

**April 2013**

### **In focus: Law on Amendments and Supplements to the Labor Law**

The Law on Amendments and Supplements to the Labor Law (hereinafter referred to as: the “**Law**”) was published in the Official Gazette of the Republic of Serbia no. 32/2013 dated April 8<sup>th</sup>, 2013 and entered into force on April 16<sup>th</sup>, 2013.

Amendments to the Law implement new solutions in the field of maternity protection by introducing a break or reduction of working time for child breastfeeding, and additional protection against termination of an employment agreement for a definite period of time during pregnancy, maternity leave, leave from work for child care and leave from work for special child care.

#### **I**

One of the amendments that the Law introduces is the provision pertaining to an employer’s obligation to provide to a female employee, who returns to her job before expiration of the one-year period as of the birth of her child, the right to one or more daily breaks during the daily work in the total duration of 90 minutes, or the right to a reduction of the daily working time in the duration of 90 minutes, in order to breastfeed her child, if the daily working time of a female employee is six or more hours.

The Law provides that the above-mentioned breaks or reduction of the daily working time are calculated in working hours and an employee’s compensation on this basis shall be paid in the amount of a basic salary, increased by past work.

#### **II**

The second amendment which the Law introduces is the provision under which an employee, working on the basis of an employment agreement for a definite period of time, during pregnancy, maternity leave, leave for child care and leave for special child care, shall have his employment extended until expiration of the right to leave.

It is also stipulated that a decision terminating an employment agreement is null and void if, on the date of termination of an employment agreement, an employer was aware of the existence of the above mentioned circumstances, or if, within 30 days as of receipt of the decision on termination, an employee informs the employer of their existence and submits the appropriate certificate thereof, issued by an authorized doctor or other competent authority.

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