

Government Decision regarding the granting of paid parental leave for supervising the children if schools close temporarily



The Government Decision with respect to the enforcement of Law no. 19/2020 regarding the granting of paid parental leave for supervising the children if schools close temporarily (the „Government Decision”) has been published in the Official Gazette of Romania, Part I, no. 230 on the 21st of March 2020.

The Government Decision provides the necessary implementing rules, offering a clearer framework regarding the procedure for the granting of paid parental leave to parents, providing the number of days that shall be granted, as well as the procedure that employees need to undergo to benefit from such paid days off.

The decision provides as paid days off for parents all the business days during the state of emergency, excluding the business days during school holidays.

As the state of emergency overlaps with the spring school holiday from the 5th of April to the 21st of April 2020, parents cannot be granted free paid days for the supervision of their children during that period.

The parent who wishes to benefit from the paid parental leave must submit a request to his/her employer, accompanied by an affidavit of the other parent (if any), stating that the other parent has not already requested the days off for the supervision of children and the fact that he/she is not on paid or unpaid leave.

The parent shall also attach to the request copies of the birth certificates of the children.

Parents shall be granted an indemnity of 75% of the gross base salary, but no higher than 75% of the medium gross salary used for determining the state social insurance budget, for every day off granted.

The Government Decision provides that the payments concerning the paid parental leave shall be reimbursed from the state budget, following a request to the county agencies for employment.

The request for reimbursement shall contain the following information:

- the list of employees who have been granted the days off, as well as the indemnity provided;
- copies of the payroll documentation attesting that the indemnity has been granted;
- an affidavit of the representative of the employer, stating that the list of employees contains only eligible employees for the granting of paid days off;
- the proof of payment for the social contributions and taxes for the month in which the compensation has been paid;
- the identification data of the employer, including the bank account and the e-mail address;
- the name of the legal representative of the employer;
- the total amount to be reimbursed;
- the number of employees for which the reimbursement has been requested.

The request shall be sent through e-mail or other communications methods to the county agency for employment and the reimbursement shall be made in a term of 60 days from the date of registration of the request.