



INTERNATIONAL UNIVERSITY OF SARAJEVO
INTERNACIONALNI UNIVERZITET U SARAJEVU



INTERNATIONAL UNIVERSITY OF SARAJEVO

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Book of rules on maternity and paternity leave

January, 2019



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Pursuant to the provisions Labor Law (Official Gazette of the FBiH, no. 26/16 and 89/18), and in accordance with the Book of rules on Labour relations of the International university of Sarajevo (No:IUS-UO-08-5/2016 from 16 April 2016), on 27.03.2019.Rector of the International University of Sarajevo has adopted the following:

BOOK OF RULES ON MATERNITY AND PATERNITY LEAVE

GENERAL PROVISIONS

Article 1

(Subject of the Rules of Procedure)

(1)The Book of Rules on Maternity Leave of the International University of Sarajevo (hereinafter referred to as: the Rules) regulates the rights of employees to use maternityleave, rights of employees to work part time after the termination of maternity leave period, rights of employees to work part time up to three years from the birth of a child,Woman's right to Breastfeeding leave,legal right to maternity leave in the event of child loss/stillborn, rights of the parents of a seriously disabled or handicapped child, rights of the adoptive parent and the person to whom the child is entrusted to custody and upbringing, father's rights to use paid leave in case his wife gave birth of a child, and other matters relevant to the University and employees, in accordance with the Labour Law of Federation of Bosnia and Herzegovina (hereinafter referred to as: the Law) and collective agreement.

(2) The Book of Rules on Labour Relations can not establish less favorable rights than those determined by the Law.

(3) If a right arising from employment is differently regulated by this Book of Rules, the Law, collective agreement or employment contract, then the right most favorable for the employee is exercised.



Article 2

(Meanings of terms in the Rules)

(1) For the purpose of the Book of Rules on Maternity leave, the used terms have the following meanings:

- a) The University is the International University of Sarajevo, headquartered in Sarajevo, at Hrasnička cesta 15 (hereinafter referred to as: the University) that provides the employee with a job under a contract of employment,
- b) The employee is a person employed under a contract of employment,
- c) Academic staff are employees elected in one of the academic degrees in accordance with the Law on Higher Education of the Sarajevo Canton ("Official Gazette of the Sarajevo Canton", no. 33/17),
- d) Non-teaching staff are all other employees who are not considered teaching staff in terms of these Rules,
- e) Full-time working hours are 40 hours per week, unless otherwise specified by the Law, collective agreement, employment contract or this Book of Rules.
- f) Working hours shorter than those determined as full-time working hours are considered to be part-time working hours,
- g) A year is a calendar year.
- h) Rector is the person authorized to represent the University in internal and external affairs and decide on the future employment at the University and the conclusion of the employment contracts and the rights, obligations and responsibilities of workers from the employment in accordance with the law and development plans that are determined by the Board of Directors.

Article 3

(Maternity leave)

- (1) During the pregnancy, birth and nursing, woman has a right on Maternity leave of one year, without a break.
- (2) Based on a doctor's report, woman can start her Maternity leave 28 days before the Birth due date.
- (3) Woman can use shorter Maternity leave, but not shorter than 42 days after the birth.
- (4) During the maternity leave, the University will provide a person to replace the employee on leave, in the domain of his / her administrative duties.



Article 4 (Paternity leave)

- (1) After 42 days after the birth, right to Maternity leave can be used by employee- child's father as well, if parents agree to do so.
- (2) Employee- child's father can also use the right from Paragraph (1) of this article in a case of mother's death, if mother leaves a child or if she can't use Maternity leave because of valid reasons.

Article 5 (Prohibition of unequal treatment)

- (1) University cannot refuse to employ a woman due to pregnancy, nor during pregnancy, maternity leave, and while exercising rights from Articles 63, 64 and 65 of the Law on Labour, cannot terminate the contract with the woman, or an employee who is exercising any of the above-mentioned rights.
- (2) Termination of the employment contract on a fixed-term basis is not considered a termination of the employment contract as defined in paragraph (1) of this Article.
- (3) An employer may not ask for any information regarding pregnancy unless the employee requests certain right protecting pregnant women stipulated by law or other regulations.

Article 6 (Temporary allocation of the woman to other job position during the pregnancy)

- (1) University is obliged to appoint a woman, with her written consent, during pregnancy, i.e. breastfeeding, to other working duties if it is in the best interest of her health condition identified by an authorized physician.
- (2) If University cannot ensure the appointment of a woman as defined in paragraph (1) of this Article, the woman has the right to absence from work with a salary as stipulated by the collective contract and Rulebook on labour relations.
- (3) Temporary appointment from paragraph (1) of this Article cannot result in the decrease of the salary of the woman.
- (4) University can appoint woman to other working duties only with her written consent.



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Article 7

(Part time work after the termination of Maternity leave)

- (1) When Maternity leave ends, woman with a child up to one year has the right to work part time, and for twins, third and every following child, she has the right to work Part time until the child is two years old, if Canton regulation didn't propose longer duration of this right.
- (2) The right from the previous paragraph of this article can be used by employee-child's father, if woman works full time during that period.

Article 8

(Part time work up to three years of a child)

- (1) Upon the expiration of maternity leave one working parent of a child up to three years of age shall be entitled to work half working hours if the child, as determined by a competent doctor, needs a special care.

Article 9

(Woman's right on Breastfeeding leave)

- (1) Woman who is breastfeeding, and who works full time after the Maternity leave, has the right on two daily breaks, one hour each, until the child is one year old, due to breastfeeding.
- (2) Break time from paragraph (1) of this article is included in full working hours.
- (3) The University is obliged to provide an adequate room where mothers and fathers can change and feed a child.

Article 10

(Legal right on maternity leave in the event of child loss/stillborn)

- (1) If a woman gives birth to a stillborn child or if the child dies before the expiry of maternity leave, she is entitled to extend the maternity leave for as long as authorized doctor finds it appropriate to recover from childbirth and psychological condition caused by the loss of a child, or at least 45 days from birth of a stillborn child i.e. child death, during which she uses all the rights determined by maternity leave.



Article 11

(Right to absence after the expiration of maternity leave)

- (1) One of parents may be absent from work up to three years of a child if it is proscribed by Collective agreement or Book of rules on Labour relations.
- (2) Rights and obligations of the employee that are acquired at work and in relation to work are in dormant status during the absence from previous paragraph.

Article 12

(Salary compensation during maternity leave and part-time work leave)

- (1) While on maternity leave, the employee has the right to salary compensation in accordance with special law regulations.
- (2) In addition to the rights referred in paragraph (1) of this Article, the worker may be paid the difference up to full wage at the expense of the University.
- (3) While working with part-time work from Article 28, paragraph (6) of Rulebook, for the time employee doesn't work, the employee is entitled to salary compensation for half the working hours in accordance with special law regulations.

Article 13

(Rights of the parents of a seriously disabled or handicapped child)

- (1) One of the parents of a seriously disabled or handicapped child, who is not committed to a medical or social institution, based on finding of the competent health institution, shall be entitled to work half working hours, in the case of a single parent or if both parents are employed.
- (2) A parent, who uses the right referred to in paragraph 1 of this Article, shall be entitled to a salary compensation in accordance with the law.
- (3) The parent of the child under paragraph 1 of this Article shall not be ordered to work night shifts, to work overtime, nor shall be his/her place of work changed, unless he/she has provided his consent to this effect.



Article 14

(Rights of the adoptive parent and the person to whom the child is entrusted to custody and upbringing)

(1) The rights referred to in Article 62, paragraphs 1 and 3 and Art. 63, 64, 67, 68 and 69 of The Labour Law may use one of the adoptive parents of a child or a person who, on the basis of a decision of the competent authority, has been entrusted to the child care and upbringing.

Article 15

(Paid leave)

(1) Employees are entitled to have paid leave along with their salary for up to seven days in one calendar year when:

- (a) an employee gets married,
- (b) the wife of an employee gives birth to a child,
- (c) there is a case of a terminal illness or death in an employee's family or household (as stated or defined by the law),
- (d) an employee moves house,
- (e) there are natural disasters putting the life or property of the employee at risk,
- (f) other similar cases occur, which will be individually decided upon by the Rector.

(2) An employee is entitled to paid leave during his / her education or professional development as stated in Article 12 of this Rule book as well as any education for the purposes of syndicate work, and for the payment which is to be decided by the Board of Trustees.

(3) An employee who donates blood on a voluntary basis is entitled to at least one paid day off after each blood donation.

(4) As for the rights based on labour relation, any paid leave is equal to any time spent at work.

(5) An employee is entitled to paid leave in other cases and times defined and regulated by the rules and regulations of the Canton or the company level agreement.

Article 16

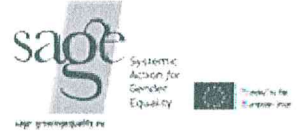
(Protection of Women and Motherhood)

(1) University cannot refuse to employ a woman due to pregnancy, nor during pregnancy, maternity leave, and while exercising rights from Articles 63, 64 and 65 of the Law, cannot terminate the contract to a woman, or an employee who is exercising any of the above-mentioned rights.

(2) Termination of the employment contract on a fixed-term basis is not considered a termination of the employment contract as defined in paragraph (1) of this Article.



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- (3) University is obliged to appoint a woman, with her written consent, during pregnancy, i.e. breastfeeding, to other working duties if it is in the best interest of her health condition identified by an authorized physician.
- (4) If University cannot ensure the appointment of a woman as defined in paragraph (3) of this Article, the woman has the right to absence from work with a salary assigned by the Board of Directors.
- (5) Temporary appointment from paragraph (3) of this Article cannot result in decreasing the salary of the woman.