


## Financing adult learning database

<b>Name of the instrument - Local language</b>	Concediu de formare profesionala
<b>Name of the instrument - English translation</b>	Training leave
<b>Scheme ID</b>	188
<b>Country</b>	 Romania
<b>Reporting year</b>	2015
<b>Type of instrument</b>	Training leave
<b>Type of entry</b>	Single instrument
<b>Short description</b>	Employees have a right to receive training once in 2 years (once in 3 years in companies with up to 20 employees). When employer does not offer training, individuals have the right to a paid educational leave of 10 days/80 work hours.
<b>Short description of the related instruments</b>	nap
<b>Level of operation</b>	National
<b>Name of a part of the country</b>	nap
<b>Name of the region (for regional instruments)</b>	nap
<b>Name of the sector (for sectoral instruments)</b>	nap
<b>Relevance</b>	Marginal scheme
<b>Legal basis</b>	Law 53/2003 - Labour Code, with further updates, art. 51, 154 - 158 (provisions on financing of training leave) Government order 129/2000  Collective agreements for certain professions: agreements between parties or internal decisions of certain professional bodies (e.g. The Bar)
<b>Objective(s) and target(s)</b>	Labour Code states the right of the employee to access vocational/professional training. Training leave is an

	instrument meant to assure the minimal resources of time to that respect.
<b>Year of implementation</b>	2003
<b>Year of latest amendment</b>	2015
<b>Operation/management</b>	<p>Employers are obliged to assure vocational/professional training of employees once every 2 years in companies with over 20 employees and once every 3 years in companies with 20 employees or less. If training is not provided by employer, employee has the right to a paid training leave of 10 working days/80 work hours for vocational training.</p> <p>Employees enrolled in accredited training/educational programmes have the right to 30 days of non-paid training leave in a year. Employer cannot refuse non-paid leave if properly announced 30 days before, unless serious damage to production processes may be caused by the absence of the employee. Actual duration can be longer, if employer agrees, depending on the duration of the course. Both paid and non-paid training leave are assimilated to normal work periods.</p>
<b>Eligible group(s)</b>	All employees
<b>Group(s) with preferential treatment</b>	None
<b>Education and training eligible</b>	No limitation. Accredited programmes cannot be refused by the employer if the employee takes the initiative.
<b>Source of financing and collection mechanism</b>	Employer, if training is initiated by employer Employee
<b>Financing formula and allocation mechanisms</b>	<p>No specific financing mechanisms are established. Financing arrangements depend on who initiates the training, the duration and specificity of the training/educational programme and the negotiation between employer and employees, observing also the collective agreements.</p> <p>If training is initiated by employer, all costs are born by him. Where the employer fails to fulfil its obligation to provide training to its employees, training leave is treated the same way as if the employer had initiated the training. No compensation to employer is awarded, but the costs are deductible in the calculation of the profit for taxation.</p> <p>Where training is at the employee's initiative, the Labour Code leaves to the employer the decision on terms of participation, including duration (no minimum/maximum specified by law) and coverage of (direct) training costs.</p> <p>Training leave can be also unpaid, but recorded as active work in the work record.</p>
<b>Eligible costs</b>	Specific arrangement

<b>Volumes of funding</b>	na
<b>Beneficiaries/take up</b>	na
<b>Organisation responsible for monitoring/evaluation</b>	Ministry of Labour monitors the implementation of the Labour Code. Labour Inspection (agency under the Ministry of Labour) ensures current monitoring and control of the employment contracts and their implementation. No specific tasks are mentioned in relation to training leave.
<b>Most relevant webpage - in English</b>	na
<b>Most relevant webpage - local language</b>	na
<b>Recent changes</b>	<p>2013 - major modification of the Labour Code - the obligation for the employer to assure a 10 days paid training leave every 2 years is modified in a lighter formulation.</p> <p>Last modification of the Labour Code, in January 2015, enhances its status, specifying that non-paid training leave does not affect the work record of the employee for the calculation of their rights to the annual leave.</p>
<b>Sources</b>	<p>Ministry of Labour: Legea nr. 53/2003 - Codul Muncii, republicat in 2011 (Law no. 53/2003 Labour Code, republished in 2011) - <a href="http://www.mmuncii.ro/pub/imagemanager/images/file/Legislatie/LEGI/LEGE...">http://www.mmuncii.ro/pub/imagemanager/images/file/Legislatie/LEGI/LEGE...</a></p> <p>Official Monitor: Legea nr. 12/2015 privind modificarea Legii 53/2003 Codul Muncii (Law no 12.2015 on modification of Law 53/2003 Labour Code) - <a href="http://www.dreptonline.ro/legislatie/legea_12_2015_modificare_lege_53_2...">http://www.dreptonline.ro/legislatie/legea_12_2015_modificare_lege_53_2...</a></p> <p>Labour Inspection: Raport de activitate 2013 (Activity report 2013) - <a href="http://www.inspectmun.ro/site/RAPORT%20ANUAL/Raport_2013/RaportIM_2013...">http://www.inspectmun.ro/site/RAPORT%20ANUAL/Raport_2013/RaportIM_2013...</a></p>