

Amendments to the Labour Code

26 April 2016

In brief

The Moldovan Parliament has approved a series of amendments and supplements to the Labour Code covering rules on informing employees of working conditions, guarantees for fixed-term employees and removal of the previous concept of in-house job re-assignment.

In detail

Information on working conditions

Employers are now required to inform any person to be employed or transferred about the notice periods to be observed upon termination of employment.

Description of working conditions should be included in a draft employment agreement or in an official letter. Whichever document is used, it has to be signed by the employer.

Employers must provide any employee who will perform work abroad additional information on the travel and accommodation arrangements.

Collective bargaining agreements and internal regulation

Employers are now required to inform employees about the applicable collective bargaining agreements.

Employers are now required to inform employees about the amendments to the collective agreement and internal

regulations within five days as of their operation.

Fixed-term employment contract (FTEC)

The FTEC has to indicate the legal basis for fixed-term employment.

Conclusion or extension of an FTEC is allowed for the cases listed in Article 55 para. (1) of the Labour Code, only if permanent employment is impossible due to objective reasons.

It is prohibited to apply a less favourable treatment for fixed-term employees in comparison to permanent employees with equal working conditions.

This prohibition is particularly applicable in relation to (i) required work experience to hold certain positions, (ii) training opportunities, (iii) possibility to hold a permanent position.

Employers are now required to inform fixed-term employees about the permanent positions that become vacant, within five working days as of the date when the vacancy occurred.

Removal of in-house job re-assignment concept

The previous concept of in-house job re-assignment has been removed from the Labour Code. Thus, employers may no longer require employees to perform work in another subdivision of the same unit situated in the same locality, to operate another device within the competence indicated in the labour agreement, without employee consent.

In-house job re-assignments are to be made under the rules regulating transfer based on the employee's consent.

[Source: Law no. 52 dated 1 April 2016 amending and supplementing the Moldovan Labour Code no. 154 dated 28 March 2003, Official Gazette no. 106-113 dated 22 April 2016].

The takeaway

The amendments and supplements to the Labour Code entered into force on 22 April 2016.

Let's talk

For a deeper discussion of how this new legislation might affect your business, please contact:



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