

FLEXIBLE WORK ARRANGEMENTS AS A MECHANISM FOR PROMOTING WORK–LIFE BALANCE. A REVIEW OF BEST PRACTICE MODELS UNDER ROMANIAN LAW

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Abstract: *Work–life balance represents a fundamental determinant of employees’ optimal functioning, and its effective operationalisation requires the integration of appropriate mechanisms throughout the working day. The study advances an applied conceptual framework regarding the work flexibilization in Romania, corresponding to the three principal dimensions of work flexibility, namely: time flexibility, timing flexibility and place flexibility, grounded in an integrative analysis based on legal and doctrinal premises and further enriched by insights derived from relevant studies.*

Key words: *work – life balance, well-being, flexible work arrangements*

1. Introduction

Over the past few decades, employees have faced a persistent challenge in managing the balance between work and family, the relevant studies revealing the significance of social support in this respect, such as that received from the employer (Guo, Wang, Rofcanin, Las Heras, 2024, pp. 1–20). Considering that flexible working arrangements are instruments meant for achieving a genuine balance between professional, private, and family life, this study seeks to develop a series of such models, based on the actual needs of employees. The study is grounded in an analysis of the relevant European and national legislation, as well as of the legal literature and relevant studies. For example, a national study published in 2023, indicates that 69% of respondents would like the freedom to work on certain days at the employer’s premises and on others remotely, depending on circumstances, objectives and personal preferences. Furthermore, 58% expressed a preference for a compressed workweek, while 45% indicated an interest in flexible working hours that would allow them, for example, to depart from the standard 9:00–17:00 schedule and instead opt for varied daily timetables, such as 11:00–19:00 on

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one day and 8:00–16:00 on another (Dincă and Moagăr, 2023, pp. 1203 – 1212). This benchmark national study was complemented by an analysis conducted directly in 2023 at the level of a multinational company where employees expressed a clear preference for the continuation of remote work practices, establishing Friday as a shortened working day or a non-working day, extending the duration of meal breaks, and broadening the flexible component within individualized work schedules.

2. Legal Literature and Studies Review

In Romania, prior to 2020, a certain degree of reluctance could be observed among employers regarding the adoption of flexible working arrangements. Telework was encountered only in specific sectors, while flexible working schedules remained rather rudimentary in scope. A study conducted in 2018 showed that telework ranked only third among measures aimed at increasing labour market flexibility in Romania and, at the same time, flexible working hours were regarded by 29% of respondents as a factor contributing to improved employee motivation, compared to salary increases (79%) and professional development opportunities (41%) (Davidescu, Apostu, Strat, Istrate Scărădeanu, Zgură and Horga, 2021, pp. 637–653).

As regards telework, the situation changed fundamentally in 2020, not because of an organic shift in employers' practices, but due to the outbreak of the COVID-19 pandemic. Within the same pandemic context, a growing interest and explicit preference among employees for flexible working schedules also became apparent. A study published in 2021 in Romania indicated that employers should place greater emphasis on working time flexibility rather than on physical presence at the workplace or the mere adoption of telework (Cocheci, 2021). Nonetheless, the option of telework was not entirely dismissed, although increasingly oriented toward hybrid models, driven in part by the need for social interaction, it continues to represent a viable alternative. A recent Eurofound study indicates that preferences for regular telework have increased, with approximately half of both men and women expressing a desire to work from home several times per week and the respondents who do not have the opportunity to engage in telework, despite wishing to do so, report the highest levels of fatigue and work–family conflict (Sándor and Hannah Kollen - Eurofound report, 2026, pp. 1–15). Similarly, another study highlights that 88% of Generation Z workers prefer hybrid work over daily commuting, while 61% consider that working from the office two to three days per week represents the optimal balance for productivity (ETHRWorld, 2025). Therefore, employers cannot disregard the specific characteristics of emerging generations that are already part of, or are about to enter, the core workforce, being stated that the workplace of the future must embrace inter-generational collaboration because generations bring diverse but complementary perspectives that, when leveraged effectively, can drive innovation and transformation where success is rooted not in rigid policies but in open communication (Molwitz, Korchi, Gheonea, Semedo, and D'Anna, 2026, pp. 1-8).

Within the broader context of research on work–life balance, the doctrine (Possenriede and Plantenga in Chenny and Saragih, 2025, pp. 71 - 88) identifies three

principal categories of measures intended to facilitate the effective reconciliation of professional and private life: (1) time flexibility; (2) timing flexibility and (3) place flexibility. Therefore, building on the classification of forms of work flexibility, the concrete actions that employers may implement in this regard will be further examined, based on existing literature and illustrative insights from our own professional observations.

The development of flexible working models is primarily driven by the benefits they generate for both employees and employers. From the employee's perspective, the main advantages lie in a high degree of autonomy (Llave, Mandl, Weber, Wilkens - Eurofound report, 2020, pp. 1–66) and the possibility of addressing matters related to private life during working hours, thereby fostering a sense of well-being and overall comfort. Once employee well-being is ensured, employers are likely to experience, over time, positive effects reflected in increased levels of commitment, enhanced performance, and a higher degree of responsibility, improving, also, efficiency and productivity in sectors where, due to the activities' nature, are unable to reach their full potential under a traditional working schedule (Jayaraman, George, Siluvaimuthu and Parayitam, 2023, pp. 1–25). Also, flexible working models are perceived as an attractive benefit when seeking employment, often being a decisive factor in job selection.

Although flexible working models are a non-financial instrument readily available to employers, enabling them to enhance employee satisfaction at no or relatively low additional costs, their potential drawbacks cannot be overlooked. In certain contexts, employees may lack the professional maturity required to properly understand and exercise flexibility in good faith, to the mutual benefit of both parties. For instance, a compressed workweek may generate disadvantages in client relations due to reduced availability across the traditional five working days. In the context of telework, the absence of a clear boundary between home and workplace may lead to increased work intensity and constant availability, resulting in employee fatigue and, at times, a diminished sense of belonging to a professional community. Nevertheless, although the general perception regarding constant availability is predominantly negative, it has been shown that this form of communication, while positively associated with work–family conflict, is not related to mental health and exhibits only a limited relationship with job satisfaction in the long term, being recommended, besides this, that employers pay increased attention to organisational culture, given that employees experience differently the effects of work-related communication outside working hours on their mental health (Shvartsman, Steffes, Grunau and Sonnentag, 2026, pp. 1–12).

3. Illustrative Best Practice Models Implemented under Romanian Law

3.1. Time flexibility measures

As stated above, flexibility in the duration of working time allows employees to determine the length of their working hours according to their own preferences. Under Romanian legislation, such a flexible working arrangement may take the form of an *uneven working schedule*. According to the Romanian Labour Code “the specific manner of establishing an uneven working schedule within the 40-hour workweek, as well as

within a compressed workweek, shall be negotiated through the collective labour agreement at the level of the employer or, in the absence thereof, shall be provided for in the internal regulation". Building upon these provisions, it follows that the uneven working time arrangement manifests in two forms. The first form involves an unequal distribution of working time, whereby the daily working hours may be either less or greater than eight hours, while still observing the standard duration of 40 hours per week. The second form represents an extension of the former, in that the uneven allocation of working time across working days may also result in a reduction in the number of working days per week, thus, instead of five working days, employees may work four or four and a half days per week (Ştefănescu, 2012, p. 538), while maintaining the total duration of 40 hours per week. This arrangement is commonly referred to as a compressed workweek. Such a scenario arguably represents the highest degree of flexibility afforded by this type of arrangement, but particularly in the context of medium-sized or large organizations, it may generate organizational challenges and even operational disruptions. Consequently, what constitutes a highly attractive benefit for employees may, in parallel, become a burdensome undertaking for employers.

For safeguarding not only employees' needs but also the employer's business requirements which entail a certain degree of predictability in work organization, an appropriate model would be one in which the employer clearly determines the day of the working week on which the employee may benefit from a reduced or non-working day. A model frequently preferred by employees is one that allows them to take a shorter or free day on Monday or Friday, thereby ensuring continuity with the weekend and, implicitly, providing the opportunity to spend extended, uninterrupted time with their families. Also, it remains within the employer's discretion to determine the frequency of such flexibility, whether on a weekly basis or at longer intervals, such as once per month or even less frequently.

For reasons relating to the proper functioning of the activity, the maintenance of a balance between private and professional life, as well as between rest periods and working time, without adversely affecting employees' health, it is necessary to limit the employee's discretion in allocating working hours throughout the day. For instance, to avoid night work, the employer may impose the requirement that the working day should not start earlier than 6:00 a.m. and should not extend beyond 10:00 p.m.

Finally, it is important to note that, under Romanian legislation, an uneven working schedule may operate only if it is expressly stipulated in the individual employment contract or, where introduced during the employment relationship, in an addendum thereto. Accordingly, the absence of a clause relating to an uneven working schedule in the individual employment contract renders it impossible for the employer to compel the employee, by virtue of its disciplinary prerogatives, to comply with such a schedule, even where it has been negotiated in a collective labour agreement or provided for in the internal regulations (AthanasIU, Volonciu, Dima and Cazan, 2011).

3.2. Timing flexibility measures

Timing flexibility enables employees to decide when to begin and end their working

day considering both the personal needs and employers' interest in performing professional responsibilities. This category of measures includes the *individualized working schedule*, regulated by the Labour Code according to which "the daily working time is divided into two periods: a fixed period during which employees are simultaneously present at the workplace, and a variable (flexible) period during which the employees determine their starting and finishing times, subject to compliance with the daily working time." By way of example, it has been noted that such a schedule "may consist of a fixed period between 8:00 and 12:00 and a variable period from 12:00 to 20:00, during which the employee completes the remaining four hours of work at times chosen by them" (Țiclea, Georgescu and Duțu, 2025, p. 756). At the same time, in practice, there are situations in which employees may start their daily activity at any time within the interval 6:00 a.m. – 10:00 a.m. and subsequently leave the workplace after completing the required eight hours of work, depending on their chosen starting time. Accordingly, all employees will be simultaneously present at work during the interval 10:00 a.m. – 2:00 p.m., which constitutes the fixed period. At the same time, we appreciate that establishing a more generous time interval within which employees may exercise flexibility regarding their arrival at the workplace enhances the effectiveness of this working arrangement, by providing greater comfort in the organization of personal needs. For instance, employees with children would have sufficient time to take them to school and subsequently arrive at work in due time. Similarly, the flexible interval may be used for personal or family health-related matters, such as attending medical consultations or undergoing diagnostic tests.

Although not expressly regulated in the Labour Code, this type of working schedule, similarly to the uneven working schedule, must be agreed upon by the parties within the individual employment contract or in an addendum thereto.

The flexibilization of working time may also be reflected in the way in which *breaks during the working day* are regulated and implemented. Such breaks are defined as intervals organized throughout the working day, involving the temporary interruption of activity for the purposes of rest, nutrition, or the fulfilment of other needs, and are commonly manifested in practice as coffee or tea breaks, rest breaks, and meal breaks (ILO, 201, pp. 1–4). It has also been emphasized that breaks during working time play a beneficial role in supporting both physical and mental health, contributing to the restoration of concentration capacity and energy levels, the reduction of stress and the alleviation of muscular tension (Spagnol, 2023, pp. 1–6). In addition, meal breaks also enable employees to attend personal matters, thereby reducing stress and promoting a healthy balance between professional and private life (Olivier & Schreiber Blog, 2024).

The Romanian Labour Code merely provides that where the daily working time exceeds six hours, employees are entitled to a meal break and to other breaks as determined by the collective labour agreement or by the internal regulations. Furthermore, it is stipulated that "breaks shall not be included in the normal daily working time, except where otherwise expressly provided for." Building upon this legal framework, and with a view to ensuring that employees have sufficient time to take their meals, either within or outside the employer's premises, while also allowing for social interaction, practical examples have emerged in which employers structure the

meal break as comprising two components: one included within working time, of shorter duration (e.g. 15 minutes), and another outside working time, of longer duration, accompanied by a corresponding extension of the working schedule (e.g. 45 minutes or even more). The longer the portion of the break that falls outside working time, the greater the degree of flexibility afforded to the employee, who may use this interval not only for lunch but also for addressing personal matters, such as collecting children from school, attending brief medical appointments, or handling administrative matters. In a comparative analysis, in the USA, in the beginning of the 2000s, a *bona fide* meal period was considered to have a duration of approx. 30 minutes, during which the employee must be completely relieved of all work duties for the purpose of consuming a regular meal (Banks, 2006, pp. 20–25).

To ensure that the flexible organization of the meal break does not generate dysfunctions or affect the proper conduct of activities, it is essential for the employer to establish clear limits and operational rules. More specifically, the employer should impose the employees' obligation to determine the daily duration of the meal break in accordance with their needs, while also considering the specific requirements of the respective working day (for example, workload, the existence of short-term deadlines etc.), to obtain approval in advance by the direct supervisor and to not divide the break throughout the working day. In this context, it is worth noting that a study conducted in Germany concluded that health complaints are not primarily determined by the duration of the meal break, but rather by other aspects of break organization, such as the existence of a work environment in which breaks are omitted or interrupted, which are decisive factors for employees' well-being (Vieten, Wohrman, Wendsche and Michel, 2023, pp. 1–14). Accordingly, the rule requiring that the meal break should not be fragmented constitutes an obligation not only for the employee but also for the employer.

Depending on the nature of the activity performed, employers may determine the time interval within which the meal break is to be taken, an approach commonly encountered in production environments. However, there are situations when the employer leaves it to the employee's discretion to choose the moment when the meal break will be taken. In such cases, employees may exploit this flexibility by opting to take the meal break at the end of the working day to leave the workplace a few minutes earlier. Given the fundamental purpose of the meal break, namely to allow the employee to interrupt work in order to eat, a natural right stemming from a biological necessity and one that supports employee health, we appreciate that permitting the meal break to be taken at the end of the working day runs counter to the rationale underlying its regulation, thereby depriving this institution of its practical effectiveness.

3.3. Place flexibility measures

As indicated in the introduction, measures aimed at enhancing work flexibility are closely connected to the place where employees perform their professional activities, depending on whether this is determined by a rigid organisational framework or by a flexible arrangement that allows employees a certain degree of autonomy in choosing the place from which they carry out their daily activities. This kind of flexibility linked to

the place where the employees perform their activity corresponds to remote work, which if involves using information and communication technologies, is in fact telework. Although telework can be identified as a distinct form of work flexibility, an important question arises as to how this arrangement can be effectively implemented in practice to serve on one hand the interest of the employee to ensure a proper level of work – life balance, and on the other hand, the business needs of the employer. In fact, a mere legal recognition or regulation of telework does not automatically ensure its effectiveness or efficiency in practice.

Regarding the normative framework in Romania, it should be noted that the legal regulation of telework is primarily established by Law no. 81/2018, which governs the conditions under which telework activities are carried out. However, the practical implementation of telework in relation to employees who require enhanced social protection is addressed through provisions contained in the Romanian Labour Code (four days of telework per month for employees having dependent children up to the age of 11 and eight days of telework per month for employees having dependent children up to the age of 18 classified as persons with disabilities). In relation with other categories of employees the legislature does not impose any minimum limits, the employer being entitled to design the telework model most suitable for each category of employees. To support employers in this respect, three models regarding teleworking arrangements have been identified during our research, as described below.

The first model preserves the framework established by the Labour Code and entails the allocation (whether consecutively or on a dispersed basis) of a specific number of teleworking days within the course of a calendar month.

The second proposed model entails the establishment of a predetermined number of teleworking days and flexible allocation over a period exceeding a single calendar month, for instance over the course of a quarter. The principal advantage of this model lies in the greater degree of temporal predictability it affords employees regarding the performance of their activities under teleworking arrangements. Such predictability allows employees to distribute teleworking days in a manner that responds more effectively to certain needs, such as the supervision of children over longer periods of time, including during school holidays, or even to considerations related to personal comfort, in particular, adverse weather conditions, especially during the winter season, may render commuting to the workplace organised by the employer more difficult. To ensure the efficiency and effectiveness of these models, the general operational framework is supplemented by a set of guidance principles, such as: (1) to prevent overlaps and potential disruptions in the organisation of work, teleworking days whether scheduled consecutively or on a dispersed basis, should be agreed upon with the direct supervisor, following prior consultation with the other members of the team; (2) for logistical and organisational purposes, teleworking days should be planned in advance; (3) to preserve the integrity of the proposed model, it is essential that teleworking days may not be carried over from one reference period to another (from one quarter to the next).

The third model identified concerns the complete organisation of professional activity under teleworking arrangements, whereby the employee performs their duties almost

entirely outside the workplace organised by the employer, returning to that workplace only in exceptional circumstances and for very limited periods of time. It is our view that this model cannot have general applicability, as may be the case with the two models discussed previously, but rather is more suited to sectors such as the information technology industry, where the specific nature of the work allows for the entire activity to be carried out through digital communication tools. Also, this model may prove appropriate in individual and exceptional situations, particularly where medical considerations render physical presence at the workplace difficult or impossible, without affecting the employee's capacity to perform their professional duties.

Irrespective of the model adopted, the employer may not restrict employees' entitlement to benefit from teleworking days by unilaterally establishing a lower number of such days. However, certain exceptions may be provided for, allowing for the reduction or even suspension of teleworking days in specific circumstances, for instance where the employee demonstrates diminished performance during periods of telework, where team-based projects requiring physical collaboration are underway, or where the requirements of stakeholders arise (such as on-site public authorities inspections or in-person negotiations). Also, our recommendation is that periodically, the entire team (located within the same workplace) should convene at the office for several days. This practice is also observed in other jurisdictions, for instance in the UK, it has been shown that 65% of organisations require employees to be in the workplace a minimum number of days per week/month and 14% of all employers that allow hybrid working are planning to either introduce or increase the number of mandatory days in the workplace over the next 12 months (Chartered Institute of Personnel and Development, 2025, pp. 2 - 31). To ensure the success of the teleworking experience, supervisory trust is essential, as in its absence employees are less likely to feel empowered to utilize available resources in support of their non-work domain, such as leveraging autonomy or work flexibility to allocate the necessary time for personal purposes (Pensar and Rousi, 2023, pp. 1–28).

4. Conclusions

The current dynamics of work, the increasing complexity of professional activities driven by rapid technological development, and the evolving perceptions of work, particularly among younger generations who impose increasingly clear boundaries, are shaping work–life balance into a strategic objective for employers, one that can be operationalized through flexible working arrangements. The combination of flexible work arrangements, such as telework and flexible working hours, leads to higher levels of work–life balance and lower levels of work–family conflict, but these measures should be implemented with due consideration of limits and potential consequences, particularly those related to fatigue (Herrera-Ballesteros, Heras-Rosas, Veiga and Rodrigues, 2025, pp. 154–173). The same study shows that telework and flexible working schedules are not universal solutions, as individual differences, such as self-management skills, job type, and family circumstances, can significantly influence the effectiveness of these policies, which means that employers need to implement tailored strategies.

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