance with the regime of the state border of Romania or in emergency situations, the rights provided by the legislation in force in November 2024 are granted. The payment of rights for overtime work performed within special activities of an

operative or unforeseen nature is made if the work thus performed has not been compensated with appropriate free time within 90 days from the moment of its performance.

- The above also applies
 - military personnel from the defense and national security institutions who perform permanent combat service, carry out special activities of an operative or unforeseen nature, as well as in emergency situations.
- When establishing the amount of rights due to the staff, the month of February 2025 is also taken into account, in full.
- The commanders/heads of units ensure a monthly, balanced planning of the work schedule in shifts/shifts, on weekly rest days, public holidays and on other days when, in accordance with the regulations in force, no work is done, for the subordinate personnel within the same formation. The balanced monthly planning of the work schedule in shifts, on weekly rest days, public holidays and on other days when, in accordance with the legal regulations, no work is done, is carried out in such a way that a person performs, in this way of working, a maximum of 40% of the normal duration of the monthly working time.
- The authorizing officers have the obligation to order measures to ensure with priority the free time corresponding to the additional work performed, under the conditions of the law, without affecting the degree of efficiency of the missions. In the case of overtime work, the payment of the rights is made with the approval of the superior hierarchical authorizing officer, based on a justifying report of the authorizing officer or, as the case may be, of the commander/head of the unit at the level at which the overtime work was performed, in which the reasons why it was not possible to grant the corresponding free time are presented.
- Starting with January 1st , 2025, the filling of vacant positions in public authorities and institutions by competition or exam is suspended, regardless of the financing and subordination system, including activities financed entirely from own revenues.
- The above provisions do not apply:
 - positions whose occupation has already been approved by the Government by memorandum until the date of entry into force of this Emergency Ordinance, the

competition for admission to residency, those necessary to be occupied by resident doctors/pharmacists/dentists who have passed the specialty exam [...], as well as vacancies related to projects financed from reimbursable external funds and paid from European funds and positions related to paid national research projects from public funds.

- public structures that provide emergency medical services, may occupy, under the law, the positions that become vacant during 2025.

- I. For the year 2025, the economic operators to whom the provisions of art. 9 para. (1) letter b) and para. (3) of Government Ordinance no. 26/2013, approved with additions by Law no. 47/2014, as subsequently amended and supplemented, may provide in the income and expenditure budget for the increase of salary expenses compared to the level approved in 2024 or in the last income and expenditure budget approved under the law, only as a result of maintaining the salary rights [...] in payment on November 30, 2024 for the number of personnel achieved at the end of this year, of the increase of the minimum gross basic salary per country guaranteed in payment for 2025 and of the other salary expenses related to it, only for the personnel who fall under these regulations, subject to the fulfillment of the following cumulative requirements:
 - a) not to increase/index or, as the case may be, not to provide for other salary increase mechanisms during 2025, for the rights representing salaries in payment on November 30, 2024;
 - b) maintaining in 2025 the level of food rights/food allowances/meal vouchers/food norms and other similar salary rights [...]in payment on December 31, 2024, granted according to the legal provisions;
 - c) the value of the hot meal granted to employees who carry out their activity at least 50% of the working time underground should not exceed the amount of 35 lei net for each day worked, regardless of the net monthly salary obtained. If the hot meal cannot be provided according to the specific legal conditions, the economic operators can grant its cash value or meal vouchers in the amount of 35 lei for each day worked;

- d) maintaining in payment the level of prizes, bonuses, bonuses, bonuses and other salary rights, in payment in 2024, granted according to the legal provisions, except for the social expenses provided for in art. 25 of Law no. 227/2015, as subsequently amended and supplemented, in the case of economic operators that have recorded accounting losses from previous years and plan losses in 2025, provided that the losses incurred on December 31, 2024 are reduced by at least 5% compared to the level achieved on December 31, 2024, as the case may be, or that the level of premiums is maintained in payment, bonuses, bonuses, bonuses and other salary rights, payable in 2024, granted according to the legal provisions in the case of economic operators who do not have accounting losses from previous years and do not plan losses in 2025, except for the amounts representing the employees' participation in profit and social expenses provided for in art. 25 of Law no. 227/2015 [...], with subsequent amendments and completions;
- e) not to schedule in 2025 the increase in the number of personnel compared to that achieved in 2024.
- II.** The economic operators to whom the provisions of art. 9 para. (1) letter b) and para. (3) of Government Ordinance no. 26/2013, approved with additions by Law no. 47/2014, with subsequent amendments and completions, and which provided through special laws for the possibility of establishing basic salaries in relation to the minimum gross basic salary in the country guaranteed in payment and which in 2024 did not grant salary increases as a result of its increase, may provide for the increase of the expenses provided for in para. (1) with the difference between the minimum gross salary per country guaranteed in payment on January 1st, 2025 and the last minimum gross salary per country guaranteed in payment provided in the salary scale, provided that the requirements provided in para. (1) letters b) -e) and ensuring the sources of financing this increase from the increase of own revenues by at least the amount necessary for the increase.
- III.** The economic operators to whom the provisions of art. 9 para. (1) letter b) and para. (3) of Government Ordinance no. 26/2013, approved with additions by Law no. 47/2014, as subsequently amended and supplemented, whose shares are admitted to trading on a

regulated market and their subsidiaries, which in 2024 have made a profit and do not register outstanding payments as of December 31, 2024, may schedule in 2025 the increase of salary expenses above the limit provided for in para. (1), with the amounts representing increases in salary expenses related to the average price growth index forecast for 2025, provided that a positive gross result is programmed in 2025.

- IV.** The amounts representing increases in salary expenses related to the average price growth index forecast for 2025, provided above, may be granted starting with the month following the approval of the income and expenditure budget or the rectified income and expenditure budget and may not exceed the level of this index on a monthly basis.
- V.** The economic operators to whom the provisions of art. 9 para. (1) letter b) and para. (3) of Government Ordinance no. 26/2013, approved with additions by Law no. 47/2014, as subsequently amended and supplemented, which have production capacities of national strategic interest and which represent fundamental security interests of the country, may provide in the income and expenditure budget for 2025 for the increase of salary expenses compared to the level achieved in 2024, without complying with the provisions of item 47/2014. I, if they meet one of the following conditions:
- a) have recorded operating profit in one of the last three years;
 - b) carries out technological and industrial cooperation activities for security and defense;
 - c) carries out strategic investments approved by memoranda in the Government;
 - d) is in the process of reorganization, restructuring or refurbishment;
 - e) implements projects financed or co-financed from European funds.

- VI.** The economic operators provided for in items II and III may occupy, according to the procedures existing at their level, the positions that become vacant during 2025.

Note: The content of this newsletter does not represent specialized consultancy but is provided for general informational purposes. For further details, please contact us.

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