

LEGAL FLASH

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Legal



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- ▶ Law no. 55 of May 15, 2020 regarding some measures to prevent and combat the effects of the COVID-19

Law no. 55 of May 15, 2020 regarding some measures to prevent and combat the effects of the COVID-19

In the context of the cessation of the state of emergency in Romania on May 15, 2020, law no. 55/2020 was published in the Official Gazette of Romania regarding some measures to prevent and combat the effects of the COVID-19 pandemic, in force since May 18, 2020 ("**Law**").

The law defines the state of alert as "*the set of measures of a temporary nature, proportionate to the level of severity manifested or forecasted and necessary to prevent and remove imminent threats to life, health, environment, important material and cultural values or property*", in response to an emergency situation of special magnitude and intensity, determined by one or more types of risk.

The state of alert can be established by the Government by decision, at local, county or national level, for a period of no longer than 30 days, with the possibility of extension.

Among the measures of interest established by law are the following:

- the employer may order, with the employee's consent, the carrying out of the activity in telework or work at home regime, the modification of the workplace or of his attributions;



- the validity of the collective bargaining agreements and the collective labor agreements is extended during the state of alert, as well as for a period of 90 days from its termination, with the obligation to initiate collective bargaining within 45 days from the termination of the state alert;
- in the case of the debtor who has ceased his activity totally or partially as a result of the measures adopted during the state of emergency, maintained, as the case may be, and during the state of alert, the creditors may formulate, during the state of alert, a request to open the insolvency proceedings only after a reasonable attempt, proved by documents communicated between the parties by any means, to conclude a payment agreement;
- the possibility of suspending certain deadlines in connection with the observation period, the proposal and execution of the judicial reorganization plan and the negotiation period on the draft preventive composition agreement have been extended as well.
- the contraventions listed in Law 55/2020 will be sanctioned depending on their severity – a 4 category distribution having been provided for - their amounts ranging between 500-2,500 lei and 3,000-15,000 lei.

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