

## Suciu Popa irrevocably wins a complex labour class action for Hidroelectrica



### **Suciu Popa successfully represented Hidroelectrica S.A, in a complex labour class action initiated by 3,000 employees concerning certain rights claimed under the collective bargaining agreement (CBA).**

By this decision, the Bucharest Court of Appeal sets an important precedent in the matter of the CBA clauses regarding certain benefits, in the sense that such clauses do not grant absolute rights to the beneficiaries, regardless of the actual circumstances of the claim.

The award obtained by **Suciu Popa** is noteworthy both in terms of value of the dispute and of solving a significant legal problem, being clarified that, under collective bargaining agreements, the employees gain a general entitlement to the payment of a specific benefit, and not an actual receivable against the employer. Thus, an employee's right to be paid the relevant benefit arises at the date when the respective employee requests payment of the benefit, and is exercised in accordance with the law applicable at that date.

The project was coordinated by **Daciana Popa** (Managing Associate) who regularly advises clients on the full range of employment and labour related projects and disputes, in close collaboration with **Cleopatra Leahu** (Partner), who, apart from her other specialties, is recognized for her experience in employment advisory issues, employee benefits and CBAs included.

"This decision sets a standard of normality for the labour law jurisprudence, the court confirming the correctness of the management decisions made by our client in relation to employees, as well as the fact that general principles of law, traditionally applied in other fields (such as distribution of dividends by companies), are also fully applicable in the labour law field." said **Cleopatra Leahu**, Partner Suciu Popa.

"We are delighted with this decision and we are pleased that the effort of our team in this important file, spanning almost two years, brought the success for our client," said **Daciana Popa**, Managing Associate Suciu Popa.

This success reconfirms the experience and professionalism of **Suciu Popa's** labour law & employment team, currently engaged in high-profile cases for various clients, active in energy & natural resources, IT&C, banking & finance, healthcare or FMCG.

**Suciu Popa** is a top tier Romanian law firm, covering the entire spectrum of legal matters in key practices such as Mergers & Acquisitions, Litigation and International Arbitration, Energy & Natural Resources, Banking & Finance, Employment, Compensation and Benefits, with confirmed track record by all legal international

directories such as Chambers & Partners, Legal 500 EMEA, IFLR 1000 and by the international and domestic business community.