



## employment - legal changes published in August 2022

**Government Ordinance no. 117/2022 for amending and supplementing Law no. 210/1999 on paternity leave** was published in the Official Gazette of Romania, Part I, no. 845 of August 29, 2022, in force starting with the same date.

G.O. no. 117/2022 was adopted to transpose into national law the provisions of Directive (EU) no. 2019/1158/19 on the work-life balance of parents and carers.

The main amendments adopted concern the following:

- extension of the duration of paternity leave from 5 to 10 working days, and in the case of fathers who have obtained a certificate of graduation of the childcare course, extension of the duration of leave by another 5 days for each child and not just for the first-born, as previously provided;
- extension of the permission from 7 to 10 working days, in the case of the father who fulfills the military service in time;
- extending the category of individuals entitled to paternity leave from individuals who perform activities under an employment or service relation to individuals:
  - who perform activities under agreements for sport activities;
  - who perform activities under individual employment agreements within cooperatives;
  - who perform activities under mandate agreements, as directors;
  - who perform activities under management agreements;
  - who hold a position of public dignity.

During the paternity leave, the father receives an allowance paid from the employer's salary fund equal to the salary corresponding to that period.

The new amendments impose the following obligations on employers:

- to approve the paternity leave under the conditions provided for in G.O. no. 117/2022 and to inform employees of the right granted by the new provisions;
- the prohibition to order the termination of employment or service relation in the case of workers on parental leave, except in cases where dismissal is ordered for reasons arising from judicial reorganization or bankruptcy of the employer.

Failure of the employer to comply with the above-mentioned obligations is sanctioned with administrative fines ranging from Lei 4,000 to Lei 8,000.