

April 2019

LABOUR LAW AMENDMENTS - ADDITIONAL ANNUAL LEAVE FOR IN VITRO FERTILIZATION

Governmental Emergency Ordinance no. 26/2019 entered into force on 23 April 2019 bringing changes to the Romanian Labour Code.

Concerned by the low and decreasing birth rate in Romania, and by the fact that on average only 5,000 *in vitro* fertilizations are performed annually, the Government decided to introduce a new type of paid leave for female employees who opt for *in vitro* fertilization. This new type of leave extends for three (3) days; one (1) day on the day of the ovarian puncture and two (2) days starting with the day of the embryo transfer. To benefit from this leave, employees must file a formal request accompanied by a medical letter issued by the specialist doctor confirming the *in vitro* procedure.

As this is not a medical leave, it is uncertain how the new regulation will align with the legal requirement to schedule the annual leave beforehand. It is also unclear what the consequences are for an employer who declines such a request for leave, as there are no apparent sanctions applicable to employers who refuse to grant the newly introduced paid leave.

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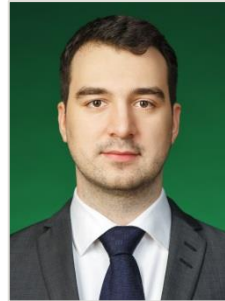


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