



INSTITUCIONET E PËRKOHSHME TË VETËQEVERISJES
PROVISIONAL INSTITUTIONS OF SELF GOVERNMENT
PRIVREMENE INSTITUCIJE SAMOUPRAVLANJA

QEVERIA E KOSOVËS - GOVERNMENT OF KOSOVO - VLADA KOSOVA

MINISTRIA E PUNËS DHE E MIRËQENIES SOCIALE
MINISTRY OF LABOUR AND SOCIAL WELFARE
MINISTARSTVO RADA I SOCIJALNE ZAŠTITE



Pursuant to Article 1 paragraph 1.3, indent (ç) of Regulation No 2001/19 on Executive Branch of Provisional Institutions of Self Government in Kosova

Taking into account article 23 of General Collective Agreement, and also article 2 of this Contract Annex,

Aiming implementation of Kosova Government decision No 02/201 dated 31.05.2006,

With a purpose of simplifying procedures of proper realization of the rights to Maternity Leave,

Hereby Minister of Ministry of Labour and Social Welfare issues this:

ADMINISTRATIVE INSTRUCTIN No 05/2007
ON
REGULATION AND DETERMINATION OF PAYMENT PROCEDURES FOR
SOCIAL SERVICE MATERNITY LEAVE IN KOSOVA

Article 1

Purpose

This Administrative Instruction aims to regulate and determine the procedures for realization of second three month financial payment of maternity leave, for female civil servants in all Kosova Civil Service employment bodies.

Article 2

Benefits from Maternity leave

- (1) Female officials of civil service employed in employment Kosova Civil Service employment bodies, have a right to paid maternity leave with duration of six (6) months,
- (2) The first three (3) months of maternity leave will be provided by employer, while the other three (3) following months will be provided by special Fund created by Kosova Government,

- (3) Officials in Kosova Civil Service will enjoy other rights during maternity leave pursuant to provisions of Article 23 of General Collective Agreement, and other applicable legal and sub legal acts.
- (4) The six (6) months maternity leave financial payments referred to in Article 23, of General Collective Agreement, may be realized by employees of Kosova Civil Service only during maternity leave.

Article 3

The level of compensation of maternity leave payment

- (1) Officials of Kosova Civil Service, for the first three (3) months of maternity leave shall be compensated according to applicable legal provisions in Kosova Civil Service,
- (2) For the other three (3) remaining months of maternity leave they shall receive 70% of minimal wage in Kosova, determined by Tripartite Advisory Council (TAK) of social partners.

Article 4

Administrative procedures for realization of payment

- (1) For realization of financial payments and other benefits from maternity leave, civil officials shall fill in a written request form prepared by special service of MLSW.
- (2) Up to creation of special body, requests shall be submitted in regional or municipal Offices, functional in all Kosova municipalities, which are integral part of DLE and MLSW,
- (3) Final review and evaluation of respective request forms and documentation for realization of payment and other benefits to maternity leave up to creation of a special service shall be made by Division of Law on Labour and Employment Relationship in DLE of MLSW,
- (4) The decision for recognition of the right to payment and other benefits of maternity leave is issued by authorized person of Permanent Secretary of MLSW, in the deadline of 15 days from the day of request submission.

Article 5

The necessary documents for maternity leave payment

(1) Besides written request, in order to acquire the financial payment from maternity leave, female civil servants of Kosova Civil Service shall submit also these documents:

- Labour contract signed by female employee and authority of Employment Body,
- Issuance letter from health institution where the child is born,
- Report on health condition of the child,
- Number of personal bank account of any bank in Kosova,
- Copy of personal ID card, and
- Decision on maternity leave allowance by the employer

(2) Report on health condition of the child, which confirms that the child is alive, shall be submitted every 30 days also after first submission of all necessary documents,

(3) If the civil servant does not submit medical report every 30 days, which report proves that the child is alive, she will be discontinued the right to maternity leave payment.

Article 6

Other valid acts on maternity leave

Integral part of this Administrative Instruction for appropriate and efficient realization of the payment of maternity leave is also the decision for payment of maternity leave and request for payment of maternity leave from the official herself.

Article 7

Entry into force

This Administrative Instruction enters into force the day of signature from Minister of MLSW.

Prishtina, June 2006

Minister of MLSW

.....
Ibrahim Selmanaj