

## Human Capital Committee 2024

#	Issue	Description	Status Quo
1.	<b>Deficiencies faced by the business community in this sector</b>	<p>1. Modification of the procedure for calculating and granting the subsidy for the employment of certain types of employees;</p> <p>2. Simplification of the procedure for employing foreign students and persons with temporary residence permits;</p> <p>3. Definitive removal from the employer's shoulders of military records of employees.</p> <p>4. Labour Code deficiencies and HR practice challenges</p>	<p><b>Partially accomplished:</b></p> <p>The Prime Minister's Economic Council jointly with the Ministry of Economic Development and Digitization set up the Working Group on Labour Market Stimulation, in which the EBA presented a number of proposals to amend and adjust the existing labour regulatory framework.</p> <p><b>EBA Position Paper No 24/23 -SD from 14 April 2023</b></p> <p>EBA organized a Seminar on 15 March 2023 about “Current aspects related to the management of Human Resources, Probation Period, performance evaluation, vacations, maternity leaves”. EBA actively participated in the meetings of the Working Group on 21 March 2023, 26 April 2023, 11 May 2023, and 22.11.2024, as well as the meeting of the EBA HR Committee on 2 February 2023, 12.04.2024.</p> <p>Position paper No 86/23-SD from 31 October 2023  Position paper No 112-23/SD from 18 December 2023  Position paper No 01-24/SD from 04 January 2024  Position paper No 95-24/SD from 11 July 2024</p> <p>EBA has submitted multiple Position Papers (No. 86/23-SD, 112/23-SD, 01/24-SD, 95/24-SD) addressing deficiencies in the Labour Code, particularly Article 101(6) which prevents shift work due to unrealistic rest intervals. EBA insists on aligning national regulations with EU Directive 2003/88/EC (Art. 3) and proposed adjusting rest intervals to 11 consecutive hours.</p>
2.	<b>Creating conditions to stimulate the labour market</b>	Amendment of the current Labour Code and Law No 105/2018 on the promotion of employment, employment and unemployment insurance by creating new concepts needed to be developed	<p><b>In process:</b></p> <p>EBA presented the Position Paper Nr. 24/23-SD from 14 April 2023 and participated in the meeting of the Working Group on Labour Market Stimulation on 21 March 2023.</p> <p>EBA proposed creating a legal definition for 'shift work', flexible work schedules, and a centralized professional history database for candidates (Position Paper No. 95-24/SD). These aim to improve labour transparency, reduce mismatch, and ease employer burdens in workforce planning.</p>
3.	<b>Adjustments concerning annual leave</b>	Amendment of Art. 113 para. (1) of the Labour Code, i.e. that all employees are granted annual	<b>In process:</b>

		leave; paid rest leave of at least 28 calendar days, excluding public holidays. It was therefore proposed to replace "28 calendar days" with "20 working days".	EBA presented Position Paper Nr. 86/23-SD from 31 October 2023, and EBA organized a meeting with the management of the Ministry of Labour and Social Protection with EBA Members on 12 October 2023. EBA proposed replacing '28 calendar days' with '20 working days' to align with EU practices and reduce the financial burden from fragmented vacation usage (Position Paper No. 95-24/SD).
4.	<b>Changes to dual education</b>	Creation of facilities by offsetting the costs of establishments in dual education	<b>In process:</b> EBA presented Position Paper Nr. 86/23-SD from 31 October 2023, and EBA organized a meeting with the management of the Ministry of Labour and Social Protection with EBA Members on 12 October 2023; Facilitating public-private cooperation to cover establishment costs.
5.	<b>Modification of the instruments for applying disciplinary sanctions</b>	Adjusting the deadline for providing the advisory opinion to the restricted deadlines for the application of the disciplinary sanction provided for in Article 209 of the Labour Code	<b>In process:</b> EBA presented Position Paper Nr. 86/23-SD from 31 October 2023, and EBA organized a meeting with the management of the Ministry of Labour and Social Protection with EBA members on 12 October 2023; Clarified the need for flexible deadlines for advisory opinions in disciplinary procedures (Position Paper No. 86/23-SD). Position paper No 95-24/SD from 11 July 2024
6.	<b>Addition to the Labour Code of a new ground for termination of employment contract</b>	Review of employee release processes	<b>In process:</b> EBA presented Position paper Nr. 86/23-SD from 31 October 2023, and EBA organized a meeting with the management of the Ministry of Labour and Social Protection with EBA members on 12 October 2023; Proposed updates to Article 85 of the Labour Code regarding resignation notice periods, including enforcement tools and employer rights during annual leave requests post-resignation notice (Position Paper No. 95-24/SD).
7.	<b>The state control procedure related to labor protection and occupational safety</b>	<ul style="list-style-type: none"> <li>- The issue of disproportionate application of sanctions and the failure to respect the hierarchy of the severity of violations;</li> <li>- The issue of overlapping control responsibilities between the State Labour Inspectorate (SLI) and the Naval Agency.</li> </ul>	<b>In process:</b>  EBA presented the Position paper <b><u>Nr. 04-24/SD from 17 January 2024</u></b>