



ROMANIAN ACADEMY
School for Advanced Studies of Romanian Academy
“Acad. Andrei Radulescu”
Judicial Research Institute

SUMMARY OF DOCTORAL THESIS

MATERNITY PROTECTION IN THE WORKPLACE

DOCTORAL SUPERVISOR:

Țop Danuți Cristin, Univ. Prof. PhD

DOCTORAL CANDIDATE:

Iancu Ana-Maria-Alexandra

2024

Contents:

INTRODUCTION

CHAPTER I

MATERNITY PROTECTION ACCORDING TO INTERNATIONAL AND EUROPEAN LAW

1.1. Preliminaries

1.2. Maternity Protection According to International Law

1.2.1. United Nations Organization

1.2.2. International Labour Organization

1.2.3. World Health Organization

1.2.4. The Council of Europe

1.2.5. Protection of Women According to the Rules of the International Labour Organization

1.2.6. Equality of Opportunity and Treatment

1.2.7. Maternity Leave According to the International Labour Organization

1.2.8. Adoption Leave According to the International Labour Organization

1.2.9. Parental Leave According to the International Labour Organization

1.2.10. Encouraging Breastfeeding

1.3. Maternity Protection in European Law

1.3.1. Overview

1.3.2. Gender Equality and Maternity

1.3.2.1. Regulation

1.3.2.2. Job Protection During Maternity

1.3.2.3. Job Loss Protection

1.3.2.4. Protection Against Employment Refusal

1.3.2.5. Protection of Female Workers' Income

1.3.2.6. Scope of Protected Persons

1.3.2.7. Protection of Female Workers' Health

1.3.2.8. Provisions Referring to Night Work

1.3.2.9. Female Workers' Right to Paid Maternity Leave

1.3.2.10. Adoption Leave in the European Union

1.3.2.11. Parental and Paternity Leave in the European Union

1.3.2.12. Right to Take Time Off for Prenatal Examinations

1.3.2.13. Guarantee of Employment

1.3.2.14. Guaranteeing the Effectiveness of Female Workers' Rights Protected by European Rules

- 1.3.2.15. Other Jurisprudential Solutions
- 1.3.3. *Equal Treatment in Respect of Employment and Occupation of Labour Force*
- 1.3.4. *Equal Opportunity and Treatment in the Matter of Employment*
- 1.3.5. *The Balance Between Professional and Personal Life of Parents and Caregivers*
- 1.3.6. *Charter of Fundamental Rights of the European Union*
- 1.3.7. *Protection of Surrogate Mother*

CHAPTER II

EQUAL OPPORTUNITY AND TREATMENT IN THE WORKPLACE IN ROMANIAN LAW

- 2.1. *Introductory Notions*
- 2.2. *Regulating Equal Opportunity in National Law*
- 2.3. *Principles of Equal Opportunity*
- 2.4. *Gender Discrimination*
- 2.5. *Discrimination on Grounds of Maternity*
- 2.6. *Harassment in the Workplace*

CHAPTER III

PROTECTION OF PREGNANT WOMEN, POSTPARTUM WOMEN AND SINGLE PARENTS IN THE WORKPLACE

- 3.1. *Protection of Female Employees in Romania in the First Half of the 20th Century*
- 3.2. *Protection of Female Employees According to Labour Code of 1950*
- 3.3. *Provisions Referring to Protecting Female Employees According to Labour Code of 1972*
- 3.4. *Rules on Protecting Female Employees According to Current Legal Provisions*
- 3.5. *Maternity*
 - 3.5.1. *Notion*
 - 3.5.2. *Biological Maternity*
- 3.6. *Occupational Health and Security Matters*
 - 3.6.1. *Regulation*
 - 3.6.2. *Employers' Obligations Referring to Protecting Women in the Workplace According to Law no. 319/2006, Methodological Norms for the Application of Law no. 319/2006 and Government Decision no. 335/2007*
 - 3.6.3. *Employers' Obligations Referring to Protecting Women in the Workplace according to Government Emergency Ordinance no. 96/2003*
 - 3.6.3.1. *Introductory Considerations*
 - 3.6.3.2. *Obligation to Reduce Working Time for Pregnant Employees*
 - 3.6.3.3. *Obligation to Evaluate*
 - 3.6.3.4. *Obligation to Take Specific Protective Measures*

3.6.3.5. Obligation to Change the Workplace in the Case of Female Employees Carrying Out Activities in Orthostatic or Sitting Position

3.7. Night Work

3.7.1. Regulation

3.7.2. Exceptions

3.7.3. Night Male/Female Employee

3.7.4. Employer's Obligations

3.8. Right to Additional Rest Leave Related to "In Vitro" Fertilization Procedure

3.9. Right to Personal Data Protection

CHAPTER IV

REDUCING WORKING TIME, DAYS OFF AND LEAVES ASSOCIATED TO MATERNITY OR RAISING THE CHILD

4.1. Reduced Working Hours or Flexible Work Schedule for Pregnant Employees

4.2. Paid Days Off for Medical Prenatal Consultations

4.3. Nursing Breaks

4.4. Day Off for Child Care, Based on Law no. 91/2014

4.5. Teleworking Days for Child Care

4.6. Days Off to Parents for Child Supervision, in the Case of Temporary Closure of Educational Institutions

4.7. Day Off for Child Vaccination Against Covid 19

4.8. Carer's Leave

4.9. Absence from Work for Unforeseen Situations

4.10. Maternity Leave and Pay

CHAPTER V

CAUSES FOR SUSPENDING THE EMPLOYMENT CONTRACT RELATED TO MATERNITY OR CHILD RAISING

5.1. Notion and Causes

5.1.1. Notion

5.1.2. Causes

5.2. Maternity Leave

5.2.1. Notion and Regulation

5.2.2. Conditions for Granting

5.2.3. Maternity Pay

5.2.4. Plurality of Positions

5.3. Child Raising Leave

5.3.1. Regulation

- 5.3.2. *Conditions for Granting*
- 5.3.3. *Amount of Pay*
- 5.3.4. *Other Parent's Leave*
- 5.3.4. *Granting Procedure*
- 5.3.5. *Leave Extension*
- 5.3.6. *Pay Suspension and Termination*
- 5.3.7. *Insertion Incentive*

5.4. *Ailing Child Care Leave*

5.5. *Paternity Leave*

5.6. *Maternity Risk Leave*

- 5.6.1. *Notion and Regulation*
- 5.6.2. *Procedure, Term and Granting Conditions*
 - 5.6.2.1. *Procedure*
 - 5.6.2.2. *Term*
 - 5.6.2.3. *Granting Conditions*
- 5.6.3. *Maternity Risk Pay*

5.7. *Habituation Leave*

- 5.7.1. *Notion and Regulation*
- 5.7.2. *Beneficiaries and Term of Habituation Leave*
- 5.7.3. *Pay*
- 5.7.4. *Habituation Leave Suspension and Termination*
- 5.7.5. *Employer's Obligations*

5.8. *Leave for Childcare up to the Age of 7*

CHAPTER VI

DISMISSAL PROHIBITIONS

6.1. *Regulation*

6.2. *Prohibition of Dismissal While the Employee is Pregnant*

- 6.2.1. *Regulation and Analysis*
- 6.2.2. *Judicial Practice*
- 6.2.2. *Termination of Pregnant Employee's Employment During Probation*

6.3. *Prohibition of Dismissal During Maternity Leave*

6.4. *Prohibition of Dismissal During Child Raising Leave*

6.5. *Prohibition of Dismissal During Childcare Leave*

6.6. *Prohibition of Dismissal During Parental Leave, Caregiver Leave or During Absence from Workplace in Unforeseen Situations*

6.7. Prohibition of Dismissal of Female Employee Receiving Insertion Incentive

6.8. Prohibition of Dismissal During Maternity Risk Leave

6.9. Prohibition of Dismissal During the Isolation of the Child Tested Positive for Covid-19 Infection

6.10. Prohibitions Exceptions

CHAPTER VII

PROTECTION OF PREGNANT EMPLOYEES IN COMPARATIVE LAW

7.1. Protection of Pregnant Workers in Italy

7.1.1. Protection of Maternity and Prohibition of Discrimination

7.1.2. Protection of Working Mothers

7.1.2.3. Maternity Leave

7.1.2.3. Prohibition of Dismissal

7.1.2.4. Health and Security

7.1.2.5. Prohibition of Night Work

7.1.3. Maternity and Paternity: Discipline of Leaves of Absence and Leaves

7.1.3.1. Daily Rest (or Leave of Absence) and Leave for Child's Illness

7.1.3.2. Paternity Leave

7.1.4. Reconciling Professional and Family Life: Parental Leave

7.2. Protection of Pregnant Workers in Spain

7.2.1. Regulatory Framework

7.2.2. Women's Work – Regulating Equality

7.2.3. Reduction of Working Hours

7.2.4. Contributory Benefits

7.2.5. Risks During Pregnancy and Risks of Nursing While Nursing a Child Under the Age of 9 Months

7.2.6. Birth, Guardianship for Adoption or Custody of Minors

7.2.6.1. Birth

7.2.6.2. Adoption, Guardianship for Adoption and Foster Care

7.2.7. Contract Suspension

7.2.8. Dismissal of Pregnant Employees

7.3. Protection of Pregnant Workers in France

7.3.1. Maternity

7.3.1.1. Exemption from Work Obligation. Partial Exemption at the Beginning of Pregnancy

7.3.1.2. Total Exemption During Maternity Leave

7.3.1.3. Reintegration to Work

7.3.1.4. Protection Against Dismissal

7.3.1.5. Sanctioning Unlawful Dismissal

7.3.2. *Paternity*

7.3.2.1. Paternity Leave and Leave for Receiving the Child

7.3.2.2. Protection Against Dismissal

7.3.2.3. Parental Leave

7.3.2.4. Readjustment Leave

7.3.2.5. Other Leaves for Family Events

7.4. *Protection of Pregnant Workers in Other European States*

7.4.1. *Protection of Pregnant Workers in Albania*

7.4.2. *Protection of Pregnant Workers in England*

7.4.3. *Protection of Pregnant Workers in Azerbaijan*

7.4.4. *Protection of Pregnant Workers in the Republic of Moldova*

7.4.5. *Protection of Pregnant Workers in Serbia*

7.5. *Protection of Female Employees in Africa*

7.6. *Protection of Female Employees in Asia*

7.7. *Protection of Female Employees in South America*

CONCLUSIONS AND SUGGESTIONS

DE LEGE FERENDA

Conclusions

De Lege Ferenda Suggestions

BIBLIOGRAPHY

Keywords: *pregnant employees, maternity, European norms' protection in the workplace, prohibition of dismissal, comparative law, jurisdiction of the European Union*

The thesis I have elaborated and I hereinafter present is the fruit of my scientific pursuits during doctoral studies carried out between 2018 – 2024.

I considered the study of all matters related to protecting the issues approached for the purpose of conducting a thorough study of the legal framework for protecting female employees in the Romanian and European laws, as well as in other states in Asia, South America and Africa.

Maternity protection concerns the set of social policies measures aiming to guarantee mothers and newborns, respectively future mothers and born children, the most possible living conditions.

The human being is the source of law and the foundation of the state; considering the importance of people for the state, the latter finds justification in its capacity to satisfy the individual's needs. Fundamental rights bring forward the essential needs of the human being which the law and the state must protect.

Maternity, guaranteeing the continuation of the human species, has an obvious importance for the state, and, therefore, deserves to be protected by law. The state wanted to respond to the individual's needs for protection. Maternity, responding to the natural and essential desire of two individuals to start a family – desire which is the centre of personal freedom, fundamental right of any person – generates needs, especially costs related to pregnancy and birth (medical expenses, family requirements) and loss of earnings, accompanying maternity leave.

The importance of maternity is valued on a double level. In an individual and family perspective, the desire to start a family is recognized as an elementary issue of personality and with this title it protects the individual freedom and the right to personality. The social and state perspective consists of the fact that maternity is the means of perpetuating the human species. World Health Organization (WHO), stated, in the same direction, that: birth is a capital event of the family life; it is just as important for community building.

Scientific research methods specific to the legal field are complex, which makes their overlap determine a proper methodology. My research uses, for the undertaken scientific approach, various research methods, mainly the historical, comparative and logical methods.

Invoking history and, implicitly, the historical method, the analysis of a legal phenomenon can be made, considering its historical becoming, the successions of its development stages, revealing that the law is marked by the historical transformations caused from one historical stage to another, from one state to another.

The use of this method allows the restoration of the contents of characteristic institutions, which is in a position to achieve research, giving meaning to the past and helping the understanding and the position of certain institutions in the contemporary era, in Romanian law.

The evolution of institutions and rules of law can be perceived only using their comparison to similar matters of various eras concerning a certain type of law, in case legal institutions and rules survive various social-historic stages.

In the science of law, the comparison places the inquiry process as the fundament of comparative study of various national law subsystems and systems, of legal rules and institutions, of legislative processes or processes of law realization in various states or historic area, giving the opportunity to intercept identities and divergencies in various law systems.

The appeal to comparison method has an important significance, as provides the possibility to identify certain gaps in national regulations, valorising proper means of supplementation and amendment.

Using comparison, the law can reveal the usefulness of discovering significant elements in the law system of at least two states, analysing and comparing how pregnant and

postpartum women's protection and support are regulated, in order to determine to what extent the legal provisions are proper and generous for female workers. At the same time, it can identify specific or similar institutions in terms of protecting female workers' rights, especially since certain regulatory provisions can be deemed superior in terms of protection degree from community.

The first chapter analyses "Maternity Protection According to International and European Law", considering the legal framework for maternity protection in the workplace in the European Union, as well as the rules of the International Organization in terms of protecting maternity in the workplace. At the same time, the variety of measures concerning maternity protection in the European Union, but also matters on surrogate mothers are analysed.

In the conditions of the drastic decrease in birth rate and, therefore, in the natural increase of the population, increased measures must be taken – political, administrative and, obviously, legal – in terms of maternity protection in the workplace, protection of pregnant women, postpartum women, nursing women, women caring for children up to the age of 2/3 or 7 years or in other cases, as well as, generally, of employed women.

Maternity protection is guaranteed by the rules of O.I.M., of the *Council of Europe* and, of course, of the *European Union*.

O.I.M. interests in this matter have been oriented, over time, in two major directions: guaranteeing equal rights for the two genders and guaranteeing the protection of women's work.

In terms of the first direction, we recall Convention no. 100 of 1951 referring to equal pay and Recommendation no. 123 of 1965 on the work of women with family responsibilities also found, in its spirit, in our legislation.

The other direction got channelled to protecting maternity, limiting and, gradually, prohibiting night work and underground work for women.

Among the instruments adopted by EC are: the *Convention* of 1950, the *European Social Charter* of 1961, revised in 1966, the *European Social Security Code* of 1964, revised in 1990.

On the level of European law, the most important document in social matter, elaborated in the 20th century, is the *Revised European Social Charter* regulating the right of female workers to maternity protection.

In order to effectively ensure this right, each member state that ratified the Charter undertook:

- to provide all workers, before and after birth, a recess of at least "14 weeks", in the form of leave pay or effective social protection measures referring to their security;

- at the same time, the employer is forbidden to take the measure of dismissal if the employee notified them about their condition, date considered the beginning of the period of categorical prohibition of measure determination and until the end of the maternity leave or if the notice period has ended;

- the member states shall legislate the stage when the mothers are nursing and shall determine breaks in this respect, necessary and sufficient breaks;

- recommendations also concern the regulation of work during night and in the workplaces involving harsh and harmful conditions.

The most important directives in the field subjected to analysis concerning gender equality and maternity, equal opportunity and treatment in the matter of employment and the balance between professional and personal life of parents and caregivers.

The second chapter is dedicated to equal treatment and opportunity in the workplace in Romanian law. The principles of equal opportunity, gender discrimination, on the grounds of maternity and harassment in the workplace are analysed.

In Romania, equal opportunity is regulated by Constitution, Labour Code, Law no. 202/2002 and Government Ordinance no. 137/2000.

Ensuring equal treatment of the parties of employment does not mean uniformity, but the legislator or the one summoned to apply the law, may consider some features that require different treatment.

Gender discrimination, on grounds of maternity and harassment in the workplace have been considered and analysed.

In Italy, maternity protection for working women made an entrance through art. 37, par. 1 of the Constitution, in the part providing that: “Working conditions must allow the fulfilment of its essential family function and ensure special, proper protection for the mother and the child”.

In the Italian law, the explicit consideration of maternity as a discrimination factor appeared in 2006. It provides that all discriminations related to gender are forbidden, according to the provisions of the Legislative Decree no. 198 of 11th of April 2006, especially in terms of any less favourable treatment due to pregnancy, as well as maternity or paternity, including adoptive ones, or due to having or exercising related rights.

In Spain, women’s work has always constituted a part of the labour market slightly incorporated in the labour market or, in the case of those incorporated, discriminated in terms of work conditions (types of work, promotions) or wage (or both at the same time). This discriminatory reality has been found over history in an evolution that started with the first laws that protected women’s work, which have always considered, in order to articulate corrective measures, their inferior physical force or their role as mothers.

Full recognition of equality in front of the law, the proclamation of this rights and the prohibition of discrimination, set in EC and applied by the majority of society, a regulation that, by fighting all forms of inequality, colours the judicial system with this debt and promotes real equality between women and men. This is the regulation function fulfilled by the Organic Law 3/2007, of 22nd of March, for effective equality between women and men.

The French legislator intervened to ensure “maternity protection”, which has various forms¹. Thusly, the pregnant woman is protected against risks of discrimination on the occasion of employment². Art. L 1225-1 of the Labour Code provides that the employer cannot consider that pregnant condition of the woman in order to refuse employment or terminate her employment contract during the probationary period. Therefore, they are prohibited to research or request information on the pregnancy condition, and the woman candidate to employment is not obligated to reveal this condition. The employee benefits from protection against the obligation to work based on the previously concluded contract. Pregnant employees may resign without notice and without the obligation to pay contract termination indemnity (art. L 1225-34 of the Labour Code). Likewise, after birth, the employee may terminate the contract upon termination of maternity leave in order to raise the child without being held to observe the notice term (art. L 1225-66). She has priority in the job in the year following contract termination; in case of reemployment, she has all advantages she had at the time of leaving, the employee mother being allowed to terminate the contract in the same conditions upon termination of maternity or adoption leave, or, if

¹ M. Hardouin, *Grossesse et liberté de la femme en ceinte*, in “Droit social” 1977, p. 287; C. Sutter, *Du droit de la maternité au droit à la procréation*, in Droit social 1981, p. 710.

² According to art. 1225-1 of the Labour Code, the employer must not consider the pregnancy condition of a woman in order to refuse employment or termination of employment contract, during the probationary term. Therefore, they are forbidden to search for information on pregnancy condition of the stakeholder. The woman candidate for employment is not held to reveal her condition. However, the pregnant employee can be dismissed during the probationary term, as it is subject to a different judicial regime.

applicable, two months after birth or when the child goes home under the condition to inform the employer 15 days in advance.

In *Albania*, maternity protection in employment relations is regulated, mainly, in the Labour Code but also in the Law concerning occupational security and health (Law no. 10 237/2010). Labour Code provides special protection for women before and after birth. In any case, the termination of employment contract during maternity leave is invalid. In addition, Labour Code provides regulations for certain rights during maternity leave³.

The third chapter concerns the protection of pregnant woman, postpartum woman and single parent in the workplace. In the first part of this chapter I have analysed, from historic standpoint, the regulatory framework of protecting female employees in our domestic law. In the following I have considered the issues of occupational health and security, night work, as well as certain facilities granted to female employees.

In its general, but also concrete sense, maternity refers to the mother's pregnancy.

During pregnancy, and then during childbirth, referring to the *woman's generating function*, maternity designates the *act of carrying and bringing a child into the world*. The maternity thusly reports to the condition of expectant mother and then born child, that is the process of creation, of bringing a new being into the world. The maternity or gestation period corresponds to the pregnancy term. It is about maternity in the biological sense.

With the child's birth, maternity defines the condition, the capacity of mother. The maternity expresses the woman's social role.

In the matter of protecting the work of female employees in general, and especially, protecting maternity, the Romanian legislator issued the following protective rules:

- Law no. 319/2006 of occupational security and health;
- Government Emergency Ordinance no. 96/2003 on maternity protection in the workplaces;
- Government Decision no. 1425/2006 for the approval of the Methodological Norms for the application of the provisions of the Law on occupational security and health no. 319/2006.

In terms of night work, we note that it is not forbidden, but only forcing the pregnant woman to perform it.

We must emphasize that in *Italy* the protective measures are also extended on maternal assistant and adoptive mother; in addition, as we shall see, some of the rights initially only concerning the mother have been extended on fathers as well, who can exercise them on their own or as alternative to the mother; other rights are now assigned to both parents, biological, adoptive or maternal assistants.

In chapter four, the emphasis was placed on reducing working time, free days and leaves associated to maternity or raising the child.

Given the protection that must be granted to these vulnerable categories, the legislator, through internal regulatory documents, found opportune to reduce the working time of these persons, granting days off and certain leaves associated to maternity or raising the child.

Pregnant employees who wish to have certain rights set by the Government Emergency Ordinance no. 96/2003 must firstly see a physician in order to obtain the necessary documents certifying their condition.

The employer is bound to evaluate the degree and duration of exposure to risks per workplace female employees have and the effects they may have on female employees.

³ E. Tiri, *The contract of employment and the rights of employees in Albania, regime in Romania*, in *Revue Européenne du droit social* no. 3 (52) 2021.

Pregnant workers must have working conditions changed so that they are regularly provided during the working schedule with pauses and arrangement of space for rest.

For the pregnant worker to be protected, the employer may set individualized and/or reduced schedule. The working time and its distribution must be notified to the pregnant worker.

At the same time, the pregnant worker may request and perform activities under conditions of telework for 1 or more days per week, even with flexible schedule.

The employer is bound to reduce the working time of the pregnant employee by a fourth, based on a recommendation from the family physician, when found that she cannot conduct activities for the normal time of 8 hours per day, as she would endanger her health or the foetus's health. This reduction of the working schedule must not affect wage rights, the difference being paid from the employer's funds.

In France, during the first period, starting with the debut of the pregnancy and ending on six weeks before the expected date of birth, the latest, the employee can be exempted from performing a part of her usual (work) tasks; this exemption may refer to a reduction of the working time of pregnant women, which can go up to one hour per day; certain (working) agreements do not grant this reduction of the working time, except starting with the third or fourth or even the fifth month of pregnancy, but others grant them from the beginning of the pregnancy.

Starting with the sixth, twelfth or twenty-fourth week, preceding the expected date of birth, the second period starts, during which the employee is fully exempted from the obligation to work. The suspension period lasts, mainly, six weeks, before the expected date of birth and ten weeks after (art. L 1225-17 of the Labour Code). The term of suspension shall be extended in the case of female employee's pathological condition resulting from pregnancy or birth determined by medical certificate (art. L 1225-21), by multiple birth (art. L. 1225-18) or when the employee already has two viable born children or she has two children in care at home (art. L. 1225-19). In such cases, the term of suspension may be *écourtée* – shortened, up to forty-eight weeks when the woman gives birth to triplets (art. L. 1225-18).

In Romania, pregnant employees have paid days off for medical prenatal consultations.

Nursing employees are entitled, during the working schedule, to two nursing breaks of one hour, until the child is one year old. These breaks include the time allocated to the round-trip from the place where the child is located.

Law no. 91/2014 set one day off, annually, for the purpose of caring for the child's health, and both public and private employers are bound to grant this day off, for the annual evaluation of the child's health. The beneficiaries of this right are the parents, but also the legal representatives of the child, on the condition that they are insured, observing the legal terms of state social insurance.

This day off is granted for the purpose of insuring the child's parents or legal representatives' possibility to annually check their health condition.

According to art. 118¹ of the Labour Code, workers with dependent children up to 11 years of age may request employers 4 days per month as telework, under the conditions that the organization of the employer's business allows such activities. Therefore, it is about any person who has a dependent child and not only the child's natural parents.

Law 19/2020 grants days off to parents for supervising children. Thusly, in case of the temporary closure of educational institutions, days off are granted to one of the parents for supervising the children, in the case of suspending courses, temporary closure of educational institutions where the children are enrolled, including school vacations, as a result of unfavourable weather conditions or other extreme situations decreed as such by the competent authorities having responsibilities in this field.

The conditions for granting days off are provided by art. 1 par. 2 of the same regulatory act and determine that the workplace of the parent does not allow teleworking and the children are younger than 12 years or if the children have disabilities, they must be younger than 26 years and enrolled in an educational institution.

Such days are granted only if other options cannot be granted, such as teleworking, individualized working schedule etc., and with the obligation of providing work continuity.

We have deemed advisable to also analyse the day off granted for vaccinating the child against Covid-19.

Italy also provides maternity leave, prohibits dismissal for reasons directly related to pregnancy and prohibits night work.

Spanish laws obligate the employers to adopt measures referring to protecting female employees in workplaces, with special protection rules for pregnant women, postpartum women or nursing women.

The legal framework constituting maternity protection is Workers Status, but also Law 4/1995 on legislating leave for the father or for the mother, as well as Law 3/2007 on full identity between women and men.

In *England*, the possibility of a leave for childcare is made available to the parents who desire free time to care for their child. In order to qualify, the parent must be an employee who had worked for the same employer for one year. The leave for raising children lasts 13 weeks and must be taken before the child reaches the age of five.

The right to request flexible work has been extremely controversial. The employee is allowed to request and the employer who wants to refuse may easily identify a legitimate reason for this.

The Labour Code in the *Republic of Azerbaijan* forbids employment of pregnant and nursing women in work harmful to their health. Delegations, working during weekends and holidays, overtime and night work are forbidden for pregnant women. It is forbidden to employ a pregnant woman in workplaces with difficult or dangerous working conditions, such as underground tunnels, mines and other underground works.

Working time for pregnant women must be reduced to 36 hours per week. Pregnant women may also be transferred to another job without detrimental consequences.

The labour laws in the Republic of Moldova consist, in the Labour Code, of regulations on the work of female employees, persons with family obligations and other persons.

According to the rule specified above, it is forbidden to use work of women who are socially protected through maternity in mining operations or other works with risks or consequences on the pregnancy, nursing of the newborn or health.

Pregnant women can be delegated only by expressing their consent for this in writing. On another side, the employer is bound to notify the employees that they are entitled to refuse delegation (called displacement).

In *Serbia*, maternity protection is regulated in the Employment Act. According to these provisions, a pregnant employee and a female employee nursing a child cannot work in jobs that are, in terms of the findings of a competent health agency, harmful to their or the child's health and, especially, in jobs requiring heaving lifting or the ones characterized by harmful radiations due to exposure to extreme temperatures and vibrations. The employer must provide other jobs, adequate to the female employee specified above and, in case such jobs do not exist, they shall guide her to paid leave.

Labour law provides maternity leave, childcare leave and absence from job due to special care of the child and special protection upon employment termination (during pregnancy and maternity leave from work).

The fifth chapter regards causes for suspending the contract, associated to maternity or child raising.

Among the causes for suspending the employment contract associated to maternity or raising the child, we have considered:

- the maternity leave;
- the leave for raising the child;
- the leave for caring for diseased child;
- the paternal leave;
- the maternal risk leave;
- the habituation leave.

In Romania, according to art. 50 par. 1 of Law no. 273/2004 adopting person “or any of the adopting spouses earning income subjected to income tax, called entitled person”, for the proper fulfilment of parental obligations, employees are entitled to “habituation leave” during the time a child is entrusted to them for adoption.

This leave is granted, “by hypothesis, to the employee who adopted a child older than 2 years”⁴, as if the child is younger than 2 years, the leave provided by Law no. 66/2016 is applicable. This leave lasts for maximum 1 year, including the time of entrusting the child for adoption, during which time the employee also receives a monthly allowance.

During this time, the employer cannot obligate the adoptive parent who had adoption leave to work.

We can conclude that the analysed provisions are almost similar to the regulations in the field applicable in EU states.

France regulates paternity leave and leave for receiving the child, parental leave for education, adjustment leave and other leaves for family events.

The sixth chapter considered the dismissal prohibitions, referring to: the prohibition to dismiss pregnant employees, the prohibition to dismiss female employees benefiting from maternal risk leave, maternity leave or on childcare leave, the prohibition to dismiss the female employee receiving insertion incentive.

The sixth chapter includes comparative law matters. Regulations from member states of the European Union, other states on the continent (Albania, England, Moldova etc.), as well as other countries (Africa, Asia or South America etc.) are analysed.

By regulating certain cases of dismissal prohibition, prohibitions with temporary nature, the legislator instituted a protection measure with general character for employees in certain situations essentially perceived as vulnerable.

We specify, on this occasion, that such prohibitions are regulated in the Labour Code as well as other regulatory acts, thusly:

- Law no. 202/2002;
- Government Emergency Ordinance no. 96/2003;
- Government Emergency Ordinance no. 111/2010.

Such cases of prohibiting employees’ dismissal aim to prevent employers’ abuses, who may dismiss employees in special situations in which they cannot defend themselves, to protect their rights and interests, which are not normally and fully exercised, to thusly contribute to creating an equitable, just and empathetic work environment.

Such prohibitions obviously have temporary nature and do not operate in case of judicial reorganization, bankruptcy or dissolution of the employer. In the latter hypothesis, a termination by law of the contract actually takes place.

France also instituted protection against dismissal. Not only the employed mother is protected against dismissal, but also the child’s father. According to art. L. 1225-4-1 of the Labour Code, no employer can terminate the employee’s contract for ten weeks after the birth

⁴ R. Dimitriu, *Presence of Women in the Labour Market*, 21st of December 2017, www.juridice.ro.

of their child. However, the employer's measure is possible in case of serious actions of that employee or the impossibility to maintain the contract for reasons unrelated to the child's birth.

In *Italy*, art. 55 of the Employees Statute concern the regulation of form and effects of disciplinary dismissal, differentiating between *equitable dismissal*, which implies observing form and substance requirements (proof that alleged breach is real and sufficient to justify the worker's dismissal from the company); *abusive dismissal*, when none of the above requirements are fulfilled; and *null dismissal*, referring to the cases when the dismissal cause is discriminating.

Some national legislations in EU provide the prohibition, but also the possibility of dismissing pregnant workers. Thusly, the French Labour Code shows that the employer has no possibility to terminate the employment contract of a female employee when she is pregnant, medically ascertained, during the contract suspension when she is in maternity leave, as well as for 10 weeks after the expiration of this period.

However, the employer may terminate the contract justified by a serious misconduct, unrelated to pregnancy or the impossibility to maintain the contract for a reason unrelated to pregnancy or birth.

The law on Workers Statute provides in art. 53 point 4 that "the decision to dismiss is null when it is motivated by one of the discrimination reasons prohibited by the Constitution or the law, or when it is made by breaching the fundamental rights and public freedoms of the worker. At the same time, the decision is null when it concerns a pregnant worker, but, as exception, the decision is solid if it is based on situations unrelated to pregnancy". Unlike comparative law, Romanian law does not refer to all (exceptional) situations, in which the dismissal of female employees protected by law can occur, nevertheless. But their dismissal is not prohibited *de plano*. Based on article 10 of Directive 92/85/EEC, such a dismissal is possible, exceptionally, for reasons which do not concern their pregnancy condition.

We can conclude that the analysed provisions are almost similar to the regulations in the field applicable to EU states.

As a general conclusion, we can note that regulations on maternity protection need permanent adaptation to life requirements, determined, especially, by the imperative of reconciling professional and personal life. As such, it is necessary to adequate existing regulations to the requirements from jurisprudential interpretation of various settled cases, besides new regulations.

The formulated *lege ferenda* suggestions emphasize the need to improve the legislative framework on maternity protection in the workplace, supplementation and amendment of laws incidental to the field.

Romania should ratify the I.L.O. Convention no. 171/1990 on night work. Although a part of it is found in the Labour Code by transposing Directive 2003/88/EC and thusly, there is a series of regulated matters, such as matters concerning "*family and social relations*" of the persons providing night work, which are not found in Directive 2003/88/EC or the domestic laws.

Additional rest leave for "*in vitro*" fertilization must be granted to public clerks, the supplementation of the Administrative Code in this respect being required.

If the employer refusing, without reason, the request of the parent employee to benefit from the provisions of art. 118¹ of the Labour Code to be civil sanctioned, by supplementing art. 260 par. 1 of the Labour Code.

De lege ferenda, the supplementation of art. 260 par. 1 of the Labour Code with another letter providing and sanctioning with civil fine the unjustified refusal in such a situation would be required, but also the supplementation of art. 118¹ with a new paragraph expressly

showing that the employee who deems unjustified the refusal of the employer to grant them the benefit provided by this article, to be able to address to court settling labour disputes.

BIBLIOGRAPHY

I. DOMESTIC REGULATORY ACTS

1. Labour Code;
2. Civil Code;
3. Criminal Code;
4. Tax Code;
5. Civil Procedure Code;
6. Law no. 119/1996 on marital status documents;
7. Law no. 210/1999 on parental leave;
8. Law no. 76/2002 on the unemployment insurance system and stimulating employment;
9. Law no. 202/2002 on equal opportunity and treatment between women and men;
10. Law no. 217/2003 on preventing and fighting domestic violence;
11. Law no. 273/2004 on the adoption procedure;
12. Law of administrative contentious no. 554/2004;
13. Law no. 319/2006 on occupational security and health;
14. Law no. 292/2011 on social assistance;
15. Law no. 85/2014 on procedures for preventing insolvency and on insolvency;
16. Law no. 19/2020 on granting days off to parents for supervising children, in case of temporary closure of educational institutions;
17. Law no. 55/2020 regulates certain measures for preventing and fighting the effects of COVID-19 pandemics;
18. Law no. 136/2020 on instituting certain measures in the field of public health in cases of epidemiologic and biological risks;
19. Law no. 283/2022 for amending and supplementing Law no. 53/2003 – Labour Code, as well as Government Emergency Ordinance no. 57/2019 on the Administrative Code;
20. Government Ordinance no. 137/2000 on preventing and sanctioning all discrimination forms;
21. Government Emergency Ordinance no. 96/2003 on maternity protection in the workplace;

22. Government Emergency Ordinance no. 158/2005 on social health insurance leaves and allowances;
23. Government Emergency Ordinance no. 111/2010 on leave and monthly allowance for raising children;
24. Government Emergency Ordinance no. 44/2014 on regulating new measures on recovering debts for social assistance benefits, as well as for amending art. 101 of Law no. 448/2006 on regulating certain measures related to recovering debts for social assistance benefits, as well as for amending art. 101 of Law no. 448/2006 on protecting and promoting the rights of disabled persons;
25. Government Emergency Ordinance no. 30/2020 for amending and supplementing regulatory acts, as well as for setting social protection measures in the context of the epidemiological situation determined by the spread of SARS-CoV2 coronavirus;
26. Government Decision no. 1425/2006 for approving Methodological Rules for the application of the provisions of the Law on occupational security and health no. 319/2006;
27. Government Decision no. 355/2007 on supervising workers' health;
28. Government Decision no. 905/2017 on the general registry for employees records;
29. Government Decision no. 1547/2022 for the approval of the National Strategy on promoting equal opportunity and treatment between women and men and preventing and fighting domestic violence between 2022-2027;
30. Government Decision no. 970/2023 for the approval of the Methodology on preventing and fighting harassment based on gender, as well as moral harassment in the workplace;
31. Decree no. 195/2020 on instituting emergency condition on Romanian territory;
32. Decree no. 240/2020 on extending state of emergency on Romanian territory.

II. INTERNATIONAL RULES

1. International Covenant on Economic, Social and Cultural rights, adopted by the United Nations Organization on 16th of December 1966;
2. Universal Declaration of Human Rights, adopted by the General Assembly of the United Nations Organization in 1948;

3. Convention of International Labour Organization no. 183/2000 on revising the Maternity Protection Convention of 1952;

4. Convention no. 111 of 1958 on discrimination in the field of employment and exercising the profession.

III. EUROPEAN RULES

1. Directive 92/85/CEE on introducing measures for promoting improvement of occupational security and health for pregnant, postpartum or nursing workers;

2. Directive 89/391/CEE on applying measures for promoting improvement of security and health of workers in the workplace;

3. Directive 2000/78/CE on creating a general framework in favour of equal treatment on employment and working conditions;

4. Directive 2010/41/UE on applying the principle of equal treatment between men and women carrying out independent activities and for the abrogation of Directive 86/613/CEE of the Council;

5. Directive 2006/54/CE on applying the principle of equal opportunity and treatment between men and women in the matter of employment and work;

6. Directive (EU) 2019/1158 of 20th of June 2019 on the balance between professional and private life of parents and caregivers and for the abrogation of Directive 2010/18/EU of the Council;

7. Revised European Social Charter of the Council of Europe, adopted in Strasbourg on 3rd of May 1996.

IV. COMPARATIVE LAW REGULATORY ACTS

1. Constitution of Italy;
2. Constitution of Spain;
3. Constitution of the Republic of Albania;
4. French Labour Code;
5. French Social Security Code;
6. Albanian Labour Code;
7. Labour Code in the Republic of Azerbaijan;
8. Labour Code in Moldova;
9. Italian Civil Code;
10. Spanish Civil Code;

11. Workers Statute in Spain;
12. Act on Labour Relations of 1996 in England;
13. Labour Law of 2005 in Serbia;
14. Law on Occupational Security and Health no. 10 237/2010 in Albania;
15. Law no. 53/2000 on supporting maternity and paternity in Italy;
16. Law 4/1995 on legislating leave for fathers and mothers in Spain;
17. Law 31/1995 on preventing risks in the workplace in Spain;
18. Law 3/2007 on effective equality between women and men in Spain.

V. TREATIES. COURSES. MONOGRAPHIES

A. Romanian Authors

1. D. Alexandresco, *Explicațiunea teoretică și practică a dreptului civil român în comparațiune cu legile vechi și principalele legislațiuni străine (Theoretical and Practical Explanation of Romanian Civil Law Compared to Old Laws and Main Foreign Legislations)*, Tipografiei Ziarului Curierul Judiciar Publishing Company, Bucharest, 1906;
2. D.A. Ancheș, *Dreptul muncii în perspectiva europeană (Labour Law in European Perspective)*, Eikon Publishing Company, Cluj-Napoca, 2014;
3. R. Anghel (coord.), *Sănătatea și securitatea în muncă – Abordare multidisciplinară (Occupational Health and Security – Multidisciplinary Approach)*, C.H. Beck Publishing Company, Bucharest, 2019;
4. A. Athanasiu, A.M. Vlăsceanu A.M., *Dreptul muncii. Note de curs (Labour Law. Course Notes)*, C.H. Beck Publishing Company, Bucharest, 2017;
5. A. Athanasiu, M. Volonciu, L. Dima, O. Cazan, *Codul muncii. Comentarii pe articole, Volumul I- Articolele 1-107 (Labour Code. Comments per Articles. Volume I – Articles 1-107)*, C.H. Beck Publishing Company, Bucharest, 2007;
6. M.-B. Berna, *Drepturile femeii în dreptul internațional: conținut juridic și influențe culturale (Women Rights in International Law: Legal Content and Cultural Influences)*, Universul Juridic Publishing Company, Bucharest, 2020;
7. D. Brezeanu, *Regimul juridic al nulității în raporturile de muncă (Legal Regime of Nullity of Work Relations)*, C.H. Beck Publishing Company, Bucharest, 2017;
8. G. Boroș, *Drept civil. Partea generală (Civil Law. General Part)*, 2nd edition, All Beck Publishing Company, Bucharest, 1999;
9. St.D. Cărpenaru, *Tratat de drept comercial român (Romanian Commercial Law Treaty)*, 6th edition, updated, Universul Juridic Publishing Company, Bucharest, 2019;

10. I. Ciochină-Barbu, A.M. Popescu, *Dreptul muncii (Labour Law)*, 3rd edition, C.H. Beck Publishing Company, Bucharest, 2019;
11. M.N. Costin, C.M. Costin, *Dicționar de drept civil de la A la Z (Civil Law Dictionary from A to Z)*, Universul Juridic Publishing Company, Bucharest, 2019;
12. Dicționarul Explicativ al Limbii Române (Explanatory Dictionary of the Romanian Language) (DEX), Univers Enciclopedic Publishing Company, 2016;
13. L. Dima, *Relații de muncă și industriale în Uniunea Europeană (Work and Industrial Relations in the European Union)*, C.H. Beck Publishing Company, Bucharest, 2012;
14. L. Dima, *Dreptul muncii. Curs universitar (Labour Law. Academic Course)*, C.H. Beck Publishing Company, Bucharest, 2017;
15. R. Dimitriu, *Dreptul muncii. Anxietăți ale prezentului (Labour Law. Current Anxieties)*, Rentrop & Straton Publishing Company, Bucharest, 2016;
16. R. Dimitriu, *Consilier Codul muncii (Labour Code Adviser)*, Rentrop&Straton Publishing Company, Bucharest, 2021;
17. L.S. Doseanu, *Regelementarea muncii tinerilor și a femeilor în dreptul național și European (Regulating Youth and Women's Work in National and European Law)*, Universul Juridic Publishing Company, Bucharest, 2015;
18. A.E. Enescu, *Timpul de muncă și de odihnă în dreptul național și în dreptul Uniunii Europene (Working and Resting Time in National Law and European Union Law)*, C. H. Beck Publishing Company, Bucharest, 2012;
19. R. Gidro, *Dreptul muncii (Labour Law)*, Universul Juridic Publishing Company, Bucharest, 2013;
20. M. Gheorghe, *Dreptul individual al muncii (Individual Labour Law)*, Universul Juridic Publishing Company, Bucharest, 2015;
21. C. Gîlcă, *Codul muncii comentat și adnotat (Labour Code Commented and Annotated)*, Rosetti Internațional Publishing Company, Bucharest, 2013;
22. C. Gîlcă, *Codul muncii comentat și adnotat (Labour Code Commented and Annotated)*, Rosetti Internațional Publishing Company, Bucharest, 2022;
23. C. Gîlcă, *Jurisprudența Curții de Justiție Europene în materia dreptului muncii (Jurisprudence of the European Justice Court in the Matter of Labour Law)*, Wolters Kluwer Publishing Company, Bucharest, 2009;
24. C. Hamangiu, I. Rosetti-Bălănescu, Al Băicoianu, *Tratat de drept civil roman (Romanian Civil Law Treaty)*, vol. I, ALL Publishing Company, 1996;

25. A.V. Iugan, *Codul penal adnotat, Partea speciala (Annotated Criminal Law, Special Part)*, Universul Juridic Publishing Company, 2020;
26. C.A. Moarcăș-Costea, *Dreptul securității sociale (Social Security Law)*, C.H. Beck Publishing Company, Bucharest, 2013;
27. B. Marian, *Dreptul securității sociale (Social Security Law)*, Pro Universitaria Publishing Company, Bucharest, 2020;
28. D. Moțiu, *Dreptul individual al muncii (Individual Labour Law)*, C.H. Beck Publishing Company, Bucharest, 2011;
29. C.M. Nicolescu, *Protecția dreptului la viață privată și de familie în cazul copilului născut de o mamă surrogat – variațiuni mioritice; temă europeană (Protecting the Right to Private and Family Life in Case of Children Born to a Surrogate Mother – Myoritic Variations; European Thesis)*, in *In honorem Valeriu Stoica. Drepturi, libertăți și puteri la începutul mileniului al III-lea (Rights, Freedoms and Powers at the Beginning of the 3rd Millenia)*, Universul Juridic Publishing Company, Bucharest, 2018;
30. C. Nicolescu, *Dreptul familiei (Family Law)*, Solomon Publishing Company, 2020;
31. C.M. Nicolescu, *Ordinea publică în dreptul familiei și provocările contemporane. Triumful individualismului și al autodeterminării? (Public Order in Family Law and Contemporary Challenges. The Triumph of Individualism and Self-determination?)*, in volume *Hic et Nunc: Alexandru Athanasiu*, C.H. Beck Publishing Company, Bucharest, 2020;
32. S. Panainte, *Interdicția de concediere a salariatelor între (cvasi) absolut și relativ (Prohibition to Dismiss Employees Between (Quasi) Absolute and Relative)*, in vol. *Hic et Nunc: Alexandru Athanasiu*, C.H. Beck Publishing Company, Bucharest, 2020;
33. S. Panainte, *Dreptul individual al muncii (Individual Labour Law)*, Hamangiu Publishing Company, Bucharest, 2017;
34. V. Popa, O. Pană, *Dreptul muncii. Comparat (Labour Law. Comparative)*, Lumina Lex Publishing Company, Bucharest, 2003;
35. R.R. Popescu, *Dreptul european al muncii. Legislație, doctrină și jurisprudență (European Labour Law. Legislation, Doctrine and Jurisprudence)*, Hamangiu Publishing Company, Bucharest, 2019;
36. M.-C. Preduț, *Codul muncii comentat (Labour Code Commented)*, 4th edition, supplemented and revised, Universul Juridic Publishing Company, Bucharest, 2024;

37. N. Roș, *Dreptul muncii (Labour Law)*, 3rd edition, revised and added, ProUniversitaria Publishing Company, Bucharest, 2023;
38. N. Roș, *Dreptul securității sociale (Social Security Law)*, 4th edition, revised and added, ProUniversitaria Publishing Company, Bucharest, 2024;
39. A. Roșioru, *Dreptul individual al muncii. Curs universitar (Individual Labour Law. Academic Course)*, Universul Juridic Publishing Company, Bucharest, 2017;
40. O.M. Salomia, *Instrumente juridice de protecție a drepturilor fundamentale la nivelul Uniunii Europene (Legal Instruments for protecting Fundamental Rights on European Union Level)*, C.H. Beck Publishing Company, Bucharest, 2019;
41. I.T. Ștefănescu, *Tratat de dreptul muncii (Labour Law Treaty)*, Wolters Kluwer Publishing Company, Bucharest, 2007;
42. I.T. Ștefănescu, *Tratat teoretic și practic de drept al muncii (Theoretical and Practical Labour Law Treaty)*, Universul Juridic Publishing Company, Bucharest, 2014;
43. I.T. Ștefănescu, M. Ezer, M. Gheorghe, I. Șorica, B. Teleoacă-Vartolomei, A.G. Ulutu, V. Voinescu, *Codul muncii și Legea dialogului social. Comentarii și explicații (Labour Code and Social Dialogue Law. Comments and Explanations)*, Universul Juridic Publishing Company, Bucharest;
44. A. Tască, *Politică socială a României. Legislație muncitorească (Romanian Social Policy. Workers Legislation)*, Bucharest, 1970;
45. A. Țiclea, *Tratat teoretic și practic de dreptul muncii (Theoretical and Practical Labour Law Treaty)*, 2nd edition, Universul Juridic Publishing Company, Bucharest, 2024;
46. A. Țiclea, *Tratat de dreptul muncii ed. a III-a (Labour Law Treaty, 3rd edition)*, Universul Juridic Publishing Company, Bucharest, 2009;
47. A. Țiclea, *Tratat de dreptul muncii: legislație, doctrină, jurisprudența (Labour Law Treaty: Legislation, Doctrine, Jurisprudence)*, 7th edition, revised and added, Universul Juridic Publishing Company, Bucharest, 2013;
48. A. Țiclea, *Tratat de drept al muncii (Labour Law Treaty)*, 9th edition, Universul Juridic Publishing Company, Bucharest, 2015;
49. A. Țiclea, *Tratat privind timpul de muncă și timpul de odihnă (Treaty on Working and Resting Time)*, Universul Juridic Publishing Company, Bucharest, 2020;
50. A. Țiclea (coord.), L. Georgescu, I. Dumitru, M. Purcaru, *Noutăți legislative, jurisprudențiale și doctrine privind raporturile de muncă (Legislative, Jurisprudential and*

Doctrinaire News on Work Relations), Universul Juridic Publishing Company, Bucharest, 2018;

51. A. Țiclea, *Codul muncii. Legislație conexă. Comentarii. Jurisprudență (Labour Code. Connected Legislation. Comments. Jurisprudence)*, Universul Juridic Publishing Company, Bucharest, 2020;

52. A. Țiclea, L. Georgescu, *Dreptul securității sociale (Social Security Law)*, Universul Juridic Publishing Company, Bucharest, 2023;

53. A. Țiclea, L. Georgescu, *Dreptul securității sociale (Social Security Law)*, Universul Juridic Publishing Company, Bucharest 2014;

54. D. Țop, *Drept social European (European Social Law)*, Bibliotheca Publishing Company, Târgoviște, 2009;

55. D. Țop, *Dreptul muncii – Dreptul securității sociale (Labour Law – Social Security Law)*, Bibliotheca Publishing Company, Târgoviște, 2013;

56. D. Țop, *Istoria dreptului și statului românesc (History of Romanian Law and State)*, Zven Publishing Company, Târgoviște, 2016;

57. D. Țop, *Tratat de dreptul muncii (Labour Law Treaty)*, Wolters Kluwer Publishing Company, Bucharest, 2007;

58. D. Țop, *Tratat de dreptul muncii (Labour Law Treaty)*, Wolters Kluwer Publishing Company, Bucharest, 2008;

59. D. Țop, *Constanțele dreptului muncii (Labour Law Constants)*, vol. 1, *Dreptul muncii în sistemul dreptului (Labour Law in Law System)*, Zven Publishing Company, Târgoviște, 2021;

60. D. Țop, G.M. Bermúdez, *Securitatea socială. Analiza a două sisteme: România – Mexic / Seguridad social. Análisis de dos sistemas: Rumania-México (Social Security. Analysis of Two Systems: Romania – Mexico)*, Bibliotheca Publishing Company, Târgoviște, 2015;

61. D. Țop, *Tratat de dreptul muncii (Labour Law Treaty)*, 4th edition, Universul Juridic Publishing Company, Bucharest, 2022;

62. D. Țop, *Tratat de dreptul muncii. Doctrina și jurisprudența (Labour Law Treaty. Doctrine and Jurisprudence)*, 5th edition, revised and added, Universul Juridic Publishing Company, Bucharest, 2024;

63. D. Țop, *Puncte de cotitură în legislația muncii din România (2022 – 2023) (Turning Points in Labour Laws in Romania (2022 – 2023))*, Zven Publishing Company, Târgoviște, 2023;

64. N. Voiculescu, *Drept social European (European Social Law)*, Universul juridic Publishing Company, Bucharest, 2014;
65. N. Voiculescu, *Dreptul muncii. Reglementări interne și comunitare (Labour Law. Domestic and Community Regulations)*, Wolters Kluwer Publishing Company, Bucharest, 2007;
66. N. Voiculescu, M.-B. Berna, *Tratat de drepturile omului (Human Rights Treaty)*, Universul Juridic Publishing Company, Bucharest, 2023;
67. L Uță, F. Rotaru, S. Cristescu, *Codul muncii adnotat vol. I (Annotated Labour Law, volume I)*, Hamangiu Publishing Company, Bucharest, 2009;
68. R. Vasiliu, A. Miclea. *Protecția maternității la locul de muncă (Maternity Protection in the Workplace)*, Rosetti International Publishing Company, Bucharest, 2020;
69. B. Vartolomei, *Dreptul muncii. Curs universitar (Labour Law. Academic Course)*, Universul Juridic Publishing Company, Bucharest, 2016;
70. A.M. Vlăsceanu, M.A. Iordache, *Munca la distanță expresie a flexibilizării raportului de muncă (Remote Work – Expression of Flexibilization of Work Relations)*, C.H. Beck Publishing Company, Bucharest, 2023;
71. V.M. Witzaman, *Curs de drept muncitoresc (Workers Law Course)*, 3rd edition, “Litografia Învățământului București” Printing House, 1955.

B. Foreign Authors

1. I. Ahmad, *Brazil Decent Work Check 2019*, WageIndicator Foundation, Amsterdam 2019;
2. P. Aleka, K.i Zyhrada, *Labour Standards in Albania, Research Report*, Institute for Democracy and Mediation, 2016;
3. G. Auzero, D. Bougard, E. Dockés, *Droit du travail*, 36^e édition, Dalloz, Paris, 2023;
4. M.V. Ballester, G. De Simone, *Diritto del lavoro*, Giappichelli Publishing Company, 2022;
- 5 A.C.L. Davies, *Perspectives on Labour Law*, Cambridge University Press, New York, 2004;
6. R.J. Cook, *State accountability under the Convention on the Elimination of All Forms of Discrimination Against Women*, in *Human Rights of Women*, R.J. Cook edition, 1994;
7. A.A.M Iftikhar, *Portugal Decent Work Check*. WageIndicator Foundation, Amsterdam, 2019;

8. B. del Mar López Insua, D. Top, M. E. Monsalve Cuellar, d.a Calderón Bernal, M.P. Dávila Ariza, *Regime de las incapacidades por maternidad permisos parentales. Derecho comparado España - Rumanía – Colombia*, Zven Publishing Company, Târgoviște, 2020;
9. M. C Palomeque Lopez, M.A. de la Rosa, *Derecho del trabajo*, vigesimonvena edición, Universitaria Ramon Areces Publishing Company, 2023;
10. M.C. Palomeque López, J.M. Álvarez de la Rosa, *Derecho del trabajo*, 25^a ed., Editorial Universitaria Ramón Areces, Madrid, 2017;
11. J. Pelissier J., G. Auzero, E. Dockes E., *Droit du Travail*, 2010, 25^{ème} édition, Dalloz;
12. S. Perrenoud, *La protection de la maternité: Etude de droit suisse, international et européen*, Stämpfli Verlag Publishing Company, 1er édition, 2015;
13. F.C Rodas (coord.), A.G. Ros, I.C. Victoria, M.M. Aso, J.M. Servais, *Manual de derecho del trabajo, seguridad social y migraciones laborales*, 3^a ed, Aranzadi Publishing Company, 2023.

VI. STUDIES. ARTICLES. COMMENTS

A. Romanian Authors

1. A. Athanasiu, A.M. Vlăsceanu, *Interdicția de concediere a lucrătoarelor gravide (Prohibition to Dismiss Pregnant Women)*, in RRDP, no. 1/2005, p. 58-85;
2. Gh. Bădică, A. Popescu, *Necesitatea sistematizării legislației muncii (Need to Systematize Labour Legislation)*, in Law no. 1/1992, p. 13;
3. Ș. Beligrădeanu, *Înțelesul, sfera de aplicare și efectele măsurilor de „denunțare” sau „desfacere” a contractelor individuale de muncă de către administratorul judiciar/lichidatorul judiciar reglementate prin art. 123 din Legea nr. 85/2014 privind procedurile de prevenire a insolvenței și a insolvenței (Meaning, scope and effects of measures for “cancellation” or “termination” of individual employment contracts by the receiver/liquidator regulated by art. 123 of Law no. 85/2014 on the procedures for preventing insolvency and on insolvency)*, in Law no. 11/2014, p. 112-125;
4. T. Bodoașcă, *Opinii privind semnificația juridică a termenului „copil” (Opinions on the Legal Meaning of “Child”)*, in Law no. 6/2014, p. 127-128;
5. D. Ciuntu, *Facilități acordate de angajator în cazul angajatelor care urmează o procedură de fertilizare „in vitro” (Facilities Granted by the Employer to Female Employees Undergoing “In Vitro” Fertilization Procedure)*, in RRDM no. 4/2019, p. 75;

6. S.L. Drăgan, *Concediu de acomodare rezultat al Legii nr. 273/2004 privind procedura adopției (Habituation Leave Resulting from Law no. 273/2004 on Adoption Procedure)*, in RRDM no. 3/2019, p. 54;
7. I. Dumitru, *Considerații asupra legalității concedierii lucrătoarelor gravide, lăuze sau care alăptează (Considerations on the Legality of Dismissing Pregnant, Postpartum or Nursing Workers)*, in RRDM no. 10/2016, p. 24-30;
8. R. Dimitriu, *Reflecții privind suspendarea contractului individual de muncă și necesitatea regândirii reglementării acesteia cuprinsă în codul muncii (Reflections on Suspending the Individual Employment Contract and the Need to Rethink Its Regulation in the Labour Code)*, in Law no. 2/2015, p. 81;
9. R. Dimitriu, *Prezența femeilor pe piața muncii (Women Presence on the Labour Market)*, in RRDM no. 9/2016, p. 20;
10. M.V. Duca, *Concedierea salariații gravide în perioada de probă. Informarea prealabilă a angajatorului privind starea de graviditate (Dismissal of Pregnant Employee During Probation. Previous Notification of the Employer About Pregnancy)*, Law no. 10/2020, p. 176-191;
11. M.V. Duca, *Aplicabilitatea interdicțiilor temporare de concediere în cazul încetării contractului individual de muncă pe durata sau la sfârșitul perioadei de probă (Applicability of Temporary Dismissal Interdictions in Case of Termination of Individual Employment Contract During or at the End of Probation)*, in Law no. 3/2021, p. 105;
12. A. Duțu, *Hărțuirea la locul de muncă (Harassment in the Workplace)*, in RRDM no. 2/2021, pp. 48-59;
13. A. Duțu, *Pandemia de COVID-19 și dreptul muncii (COVID-19 Pandemics and Labour Law)*, in RRDM no. 1/2022, pp. 41 and the next;
14. D.G. Enache, *Aspecte generale în legătură cu protecția datelor cu caracter personal ale salariaților (General Matters Related to Employees' Personal Data Protection)*, in Law no. 1/2015, p. 35-48;
15. L. Filip, L. Pavel, *Concediul de risc maternal (Maternal Risk Leave)*, in RRDM no. 4/2004, p. 60-63;
16. A.M.A. Iancu, *Maternity Protection at Work in the Republic of Albania* in Revue Européenne du droit social no. 1/2020, p. 66-70;
17. A.M.A. Iancu, *Protection of Maternity at Work According to the Labor Code of 1950*, in Revue Européenne du Droit Social no. 4/2020, p. 41-44;

18. L. Georgescu, *Considerații generale privind concediul de îngrijitor (General Considerations on Caregiver Leave)*, in RRDM no. 3/2022, p. 30-31;
19. M. Glodeanu, *Protecția salariatei gravide împotriva concedierii. Condiții de legalitate a deciziei (Protection of Pregnant Employee Against Dismissal. Decision Lawfulness Conditions)*, in RRJ, no. 4/2016, p. 79-84;
20. R. Glodeanu, *Regulamentul general privind protecția datelor. Aplicații practice în materia litigiilor de muncă (General Data Protection Regulation. Practical Applications in the Matter of Work Disputes)*, in Law no. 3/2019;
21. I.M. Lăpuște, *Interdicții privind concedierea (Prohibitions on Dismissal)*, in RRDM no. 6/2017, p. 34;
22. A. Ștefănescu, *Forme de prestare a muncii la domiciliu (Forms of Carrying out Work at Home)*, in RRDM, no. 3/2008, p. 76;
23. G. P. Știrbu Gabriela-Petruța, *Suspension of the Individual Employment Contract in the Case of Maternity Leave or in the Case of Maternal Risk Leave in the Romanian Legislation*, Revue Européenne du droit social no. 1 (62) 2024;
24. Ș.D. Pițigoi, *Aspecte referitoare la regimul juridic al învoirii de la locul de muncă (Matters Referring to the Legal Regime of Leave of Absence from the Workplace)*, in Law no. 12/2017, p. 66;
25. I.T. Ștefănescu, *Momente esențiale ale reglementării raporturilor de muncă în secolul după Marea Unire. Concluzii (Essential Moments of Regulating Work Relations in the Century After the Great Union. Conclusions)*, in Law no. 12/2018, p. 96;
26. I.T. Ștefănescu, R. Dimitriu, *Considerații referitoare la protecția datelor personale ale salariaților în cadrul raporturilor de muncă (Considerations Referring to Employees' Personal Data Protection in Work Relations)*, in Law no. 9/2015, p. 189-190;
27. B. Teleoacă Vartolomei, *Reglementarea activității de telemuncă prin Legea nr. 81/2018 (Regulating Teleworking through Law no. 81/2018)*, in RRDM no 2/2018, p. 46;
28. A. Țiclea, *Evoluția legislației muncii în spațiul românesc (Evolution of Labour Legislation in the Romanian Area)*, in Law no. 4/2021, p. 53;
29. A. Țiclea, A. Duțu, *Discuții referitoare la interdicția concedierii salariatei gravide (Discussions Referring to the Prohibition to Dismiss the Pregnant Employee)*, in Law no. 9/2018, p. 50 and the next;
30. A. Țiclea, *Durata redusă a timpului de muncă (Reduced Duration of Working Time)*, in RRDM no. 1/2020, p. 26;

31. A. Țiclea, *Concedii și indemnizații de asigurări sociale de sănătate (Leaves and Indemnities in Health Social Insurances)*, in RRDM, no. 4/2006, p. 14-30;
32. A. Țiclea, *Confuzii cu repetiție între concediere și încetarea contractului individual de muncă în perioada de probă (Repeated Confusions Between Dismissal and Termination of Individual Employment Contract During Probation)*, in RRDM no. 6/2020. p. 22;
33. A. Țiclea, *Telemunca – modalitate modernă și flexibilă de desfășurare a activității salariatului (Teleworking – Modern and Flexible Method of Carrying out Employee’s Activities)*, in Law no. 11/2018, p. 192;
34. O. Ținca, *Comentarii referitoare la o recentă Hotărâre a Curții europene de Justiție a Uniunii Europene în materia discriminării între bărbați și femei în relațiile de muncă (Comments Referring to a Recent Decision of the Court of Justice of the European Union in the Matter of Discrimination Between Men and Women in Work Relations)*, in RRDM no. 8/2010;
35. O. Ținca, *Considerații în legătură cu interpretarea interdicției legale a concedierii salariatei gravide (în măsura în care angajatorul a luat cunoștință de acest fapt anterior emiterii deciziei de concediere) în lumina Directivei 92/85/CEE (Considerations Related to the Interpretation of the Legal Prohibition to Dismiss Pregnant Employees (to the Extent the Employer was Aware of This Before Issuing the Dismissal Decision) in Light of Directive 92/85/EEC)*, in Law no. 9/2014, p. 109;
36. D. Țop, *Noi reglementări privind protecția maternității la locul de muncă (New Regulations on Maternity Protection in the Workplace)*, RRDM no. 10/2015 p. 13-18;
37. D. Țop, *Considerații cu privire la două noi acte normative în domeniul relațiilor de muncă (Considerations on Two New Regulatory Acts in the Field of Work Relations)*, in “RRDM”, no. 10/2014, p. 27;
38. D. Țop, *Regulation of the Individual Labour Contract in the Working Code of the Republic of Albania*, Revue Européenne du droit social no. 4 (45) 2019, p. 39;
39. D. Țop, *Discuții privind necesitatea unei definiții legale a actelor adiționale la contractele de muncă (Discussions on the Need of a Legal Definition of Addendum to Employment Contract)*, in Law no. 9/2020, p. 44-52;
40. A. Vernea, *Particularități ale acordării concediului medical, în legislația română, în cazul infectării cu virusul Sars-Cov-2. Lecții pentru viitor (Peculiarities of Granting Medical Leave, in Romanian Legislation, in Case of Infection with Sars-Cov-2 Virus. Lessons for the Future)*, in Revue Européenne du droit social no. 3/ 2021, p. 52;

41. E. Tiri, *The Contract of Employment and the Rights of Employees in Albania, Regime in Romania*, in *Revue Européenne du droit social* no. 3 (52) 2021;

42. L. Zărnescu, *Reflectarea principiului privind echilibrul dintre viața profesională și cea privată în legislația română (Reflecting on the Principle of Balance Between Professional and Personal Life in Romanian Legislations)*, in *RRDM* no. 5/2023.

B. Foreign Authors

1. M. Hardouin, *Grossesse et liberté de la femme en ceinte*, in *Droit social* 1977, p. 287;
C. Sutter, *Du droit de la maternité au droit à la procréation*, in “*Droit social*” 1981, p. 710;

2. G. P. Politakis, *Normes sur le travail de nuit des femmes; le dileme protection — égalité*, in “*Revue Internationale du Travail*” vol. 140, n^o 4/2001, p. 487- 489.

VII. JUDICIAL PRACTICE

1. High Court of Cassation and Justice, Administrative and Tax Contentious Section, Decision no. 3973/2018;

2. High Court of Cassation and Justice, Administrative and Tax Contentious Section, Decision no. 3177/2015;

3. High Court of Cassation and Justice, Administrative and Tax Contentious Section, Decision no. 574/2016;

4. Court of Appeal of Bucharest, 7th Section – Labour and Social Insurance Disputes, Civil Decision no. 3795/2016;

5. Court of Appeal of Brașov, Civil Section, Decision no. 62/2014;

6. Court of Appeal of Oradea, 2nd Civil Section for Administrative and Tax Contentious, Decision no. 2059/2018;

7. Court of Appeal of Iași, Administrative and Tax Contentious Section, Decision no. 357 /2020;

8. Court of Appeal of Iași, Administrative and Tax Contentious Section, Decision no. 91/ 2020;

9. Court of Appeal of Bucharest, 7th Civil Section for Labour and Social Insurance Disputes, Civil Decision no. 6213/2016;

10. Court of Appeal of Bucharest, Civil Decision no. 2686/2020;

11. Court of Appeal of Bucharest, 7th Civil Section for Conflicts in Labour Disputes, Civil Decision no. 2863/2017;

12. Court of Appeal of Galați, Labour and Social Insurance Disputes Section, Decision no. 117/2020;
13. Court of Appeal of Bucharest, 7th Section for Cases on Labour and Social Insurance Disputes, Decision no. RJ 598dgggd9/2023 of 20th of February 2023;
14. Tribunal of Bucharest, 8th Section on Labour and Social Insurance Disputes, Civil Decree no. 7418/2018;
15. Court of Appeal of Bucharest, 7th Civil Section for Cases on Labour and Social Insurance Disputes, Decision no. 3846/R of 27th of May 2009;
16. Court of Appeal of Bucharest, 7th Section for Labour and Social Insurance Disputes, Decision no. RJ 235g827dg/2022 of 9th of May 2022;
17. Court of Appeal of Timișoara, Decision no. RJ 39g94g/2022 of 28th of December 2022;
18. Court of Appeal of Timișoara, Section on Labour and Social Insurance Disputes, Decision no. 1491/2015;
19. Court of Appeal of Cluj, Civil Section, Labour and Social Insurance Disputes, Decision no. 940/2008;
20. Court of Appeal of Cluj, Civil Decision no. 1797/2015;
21. Court of Appeal of Bucharest, 7th Civil Section for Cases on Labour and Social Insurance Disputes, Decision no. 1723/R/2010;
22. Court of Appeal of Bucharest, 7th Section for Cases on Labour and Social Insurance Disputes, Civil Decision no. 1773/2016;
23. Court of Appeal of Bucharest, 7th Civil Section for Cases on Labour and Social Insurance Disputes, Civil Decision no. 5302/2014;
24. Court of Appeal of Bucharest, 7th Section for Labour Disputes, Civil Decision no. 2863/2017;
25. Court of Appeal of Iași, Section on Labour and Social Insurance Disputes, Decision no. 91/2020;
26. Court of Appeal of Bucharest, 7th Section for Labour and Social Insurance Disputes, Decision no. RJ g892g597g/2022 of 19th of April 2022;
27. Court of Appeal of Bucharest, 7th Section for Labour and Social Insurance Disputes, Decision no. 6639/2021;
28. Court of Appeal of Constanța, Civil Section, Civil Decision no. 142/2018;
29. Tribunal of Bucharest, Civil Decree no. 5033/2019, not published;
30. Tribunal of Dâmbovița, Civil Decree no. 2040/2012;

31. Tribunal of Ilfov, Civil Decree no. 2836/2020, not published;
32. Tribunal of Sibiu, 1st Civil Section, Civil Decree no. 510/2020;
33. Case C-342/01, *Maria Paz Merino Gomez c. Continental Industrios del Caucho SA*, Decision of 18th of March 2004;
34. Case C-147/02, *Michelle K. Alabaster c. Woolwich pic and Secretary of State for Social Security*, Decision of 30th of March 2004;
35. Case C-232/09, *Dita Danosa vs. LKB Lìzings SIA*, Decision of 11th of November 2010;
36. Case C-103/16, *Jessica Porrás Guisado /Bankia S.A., Fondo de Garantía Salarial and others*, Decision of 22nd of February 2018;
37. Case C-460/06, *Paquay*;
38. Case C-421-92 *Gabriele Habermann-Baltermann*;
39. Case C_C-194-08;
40. Case C_191/03. *Margaret McKenna*;
41. Case C-232/09;
42. Case C194/08, *Cassmayr*;
43. Case C-471/08, *Parviainen*;
44. Case - 66/96, *Pedersen*;
45. Case C-34589, *Stoeckel*;
46. Case C-167/12;
47. Case C342/93, *Gillespie*;
48. Case C-342-01, *Maria Paz Merin Gomez*;
49. Case 438/99/*Luisa Jiménez Melgar*;
50. Case C-109/00, *Tele Danmark*;
51. Case C-174/16 *Germania, H. vs. Land Berlin*;
52. C-486/08, *Zentralbetriebsrat der Landeskrankenhäuser Tirols*, Decision of 22nd of April 2010;
53. C-429/09, *Fuß*, Decision of 25th of November 2010;
54. Case C-194/08, *Susanne Gassmayr vs. Bundesminister für Wissenschaft und Forschung*;
55. C-350/06, *Schultz-Hoff and others*, Decision of 20th of January 2009;
56. C-539/12, *Lock*, Decision of 22nd of May 2014 ;
57. C-270/16, *Carlos Enrique Ruiz Conejero vs. Ferroser Servicios Auxiliares SA, Ministerio Fiscal*;

58. C-406/15, *Milkova*, Decision of 9th of March 2017;
59. C-395/15, *Mohamed Daouidi vs. Bootes Plus SL, Fondo de Garantía Salarial, Ministerio Fiscal*;
60. C-198/13, *Julián Hernández and others*, Decision of 10th of July 2014C-356/12, *Glatzel*, Decision of 22nd of May 2014;
61. Case C-32/93, *Carole Louise Webb v EMO Air Cargo (UK) Ltd.*;
62. C-460/06, *Nadine Paquay v Société d'architectes Hoet + Minne SPRL*;
63. C-506/06, *Sabine Mayr v Bäckerei und Konditorei Gerhard Flöckner OHG*;
64. Case C-499/08, *Andersen*;
65. Case C-246/09, *Susanne Bulicke vs. Deutsche Büro Service GmbH*;
66. C 43/75, *Defrenne*, Decision of 8th of April 1976;
67. Case 170/84, *Bilka*, Decision of 13th of May 1986;
68. C-236/09, *Association belge des consommateurs Test-Achats and others*, Decision of 1st of March 2011;
69. Case C 104/09, *Roca Alvarez c. Sesa Start Espagna ETT SA*, Decision of 30th of September 2010.

VIII. OTHER SOURCES

*** *Conventions of the International Labour Organization ratified by Romania*, second edition, revised, Romanian Institute for Human Rights, Bucharest, 1997

*** Valeriu Zanfir, *Observații teoretice și practice privind limitele delegării salariaților (Theoretical and Practical Observations on the Limits of Employees Delegations)*, www.juridice.ro

*** ILO Report, *Maternitatea și paternitatea la locurile de muncă (Maternity and Paternity in the Workplace)*, www.ilo.org

*** Observatoire Nationale des droits de l'Homme, rapport annuel, 1994-1995

*** [http:// www.romania-actualitati.ro](http://www.romania-actualitati.ro)

*** [http:// www.belgium.be](http://www.belgium.be) › emploi

*** [http:// www.bulgaria-labour-law.bg](http://www.bulgaria-labour-law.bg)

*** [http:// www.costelgilca.ro](http://www.costelgilca.ro)

*** <https://consilierjuridicgermanoroman.com>

*** <http://www.seg-social.pt/maternidade-e-paternidade>

*** [http:// www.academia.edu](http://www.academia.edu)

*** [http:// www.avocatura.com](http://www.avocatura.com)
*** www.gifa.org › xxEurope-countries-MP-laws
*** <https://www.personal.unam.mx/dgpe/docs/leyFedTrabajo.pdf>
*** www.ilo.org › dyn › travail
*** www.ommf.gov.hu
*** <http://www.ilo.org/public/french/bureau/info/pkits/women1.htm>.
*** [https:// www.isspa.org](https://www.isspa.org)
*** [http:// www.insse.ro/cms/](http://www.insse.ro/cms/)
*** [https:// www.mmuncii.ro](https://www.mmuncii.ro)
*** www.paragraf.rs › propisi › e
***<https://www.oamr.ro/organizatia-mondiala-a-sanatatii>
***www.rolii.ro
www.juridice.ro
***<https://mmuncii.ro/j33/index.php/ro/comunicare/comunicate-de-presa/7211-cp-majorare-indemnizatii-calulate-cu-isr-05032024>
***www.portal.just.ro.
***www.scj.ro
***<https://www.jurisprudenta.com>
***mcp-avocati.ro
***uprl.unizar.es/procedimientos/maternidad.pdf
***<https://www.wipo.int/edocs/lexdocs/laws/en/al/al066en.pdf>
***www.lex.justice.md › md
***www.researchgate.net
***<http://www.ilo.org/public/french/bureau/info/pkits/women1.htm>.
***www.isspa.org
***www.vietnamlaws.com
***<https://meusalario.uol.com.br>
***<https://www.personal.unam.mx/dgpe/docs/leyFedTrabajo.pdf>
***https://www.legifrance.gouv.fr/codes/texte_lc/LEGITEXT000006072050/2024-08-13/
13/
***https://www.legifrance.gouv.fr/codes/texte_lc/LEGITEXT000006073189/
***<https://www.boe.es/buscar/act.php?id=BOE-A-2015-11430&tn=1&p=20240802>
***www.avocatnet.ro
***www.juridice.ro

***<https://www.ilo.org/dyn/normlex/en>

***<http://www.unicef-ire.org>

***<http://curia.europa.eu/juris/document/document.jsf?text=&docid=185743&pageIndex=0&doclang=RO&mode=lst&dir=&occ=first&part=1&cid=14093462>

***https://mmuncii.ro/j33/images/Documente/MMPS/Transparenta_decizionala/09032021Anexa_1_SNESVD_cu_ANDPDCA_CNPP_29_01.pdf

***<https://www.consilium.europa.eu/ro/press/press-releases/2023/04/24/gender-pay-gap-council-adopts-new-rules-on-pay-transparency/>

***https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/gender-equality/equal-pay/gender-pay-gap-situation-eu_en

***<https://www.pwc.ro/ro/media/comunicate-de-presa-2024/Analiz-PwC-Romania-Progresul-catre-egalitatea-intre-femei-si-barbati-pe-piata-muncii-este-prea-lent-Decalajul-salarial-ramane-ridicat.html>