



TOMIĆ STEVIĆ DULIĆ

ADVOKATSKA KANCELARIJA

TSD NEWSLETTER

Advokatska kancelarija TOMIĆ STEVIĆ DULIĆ informiše o aktuelnostima u radu Kancelarije i u zakonodavnom reljefu RS / Die Rechtsanwaltskanzlei TOMIĆ STEVIĆ DULIĆ informiert über aktuelle Themen der Kanzlei und über den Rechtsrahmen der RS / The TOMIĆ STEVIĆ DULIĆ Law Office is informing about the actual activities of the Law office and the Law frame in RS/ Юридическая компания Tomić Stević Dulić информирует о самых актуальных событиях в работе компании и законодательном рельефе РС / Glavni urednik/ Chefredakteur / Editor-in-Chief / Главный редактор: Ljubica Tomić /Lektor/Lektor/Proof reader/Лектор: Ivana Radović, Vojislava Tasić, Viktorija Topalović, Magda Braun / Br. 52/13

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FIXED-TERM EMPLOYMENT FOR PREGNANT WOMEN AND WOMEN WHO HAVE RECENTLY GIVEN BIRTH DOES NOT TERMINATE WITH THE EXPIRY OF THE EMPLOYMENT AGREEMENT

A specific form of maternity protection shall be introduced by the amendments to the Labour Law, to enter into force on 16 April 2013.

These amendments have been made to ensure the consistent application of the constitutional principles of the Republic of Serbia, providing for a special protection of maternity rights, as well as the implementation of the Maternity Protection Convention (No 183) made by the International Labour Organisation.

Under these amendments, a fixed-term employment for a pregnant woman, a woman who has recently given birth, and a woman on leave for child care or special child care, shall not terminate with the expiry of the fixed-term employment contract, and such contract must be extended until the expiry of the right to leave.

Any decision to the contrary shall be null and void, if at the time of dismissal the employer was aware of pregnancy, maternity and/or child care, or if the employee should inform the employer of such circumstances within 30 days of receipt of notice of dismissal, by providing a certificate from the authorised doctor and/or another competent authority.

The employer shall be liable for any violation of this provision, which can result in a fine ranging between 800.000 RSD and 1.000.000 RSD for the employer and between 40.000 RSD and 50.000 RSD for the responsible person.

Since such termination would also cause a pecuniary damage to the employee, because she would not receive a salary due to illegal termination, a protective measures could be imposed to the employer – a ban on business operations, in accordance with Article 273 of the Labour Law.



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