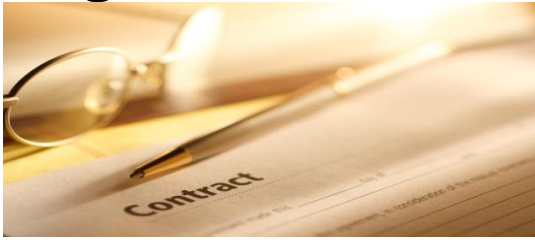


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AMENDMENTS REGARDING THE LABOUR CODE

Law no. 53/2003 – **Labour Code** has been amended and supplemented by **Law no. 12/2015** published with the Official Gazette no. 52/22.01.2015, entering into force starting with **25th January 2015**.

Please find below the main amendments:

- removal of the provisions of Labour Code regarding the **annual leave** that "is proportionally granted with the activity performed in a calendar year." According with the new regulations, the sick leave (temporary incapacitation leave), maternity leave, maternity risk leave and leave for looking after a sick child, shall be taken into account as periods of performed activity in establishing the duration of the annual leave and shall not affect the number of days of the annual leave to which employees are entitled each year, being considered periods of activity and length of service;
- **unjustified absences** from work and **unpaid leaves**, excepting unpaid leaves for professional development, shall be deducted from the length of service;
- in case of **prolongation of sick leave for an entire calendar year**, the employer shall grant the annual leave during a period of **18 months**, starting with the following year of the year when the employee was on sick leave;
- **the annual leave entitlement** may be compensated in cash only at the termination of the individual labour contract;
- the wage received by a **temporary employee** for every job assignment may not be lower than the wage received by the employee who performs the same job or a similar work performed by the temporary employee.



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Marius Rimboaca is the coordinator of the Legal and Debt Recovery departments of IBS. He is a member of Bucharest Bar Association with over 15 years experience in Business Law, being involved in various real estate projects, fiscal litigation, labour law, mergers and acquisitions, contracts, companies structures, mediation of commercial disputes.

His areas of expertise covers different industries such as constructions, pharma, telecommunications, insurances, etc.

The information contained herein is general. We recommend professional advice to be requested for each particular case. For additional information please contact us at:

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