

GLOBALG.A.P. Risk-Assessment on Social Practice (GRASP)

GRASP Module – Interpretation for Republic of Moldova

Version 1.3, based on GRASP Module V1.3 July 2015

English Version

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Control Point	Compliance Criteria	Interpretation for Republic of Moldova
EMPLOYEES' REPRESENTATIVE(S)		
1	<p>Is there at least one employee or an employees' council to represent the interests of the staff to the management through regular meetings where labour issues are addressed?</p>	<p>Documentation is available which demonstrates that a clearly identified, named employees' representative(s) or an employees' council representing the interests of the employees to the management is elected or in exceptional cases nominated by all employees and recognised by the management. The election or nomination takes place in the ongoing year or production period and is communicated to all employees. The employees' representative(s) shall be aware of his/her/their role and rights and be able to discuss complaints and suggestions with the management. Meetings between employees' representative(s) and the management occur at accurate frequency. The dialogue taking place in such meetings is duly documented.</p> <p>In addition to the law, for GRASP compliance, the farm shall have a representative or a form of representation when the farm has more than 1 employee (employee concept is defined in section 9.2 of the GRASP General Rules).</p> <p>If the number of employees is indicated in the law, the farm shall follow the regulations as indicated below.</p> <p>In case the workers do not elect an employees' representative, it does not exempt that company to comply with other CPs and CCs that underlines the roles of the employees' representatives. Companies will need to look for an alternative means of employees' representation to avoid non-compliance with those CPs / CCs. The alternative means of representation should guarantee the privilege of keeping such representation objective and should let the workers / employees to decide, appoint or elect their representative who will be independent / separate from the company's management while performing his/her duties as representative.</p> <p>Additionally, it is important to note that whenever there is no legal obligation for an employees' representative to be present - the GRASP Compliance criteria still applies, according to which there shall be an employees' representative that can represent the GRASP interest of the workers. Moreover, no matter which legal form is used for such representation, it should be efficient for the objectives of GRASP. Therefore, several forms of employees' representation may coexist, as long as one is specifically for the GRASP and its objectives.</p> <p>During evaluation, auditor shall get evidence that the person or system representing the workers' interest (no matter the representative chosen) has full awareness of this and its responsibilities in the different in CPs 1,2,4, and 10. This shall be documented to be reviewed by the auditor.</p> <p>Basic principle of employees' right to form an association and represent their rights is guaranteed by the Articles 20, 21, 22, 23, 24 of the Part II, Chapter II Representatives of the employees and employers within the social partnership and Chapter I General provisions of the Labour Code of Republic of Moldova. According to the paragraphs 1-5 of the Article 21 Elected employees' representatives of the Labour Code of Moldova:</p>

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		<p>Paragraph 1. Employees who are not trade union members shall have the right to empower the trade union body to represent their interests in the labour relations with the employer.</p> <p>Paragraph 2. In the entities which do not have trade unions, the employee interests can be defended by their elected representatives.</p> <p>Paragraph 3. Representatives of the employees shall be elected within the general assembly (conference) of the employees, with the vote of at least half of the total number of the entity employees (delegations).</p> <p>Paragraph 4. The number of elected representatives of the employees shall be established by the general assembly (conference) of employees, taking into account the entity staff number.</p> <p>Paragraph 5. The empowerments of the elected representatives of employees, manner of their performance, as well as the duration and limits of their mandate, shall be established by the general assembly (conference) of employees.</p> <p>Moreover, according to the Article 18 of the Law of Moldova On Trade Unions:</p> <p>Paragraph 1. For the purpose of social protection of workers, trade unions contribute to the development of the socially oriented economy, participate in the elaboration of social programs in order to improve health care, social assistance, create conditions to ensure a decent life and free development of personality. social protection of workers, participates in determining the basic criteria of living standards, performs public control of compliance with legislation in the areas mentioned.</p> <p>Paragraph 2. The representatives of the trade unions, in conditions of parity with the social partners, enter into the composition of the administration body of the state social insurance budget.</p> <p>Paragraph 3. The unions participate in the organization of the balneal-sanatorium treatment of employees, rest of children and adults, activity of physical education and sports schools for children, capitalizing their own means, means of state social insurance budget, employers, public authorities and other means, within the allowances provided for these purposes by the legislation in force.</p> <p>Article 8. Establishment of trade unions and their structure</p>

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		<p>Paragraph 1. The basis of trade unions is the primary trade union organization.</p> <p>Paragraph 2. The primary trade union organization is constituted on the initiative of at least 3 persons, considered founders. The decision to establish the primary trade union organization is adopted by the constituent assembly.</p> <p>Paragraph 3. The trade union is established voluntarily, on the basis of common interests (profession, branch, etc.), and usually operates in enterprises, in institutions and organizations, hereinafter referred to as units, regardless of the legal form of organization and the type of property, of departmental or branch affiliation. The employer (administration) is not entitled to prevent the association of individuals in the union.</p> <p>Paragraph 4. Trade unions may associate in territorial branch or inter-branch trade union centres (at district level, autonomous territorial unit, municipality, city), as well as in national-branch and national-inter-branch trade union centres in the form of federations, confederations.</p> <p>Paragraph 5. The national-branch and national-inter-branch trade union centres can join federations, international confederations.</p> <p>Paragraph 6. The manner of constitution of the union, its organizational structure and functioning shall be regulated by the statute of the union.</p> <p>Note: Above provision refers to the Article 42 of the Constitution of Republic of Moldova, according to which: “Everyone has the right to establish and join trade unions”.</p> <p>Despite the fact that neither the Law on Trade Unions and nor the Labour Code of Moldova cover the employees’ representation mentioned in the present control point and these laws do not regulate how often should the meeting between the employer and the employees’ trade union should be held, above provisions set important basic principles of the employees’ representation.</p> <p>Trade union representatives are sometimes not suitable to represent the workers on the farm. Look for other representations (independent from management). Trade union representatives’ tasks shall be evaluated by auditor.</p>
COMPLAINT PROCEDURE		

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<p>2 Is there a complaint and suggestion procedure available and implemented in the company through which employees can make a complaint or suggestion?</p>	<p>A complaint and suggestion procedure appropriate to the size of the company exists. The employees are regularly informed about its existence, complaints and suggestions can be made without being penalized and are discussed in meetings between the employees' representative(s) and the management. The procedure specifies a time frame to answer complaints and suggestions and take corrective actions. Complaints, suggestions and follow-up solutions from the last 24 months are documented.</p>	<p>Producers that wishes to comply with the GRASP must have a system in place which allows the complaint and suggestion procedure to be implemented for their employees in order to be in compliance with the present CP.</p> <p>The company must maintain a documented procedure even if the legislation does not specify it. The system chosen should be effective for handling complaints / suggestions and no worker / employee that uses such procedure should be penalized for it.</p> <p>Moreover, such system must be easily accessible for the workers / employees and it (system) should also provide an efficient way through which a meeting between the employees' representative and the management can be organized.</p> <p>Company's representative should check the existence of such system and the efficiency of both, the said system and the meetings that are held between the employees' representative and the management.</p> <p>A specific wording should be implemented in the procedure for compliances that provide the means of alternative methods through which meetings between the employees' representative and company's management can be organized.</p> <p>According to the Labour Code of Moldova, Article 332. Manner of examination of litigations regarding reparation of material and moral damages caused to the employee:</p> <p>Paragraph 1. The written request of the employee regarding the repair of the material and the moral damage is presented to the employer. The employer is obliged to register the respective request, to examine it and to issue the corresponding order (disposition, decision, decision) within 10 calendar days from the day of its registration, notifying the employee under signature.</p> <p>Paragraph 2. If the employee does not agree with the order (disposition, decision, decision) of the employer or if the order (disposition, decision, decision) was not issued within the term provided in paragraph (1), the employee is entitled to address with a request to the court for the settlement of the individual labour dispute (title XII).</p> <p>Chapter II. Individual Jurisdiction. Article 354. Individual labour disputes and Article 355. Examination of the request regarding the settlement of the individual labour dispute and Article 356. Execution of decisions on the settlement of individual labour disputes.</p>

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SELF-DECLARATION ON GOOD SOCIAL PRACTICES		
3	<p>Has a self-declaration on good social practice regarding human rights been signed by the management and the employees' representative and has this been communicated to the employees?</p>	<p>The management and the employees' representative(s) have signed, displayed and put in practice a self-declaration assuring good social practice and human rights of all employees. This declaration contains at least commitment to the ILO core labour conventions (ILO Conventions 111 on discrimination, 138 and 182 on minimum age and child labour, 29 and 105 on forced labour, 87 on freedom of association, 98 on the right to organize and collective bargaining, 100 on equal remuneration and 99 on minimum wage) and transparent and non-discriminative hiring procedures and the complaint procedure. The self-declaration states that the employees' representative(s) can file complaints without personal sanctions. The employees have been informed about the self-declaration and it is revised at least every 3 years or whenever necessary.</p> <p>Fundamental ILO Conventions that were ratified by Republic of Moldova:</p> <ol style="list-style-type: none"> 1. ILO Co N.29 - Forced Labour Convention, 1930 (in force in Moldova since March 23, 2000); 2. ILO Co N.87 - Freedom of Association and Protection of the Right to Organize Convention, 1948 (in force in Moldova since August 12, 1996); 3. ILO Co N.98 - Right to Organize and Collective Bargaining Convention, 1949 (in force in Moldova since August 12, 1996); 4. ILO Co N.100 - Equal Remuneration Convention, 1951 (in force in Moldova since March 23, 2000); 5. ILO Co N.105 - Abolition of Forced Labour Convention, 1957 (in force in Moldova since March 10, 1993); 6. ILO Co N.111 - Discrimination (Employment and Occupation) Convention, 1958 (in force in Moldova since August 12, 1996); 7. ILO Co N.138 - Minimum Age Convention, 1973 (in force in Moldova since September 21, 1999); 8. ILO Co N.182 - Worst Forms of Child Labour Convention, 1999 (in force in Moldova since June 14, 2002); <p>Governance (Priority) ILO Conventions:</p> <ol style="list-style-type: none"> 1. ILO Co N.81 - Labour Inspection Convention, 1947 (in force in Moldova since August 12, 1996) 2. ILO Co N.122 - Employment Policy Convention, 1964 (in force in Moldova since August 12, 1996); 3. ILO Co N.129 - Labour Inspection (Agriculture) Convention, 1969 (in force in Moldova since December 9, 1997); 4. ILO Co N.144 - Tripartite Consultation (International Labour Standards) Convention, 1976 (in force in Moldova since August 12, 1996); <p>Technical ILO Conventions:</p> <ol style="list-style-type: none"> 5. ILO Co N.99 - Minimum Wage Fixing Machinery (Agriculture) Convention, 1951 (in force in Moldova since April 04, 2003); <p>The self-declaration shall indicate farm consideration even for those ILO conventions that were not ratified by the country. The self-declaration shall</p>

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			<p>include the willingness to comply and actively have processes to protect those rights.</p> <p>It shall explain how the employee representative shall be able to present complaints on the rights included in the declaration.</p> <p>Wording shall be implemented with the alternative method to file complaints and how the declaration will be communicated to workers.</p> <p>Note: Article 5. Basic principles of the regulation of labour relations and other relations directly related to them. Basic principles of regulation of labour relations and other relations directly related to them, principles arising from the norms of international law and those of the Constitution of the Republic of Moldova.”</p> <p>Moreover, according to the Article 4. Labour legislation and other normative acts containing norms of labour law.</p> <p>Labour relations and other relations directly related to them are regulated by the Constitution of the Republic of Moldova, by this code, by other laws, by other normative acts containing norms of labour law, namely:</p> <ul style="list-style-type: none"> a) the decisions of the Parliament; b) decrees of the President of the Republic of Moldova; c) the decisions and dispositions of the Government; d) acts related to work issued by the Ministry of Health, Labour and Social Protection, by other specialized central authorities, within the limits of the powers delegated by the Government; e) acts of local public authorities; f) normative acts at unit level; g) collective labour agreements and collective agreements; as well as h) treaties, agreements, conventions and other international acts to which the Republic of Moldova is a party.
ACCESS TO NATIONAL LABOR REGULATIONS			
4	Do the person responsible for the implementation of GRASP (RGSP) and the employees' representative(s) have knowledge of or access	The responsible person for the implementation of GRASP (RGSP) and the employees' representative(s) have knowledge of or access to national regulations such as gross and minimum wages, working hours, trade union membership, anti-discrimination,	<p>Access to the national regulations should be granted by the management of the organization to the employees' representative. If it is needed to be searched by electronic means, then access to the internet and electronic means should be granted when needed.</p> <p>If the access is electronically provided, the auditor shall check that there are means for this accessibility, e.g. in the form of resources provided, to reach the information at all times that workers are present.</p>

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to recent national labour regulations?	child labour, labour contracts, holiday and maternity leave. Both the RGSP and the employees' representative(s) know the essential points of working conditions in agriculture as formulated in the applicable GRASP National Interpretation Guidelines.	<p>An alternative system shall be in place to provide for the role of the worker representative in this CP.</p> <p>Through web site of the State Register of the Legal acts of the Republic of Moldova any employees can access legal documents. http://lex.justice.md/.</p> <p>A curated list of these acts is also available on the website of the Governmental Labour Inspectorate: https://ism.gov.md/ro/content/nout%C4%83%C5%A3i-%C3%AEn-legisla%C8%9Bie</p> <p>Minimum wage is regulated by the Government Decision No. 165 from 09-03-2010 regarding the minimum guaranteed amount of salary in the real sector and Article 12. Method of establishing and re-examining the minimum wage and the guaranteed minimum wage in the real sector regulated by Law of salary No. 847 of 14-02-2002. According to the Law 22/2018 on the daily labour, the hourly rate for seasonal workers should correspond to the minimum wage established by the Government Decision No. 165 referenced above.</p> <ol style="list-style-type: none"> Working hours is regulated by the Labour Code of Moldova (see the 11th Control point for details). Note: Labour Code of Moldova and the link to its Romanian version is available in Annex 1 of the present document. Trade Union Membership is regulated by the Law of Moldova On Trade Unions (see the 2nd control point for details). Note: Law of Moldova On Trade Unions and the link to its Romanian Version is available in Annex 1 of the present document. Anti-discrimination in labour relations is regulated by Labour Code of Moldova, in particular: Article 8, Paragraphs 1 and 2. Article 5, Article 188, Paragraph 1, Article 329 Paragraph 1. Additionally, anti-discrimination provisions are regulated by the Law on ensuring equality. Note: Law on ensuring equality the link to its Romanian Version is available in the Annex 1 of the present document. Child Labour is regulated by the Labour Code of Republic of Moldova (see the 8th Control point for details).

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		<p>5. Labour contracts are regulated by the Labour Code of Republic of Moldova (see the 5th Control point for details).</p> <p>6. Holidays, and Maternity and Paternity Leave are regulated by the Labour Code of Republic of Moldova, in particular: Article 111. Holidays; Article 124. Maternity leave and partly paid childcare leave; and Article 124': Paternity leave.</p>
WORKING CONTRACTS		
5	<p>Can valid copies of working contracts be shown for the employees? Are the working contracts compliant with applicable legislation and/or collective bargaining agreements and do they indicate at least full names, a job description, date of birth, date of entry, wage and the period of employment? Have they been signed by both the employee and the employer?</p>	<p>For every employee, a contract can be shown to the assessor on request (on a sample basis). Both the employees as well as the employer have signed them. Records contain at least full names, nationality, job description, date of birth, the regular working time, wage and the period of employment (e.g. permanent, period or day labourer etc.) and for non-national employees their legal status and working permit. The contract does not show any contradiction to the self-declaration on good social practices. Records of the employees must be accessible for the last 24 months.</p> <p>Note: For GRASP compliance, records shall contain at least full names, nationality, job description, date of birth, the regular working time, wage and the period of employment (e.g. permanent, period or day labourer etc.). Even when the local law does not include these requirements for working contracts, any farm under GRASP assessment must comply with all these requirements. When labour is subcontracted, auditor shall also check these requirements. Notion of individual labour contract is provided by Article 45 of the Labour Code of Republic of Moldova. Individual labour contract is the agreement between employee and employer, by which the employee agrees to perform a work of a certain specialty, qualification or function, to respect the internal entity regulations and the employer agrees to create for him working conditions, stipulated by the present code, by other normative documents that contain norms of labour right, by collective labour contract, as well as to pay in due time and in full the wage. The Article 58 of the Labour Code provides that the labour contracts are concluded mandatory in written form. Contents of the individual labour contract is provided by paragraph 1 of the Article 49 of the Labour Code of Republic of Moldova. Paragraph 1. The contents of the individual labour contract shall be determined by the parties' agreement, taking into account the provisions of the legislation in force, and shall include: a) employer's name and surname; b) employer's identification data; c) contract duration; d) date from which the contract starts to be effective;</p>

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		<p>d¹) specialty, profession, qualification, position;</p> <p>e) the attributions of the position;</p> <p>f) the risks specific to the function;</p> <p>f¹) the name of the work to be performed (in the case of the individual employment contract for the period of performance of a certain work - Articles 312– 316);</p> <p>g) employee rights and obligations;</p> <p>h) employer rights and obligations;</p> <p>i) the conditions of remuneration of the work, including the salary of the position or the tariff one, the supplements, bonuses and material help (in case they are part of the salary system of the unit), as well as the periodicity of the payment of the payments;</p> <p>j) compensations and allowances, including for work performed in difficult, harmful and / or dangerous conditions;</p> <p>k) the workplace. If the job is not fixed, it is mentioned that the employee may have different jobs and the legal address of the unit or, as the case may be, the domicile of the employer is indicated;</p> <p>l) the work and rest regime, including the duration of the employee's working day and week;</p> <p>m) trial period, depending on the case;</p> <p>n) the duration of the annual rest leave and the conditions for granting it;</p> <p>o) repealed</p> <p>p) social insurance conditions;</p> <p>r) medical insurance conditions;</p> <p>s) the specific clauses (article 51), as the case may be.</p> <p>2. The individual employment contract may also contain other provisions that do not contravene the legislation in force.</p> <p>3. It is forbidden to establish for the employee, through the individual employment contract, conditions below the level provided by the normative acts in force, by the collective agreements and by the collective labour contract.</p> <p>Specific clauses of the individual labour contract are provided by paragraphs 1 and 2 of the Article 51 of the Labour Code of Republic of Moldova.</p>

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			<p>Paragraph 1. Besides general clauses provided in the art. 49, parties can negotiate and include in the individual labour contract specific clauses, such as:</p> <ul style="list-style-type: none"> a) mobility clause; b) confidentiality clause; c) clauses referring to compensation of transport expenditures, compensation of municipal services, granting housing; d) other clauses which do not contradict with the legislation in force; <p>Paragraph 2. In exchange of respecting some of the clauses stipulated in the article (1), employee can benefit from a specific indemnity and/or other rights, according to the individual labour contract. In case of failing to respect these clauses, employee can be deprived of the granted rights and, depending on the case, can be obliged to repair the damage caused to the employer.</p> <p>Additional information regarding labour contract is presented in the Annex 1.</p>
PAYSLIPS			
6	Is there documented evidence indicating regular payment of salaries corresponding to the contract clause?	The employer shows adequate documentation of the salary transfer (e.g. employee's signature on pay slip, bank transfer). Employees sign or receive copies of pay slips / pay register that make the payment transparent and comprehensible for them. Regular payment of all employees during the last 24 months is documented.	<p>According Labour Code of Republic of Moldova Article 49. Contents of the individual labour contract, Paragraph 1: The contents of the individual labour contract shall be determined by the parties' agreement, taking into account the provisions of the legislation in force, and shall include:</p> <ul style="list-style-type: none"> i) the conditions of remuneration of the work, including the salary of the position or the tariff one, the supplements, prizes and material aids (in case they are part of the salary system of the unit), as well as the periodicity of the payment of the payments. <p>Pay slips shall consider language or education barrier to potential understanding of evidence of payment.</p> <p>Auditors shall check that all the information requested by the local laws is transparent and comprehensible for workers in the documents.</p> <p>According Code of Republic of Moldova Article 141. Forms of wage payment is stipulated in Paragraphs 1-3:</p> <p>Paragraph 1: Wage shall be paid in national currency.</p> <p>Paragraph 2: Payment of the wage through banking institutions or post offices, the payment of bank services being at employer's expense, is allowed with employee's written consent.</p>

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		<p>Paragraph 3: Payment of the wage in nature is forbidden.</p> <p>According Labour Code of Republic of Moldova Paragraphs 1-5, Article 142. Terms, periodicity and place of the wage payment</p> <p>Paragraph 1. Wage shall be paid periodically, directly to employee or person empowered by him, on the basis of a certified mandate, at the employee's workplace, in the days established in the collective or individual labour contract, but:</p> <ul style="list-style-type: none"> a) not more rarely than twice a month for employees remunerated by the hour/day/week or by piecemeal work. b) not more rarely than once a month for employees remunerated on the basis of monthly salaries for the job. <p>Paragraph 2. Employer is obliged to inform the employee about the size of the wage, form of remuneration, manner of wage calculation, periodicity and place of payment, deductions, other conditions referring to wage and their modification.</p> <p>Paragraph 3. At payment of wage, employer is obliged to inform in writing each employee about the component parts of the wage for the respective period, about the size of deductions and reasons for making them, about the total sum he is going to receive, as well as to provide introduction of these writings in the book-keeping registers.</p> <p>Paragraph 4. Wage payment for an occasional work, that lasts less than 2 weeks, shall be effected immediately after its execution.</p> <p>Paragraph 5. In case of employee's death, the wage and other pays meant for him, shall be paid to the husband (wife), adult children or parents of the defunct, if absent – to other heirs, in accordance with the legislation in force.</p> <p>According Labour Code of Republic of Moldova, Article 143. Terms of payments in case of ceasing of the individual labour contract, Paragraph 1: If the quantum of all the sums meant for the entity's employee is not contested, the payments shall be made:</p> <ul style="list-style-type: none"> a) in case of ceasing of the individual labour contract with an employee who continues to work until the day of his dismissal from work – in the dismissal day; b) in case of ceasing of the individual labour contract with an employee who does not work until the day of his dismissal from work (medical leave, unjustified absence from work, freedom deprivation etc.) – the latest in the day

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			<p>immediately following the day when the dismissed employee requested to make him the payments;</p> <p>Paragraph 2. If the quantum of sums meant for the employee at his dismissal from work is contested, employer is obliged, in any case, to pay him the contested sum following the terms stipulated in the paragraph 1.</p> <p>The retention period of the accounting documents is provided by Order No. 57 din 27.07.2016 issued by State Service Archive on the approval of the Standard Documents Indicator and their storage periods for public administration bodies, for the institutions, organizations and enterprises of the Republic of Moldova and the Instructions for the use of the Indicator.</p>
WAGES			
7	Do pay slips / pay registers indicate the conformity of payment with at least legal regulations and/or collective bargaining agreements?	Wages and overtime payment documented on the pay slips / pay registers indicate compliance with legal regulations (minimum wages) and/or collective bargaining agreements as specified in the GRASP National Interpretation Guideline. If payment is calculated per unit, employees shall be able to gain at least the legal minimum wage (on average) within regular working hours.	<p>Pay slips or other instrument used shall mention wages and overtime. Minimum wage is regulated by the Government Decision No. 165 from 09-03-2010 regarding the minimum guaranteed amount of salary in the real sector. In accordance with the provisions of the Law of salary No. 847-XV of February 14, 2002 and based on the Collective Agreement (national level) no. 9 of January 28, 2010, the Government of Moldova decided:</p> <p>From 1 May 2019, the minimum guaranteed amount of salary in the real sector (for enterprises, organizations, financially autonomous institutions, regardless of type of ownership and form of legal organization, hereinafter - units) shall be set at 16.42 lei per hour, or 2775 lei per month, calculated for a complete work schedule on average 169 hours per month. In case of application by the units of the salary tariff system or in case of application of the non-tariff salary system the total monthly amount of an employee's salary cannot be less than the minimum guaranteed amount of salary in the real sector, established by the Government, after consultation with social partners.</p>
NON-EMPLOYMENT OF MINORS			
8	Do records indicate that no minors are employed at the company?	Records indicate compliance with national legislation regarding minimum age of employment. If not covered by national legislation, children below the age of 15 are not employed. If children -as core family members- are working at the company, they are not engaged in work that is dangerous	<p>For GRASP compliance, no young worker (between 15 and 18) shall work in any activity that is dangerous to their health and safety, jeopardizes their development or prevents them from finishing their compulsory school education.</p> <p>Note: For the purpose of GRASP and the relevant CPs / CCs minors under the age of 15 shall not be employed.</p> <p>According to the Labour Code of Republic of Moldova, Article 46: Paragraphs 2, 3 and 4 specify:</p>

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	<p>to their health and safety, jeopardizes their development or prevents them from finishing their compulsory school education.</p>	<p>Paragraph 2. Physical person acquires work capacity when he reaches the age of 16 years.</p> <p>Paragraph 3: Physical person will be also able to conclude an individual labour contract when he is 15 years old, having the written consent of parents or legal representatives, provided that the work to be performed shall bring no damage to his health, development, training and professional grounding.</p> <p>Paragraph 4. It is prohibited to employ persons less than 15 years of age, as well as to employ persons deprived by the court of the right to have certain jobs or carry out a certain activity related to the respective positions.</p> <p>According to the Labour Code of Republic of Moldova, Article 255. Works for which the labour utilization of persons up to 18 years of age is prohibited.</p> <p>Paragraph 1. It is prohibited to use the labour of persons up to 18 years of age at works with hard, harmful and/or dangerous working conditions, at underground works, as well as at works which can lead to damage of health or moral integrity of minors (games of chance, work in night places, production, transportation and commercialization of alcoholic beverages, tobacco products, narcotics and toxic substances). It is prohibited that minors manually raise and transport weights exceeding the maximum norms established for them.</p> <p>Paragraph 2. The classified list of works with hard, harmful and/or dangerous working conditions for which labour utilization of persons up to 18 years of age is prohibited, as well as the maximum admissible norms regarding manual raising and transporting of weights for persons up to 18 years of age, is approved by the Government after consultation with patronages and trade unions.</p> <p>Working hours for minors: according to the Labour Code of the Republic of Moldova, Article 96. Reduced duration of working time, Paragraph 2: The reduced duration of working time per week represents:</p> <ul style="list-style-type: none"> a) 24 hours for employees from 15 to 16 years of age; b) 35 hours for employees from 16 to 18 years of age; c) 35 hours for employees who activate in harmful working conditions, according to the classified list approved by Government; <p>Overtime work for the minors: According the Article 105 Paragraph 1. Limitation of the additional work.</p>

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			<p>Paragraph 1. It is not admitted the carrying out of the additional work by employees under 18 years old, the pregnant women, as well as the persons whose additional work is contraindicated according to the medical certificate.</p> <p>Employing minors for a night job: Employing minors for a night job (from 22:00 to 6:00) according Labour Code, Article 103. Night work Paragraph 5: It is not admitted the carrying out of the additional work by employees under 18 years old, the pregnant women, as well as the persons whose additional work is contraindicated according to the medical certificate.</p> <p>Minor's paid leave: According Labour Code of Republic of Moldova, Article 118 Paragraph 4: The non-granting of the annual rest leave during 2 consecutive years, as well as non-granting of the annual rest leave to employees up to 18 of age and employees who have the right for an additional leave related to work in harmful conditions, is prohibited.</p> <p>Labour Code, Article 116.</p> <p>Paragraph 4. Employees up to 18 years of age, women with children up to 16 years of age and single parents who have a child up to 16 years of age shall be entitled to annual rest leaves during the summer time or, on the basis of a written request, during any time of the year.</p> <p>Paragraph 5. The scheduling of annual rest leave is mandatory for both employer and the employee. The employee must be notified, in writing, about the date of starting the leave at least 2 weeks before.</p> <p>Articles 81-88 of the Labour Code of Republic of Moldova regulate the ceasing of the individual labour contract.</p>
ACCESS TO COMPULSORY SCHOOL EDUCATION			
9	Do the children of employees living on the company's production/handling sites have access to compulsory school education?	There is documented evidence that children of employees at compulsory schooling age (according to national legislation) living on the company's production/handling sites have access to compulsory school education, either through provided transport to a public school or through on-site schooling.	<p>N/A in case no employees' children of compulsory schooling age are living on the company's production/ handling sites. Applicable if the farm hires to young workers from 15 and 16. Access to the school shall be provided.</p> <p>The Education Code of Republic of Moldova establishes the legal framework of the reports on the design, organization, functioning and development of the education system in the Republic of Moldova. Article 9. Conditions of access, Paragraph 1: The citizens of the Republic of Moldova have equal rights of access to initial and continuing vocational education and training through the national education system, under the conditions of this code. According Education Code of Republic of Moldova, Article 13. Compulsory education Paragraphs 1, 2, 3 and 4:</p>

Control Point		Compliance Criteria	Interpretation for Republic of Moldova
			<p>1. Compulsory education begins with the preparatory group in preschool education and ends with high school education or secondary and post-secondary technical vocational education.</p> <p>2. The compulsory attendance of compulsory education ceases at the age of 18.</p> <p>3. The responsibility for the compulsory schooling of children up to the age of 16 rests with the parents or other legal representatives and the local public administration authorities of the first and second levels.</p> <p>4. The Ministry of Education, Culture and Research elaborates, approves and monitors the observance of the regulations for compulsory schooling of school-age children.</p>
TIME RECORDING SYSTEM			
10	Is there a time recording system that shows working time and overtime on a daily basis for the employees?	There is a time recording system implemented appropriate to the size of the company that makes working hours and overtime transparent for both employees and employer on a daily basis. Working times of the employees during the last 24 months are documented. Records are regularly approved by the employees and accessible for the employees' representative(s).	<p>Note:</p> <p>For GRASP compliance, a recording system of working time shall be included even when is not mandatory by the local law. If this list is used as recording system, it shall be available to the workers at any time to be checked. The document used shall be transparent (to the worker and the employer) and record working time and overtime.</p> <p>The time recording system shall facilitate the revision of the worker and shall consider language or education barriers.</p> <p>In case no employee's representative is elected by the workers, it does not exempt the farm to comply with other CPCCs that underlines roles of the worker representatives.</p> <p>Farm management shall look for an alternative means of workers representation to avoid non-compliance in those CPCCs. The alternative means shall keep the objectivity, be decided, appointed or elected by the workers and keep the separation from the management.</p> <p>According to the Labour Code of Moldova, Article 106.</p> <p>Record keeping of the working time. Employer is obliged to keep records, in the established manner, of the working time performed by each employee, including of the additional work, work performed during the rest days and holiday nonworking days.</p> <p>The retention period of the accounting documents is provided by Order No. 57 din 27.07.2016 issued by State Service Archive on the approval of the</p>

Control Point		Compliance Criteria	Interpretation for Republic of Moldova
			Standard Documents Indicator and their storage periods for public administration bodies, for the institutions, organizations and enterprises of the Republic of Moldova and the Instructions for the use of the Indicator.
WORKING HOURS AND BREAKS			
11	Do working hours and breaks documented in the time records comply with applicant legislation and/or collective bargaining agreements?	Documented working hours, breaks and rest days are in line with applicant legislation and/or collective bargaining agreements. If not regulated more strictly by legislation, records indicate that regular weekly working hours do not exceed a maximum of 48 hours, during peak season (harvest), weekly working time does not exceed a maximum of 60 hours. Rest breaks/days are also guaranteed during peak season.	<p>For GRASP compliance, even when allowed by the law, the total number of hours, including overtime and ordinary, SHALL NOT exceed 60 hours per week in any week of the year. This must be checked by auditor.</p> <p>An employer shall determine normal duration of the working time for employees working in entities cannot exceed 40 hours per week according to the Labour Code of Moldova, Article 95,</p> <p>Paragraph 2. According paragraphs 1-7 of the Article 104. Additional work of the Labour Code of Moldova stipulate:</p> <p>Paragraph 1. Additional work is considered to be the work performed over the normal duration of the working time stipulated in the Article 95 paragraph 2, Article 96 paragraph 2-4, Article 98 paragraph 3 and Article 99 paragraph 1.</p> <p>During the period of action of a state of emergency, siege and war or a state of emergency in public health, the competent authorities for the management of that state may order, for certain categories of employees, to be employed in overtime beyond the limits laid down in this Code, as well as the conditions for its provision.</p> <p>Paragraph 3. The carrying out of the additional work is ordered by the employer with the written employee's consent:</p> <p>a) for termination of the started work, which due to some unpredictable delay related to technical conditions of the production process, could not be finalized during the normal duration of the working time, but the interruption can provoke deterioration of the employer's or owner's goods, of the municipal or state patrimony.</p> <p>b) for execution of temporary works of reparation, reestablishment of the devices and installations, if their deficiencies can provoke work ceasing for an undetermined period and of more persons;</p> <p>c) for execution of works imposed by appearance of some circumstances that could provoke deterioration or destruction of the entity goods, including of the raw-materials, materials or products;</p>

Control Point	Compliance Criteria	Interpretation for Republic of Moldova
		<p>d) for work continuation in case of non-presentation of the backup employee, if work does not admit interruption. In these cases, employer is obliged to take urgent measures to replace the respective employee.</p> <p>Paragraph 4 stipulates the carrying out of the additional work in other cases than those stipulated in the paragraphs 2 and 3 is admitted with the written consent of the employee and of the employees' representatives</p> <p>Paragraph 5 stipulates that at employer's request, employees can perform the work beyond the hours of the program within the limit of 120 hours during the calendar year. In exceptional cases, this limit, with agreement of the employees' representatives, can be extended up to 240 hours.</p> <p>Paragraph 6. In the event that employer requests performing of additional work, he is obliged to provide employees with normal working conditions, including those related to labour protection and hygiene.</p> <p>Paragraph 7 stipulates that the carrying out of the additional work shall be carried out on the basis of a justified order (command, decision, decree) of the employer, which is brought to notice to the respective employees under their signature.</p> <p>Article 105 paragraph 1. Limitation of the additional work stipulates:</p> <p>It is not admitted the carrying out of the additional work by employees under 18 years old, the pregnant women, as well as of the persons whose additional work is contraindicated according to the medical certificate.</p> <p>Labour Code of Moldova Chapter II Rest Time. Paragraphs 1-4 of the Article 107. Launch time and daily rest stipulate:</p> <p>Paragraph 1. Within the daily working program, employee shall be entitled to a meal break of at least 30 minutes.</p> <p>Paragraph 2. Exact duration of the meal break and its time are mentioned in the collective labour contract or in the entity internal regulations. Meal breaks, with the exceptions specified in the collective labour contract or entity internal regulations, shall not be included in the working time.</p> <p>Paragraph 3. At the entities with a continuous flow, employer is obliged to provide employees with conditions for having the meal during work at their workplace.</p> <p>Paragraph 4. Duration of the daily break, comprised between the end of the working program in one day and start of the work program in the day</p>

Control Point		Compliance Criteria	Interpretation for Republic of Moldova
			<p>immediately following, cannot be less than the double duration of the daily working time.</p> <p>Labour Code of Moldova stipulates in the following Articles 108. Breaks for child feeding, Article 109. Weekly rest, Article 110. Work during the rest days and Article 111. Holiday nonworking days.</p> <p>Also, the Labour Code of Moldova stipulates Chapter III Annual Leave which includes the Articles 112-122 and Chapter IV Social Leaves which includes the Articles 1123-127.</p>
<p>ONLY APPLICABLE FOR PRODUCER GROUPS</p> <p>INTEGRATION INTO QMS</p>			
QMS	Does the assessment of the Quality Management System (QMS) of the producer group show evidence of the correct implementation of GRASP for all participating producer group members?	The assessment of the Quality Management System of the producer group demonstrates that GRASP is correctly implemented and internally assessed. Non-compliances are identified, and corrective actions are taken to enable compliance of all participating producer group members.	<i>This control point normally has no Interpretation, as it connects the GRASP requirements to the GLOBALG.A.P. Option 2 groups.</i>
<p>ADDITIONAL SOCIAL BENEFITS</p>			
R 1	What other forms of social benefit does the company offer to employees, their families and/or the community? Please specify incentives for good and safe working performance, bonus payment, support of professional development, social benefits, childcare,		This is a voluntary extra point. Give examples of typical social benefits.

Control Point	Compliance Criteria	Interpretation for Republic of Moldova
	improvement of social surroundings etc.).	

Annex to GRASP Interpretation for Moldova

Annex I: Links to Find Regulations

Control Point 1:

1. Code N. 154, March 28, 2003 Labour Code of Republic of Moldova:
https://www.legis.md/cautare/getResults?doc_id=120714&lang=ro – Romanian Version.
2. Law N. 1129, July 07, 2000 On Trade Unions
https://www.legis.md/cautare/getResults?doc_id=120710&lang=ro – Romanian Version.
3. Constitution N 01 July, 29, 1994 Constitution of Republic of Moldova
https://www.legis.md/cautare/getResults?doc_id=17055&lang=ro – Romanian Version.

Control Point 2:

1. Code N. 154, March 28, 2003 Labour Code of Republic of Moldova:
https://www.legis.md/cautare/getResults?doc_id=120714&lang=ro – Romanian Version.

Control Point 3:

1. ILO Co N.29 - Forced Labour Convention, 1930 (in force in Moldova since June 22, 1993):
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312174:NO – English Version.
<https://ism.gov.md/ro/legisla%C5%A3ia> –Romanian Version.
Parliament Decision N 610 October 1, 1999
https://www.legis.md/cautare/getResults?doc_id=60108&lang=ro
2. ILO Co N.87 - Freedom of Association and Protection of the Right to Organize Convention, 1948 (in force in Moldova since August 3, 1999):
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312232 – English Version.
<https://ism.gov.md/ro/legisla%C5%A3ia> – Romanian Version.
Parliament Decision N 593 September 26, 1995
https://www.legis.md/cautare/getResults?doc_id=60838&lang=ro
3. ILO Co N.98 - Right to Organize and Collective Bargaining Convention, 1949 (in force in Moldova since June 22, 1993):
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312243:NO – English Version.
<https://ism.gov.md/ro/legisla%C5%A3ia> – Romanian Version.
Parliament Decision N 593 September 26, 1995
https://www.legis.md/cautare/getResults?doc_id=60838&lang=ro
4. ILO Co N.100 - Equal Remuneration Convention, 1951 (in force in Moldova since June 22, 1993):
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312245:NO – English Version.
<https://ism.gov.md/ro/legisla%C5%A3ia> – Romanian Version.
Parliament Decision N 610 October 1, 1999
https://www.legis.md/cautare/getResults?doc_id=60108&lang=ro
5. ILO Co N.105 - Abolition of Forced Labour Convention, 1957 (in force in Moldova since September 23, 1996):
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312250:NO – English Version.
<https://ism.gov.md/ro/legisla%C5%A3ia> – Romanian Version.
Parliament Decision N 707 September 10, 1991
https://www.legis.md/cautare/getResults?doc_id=115564&lang=ro

6. ILO Co N.111 - Discrimination (Employment and Occupation) Convention, 1958 (in force in Moldova since June 22, 1993):
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312256:NO – English.
<https://ism.gov.md/ro/legisla%C5%A3ia> – Romanian Version.
Parliament Decision N 593 September 26, 1995
https://www.legis.md/cautare/getResults?doc_id=60838&lang=ro
7. ILO Co N.138 - Minimum Age Convention, 1973 (in force in Moldova since September 23, 1996):
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312283:NO – English Version.
<https://ism.gov.md/ro/legisla%C5%A3ia> – Romanian Version.
Parliament Decision N 519 July 15, 1999
https://www.legis.md/cautare/getResults?doc_id=47028&lang=ro
8. ILO Co N.182 - Worst Forms of Child Labour Convention, 1999 (in force in Moldova since July 14, 2002):
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312327:NO – English Version.
<https://ism.gov.md/ro/legisla%C5%A3ia> – Romanian Version.
Law N. 849 February 14, 2002 on ratification worst forms of child labour convention 182/1999
https://www.legis.md/cautare/getResults?doc_id=107980&lang=ro
9. ILO Co N. 81, Labour Inspection Convention, 1947 (in force in Moldova since August 12, 1996)
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312226:NO - English Version.
<https://ism.gov.md/ro/legisla%C5%A3ia> – Romanian Version.
Parliament Decision N 593 September 26, 1995
https://www.legis.md/cautare/getResults?doc_id=60838&lang=ro
10. ILO Co N.122 - Employment Policy Convention, 1964 (in force in Moldova since June 22, 1993):
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312267:NO – English Version.
<https://ism.gov.md/ro/legisla%C5%A3ia> – Romanian Version.
Parliament Decision N 593 September 26, 1995
https://www.legis.md/cautare/getResults?doc_id=60838&lang=ro
11. ILO Co N.129 Labour Inspection (Agriculture) Convention, 1969 (in force in Moldova since December 9, 1997);
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312274:NO - English Version.
<https://ism.gov.md/ro/legisla%C5%A3ia> - Romanian Version.
Parliament Decision N 1330 September 26, 1997
https://www.legis.md/cautare/getResults?doc_id=62447&lang=ro
12. ILO Co N.144 - Tripartite Consultation (International Labour Standards) Convention, 1976 (in force in Moldova since 08 May 2019);
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312289:NO – English Version.
<https://ism.gov.md/ro/legisla%C5%A3ia> – Romanian Version .
Parliament Decision N 593 September 26, 1995
https://www.legis.md/cautare/getResults?doc_id=60838&lang=ro
13. ILO Co N.11 Right of Association (Agriculture) Convention, 1921 (in force in Moldova since April 4, 2003);
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312156:NO – English Version.
<https://ism.gov.md/ro/legisla%C5%A3ia> – Romanian Version.

Law N. 1404 October 24, 2002

https://www.legis.md/cautare/getResults?doc_id=107773&lang=ro

14. ILO Co N. 47 Forty Hours Convention, 1935 (in force in Moldova since December 9, 1997);
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312192:NO - English Version.
<https://ism.gov.md/ro/legisla%C5%A3ia> – Romanian Version.
Parliament Decision N 1330 September 26, 1997
https://www.legis.md/cautare/getResults?doc_id=62447&lang=ro
15. ILO Co N.88 - Employment Service Convention, 1948 (in force in Moldova since August 12, 1996):
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312233:NO – English Version.
[ht https://ism.gov.md/ro/legisla%C5%A3ia](https://ism.gov.md/ro/legisla%C5%A3ia) – Romanian Version .
Parliament Decision N 593 September 26, 1995
https://www.legis.md/cautare/getResults?doc_id=60838&lang=ro
16. ILO Co N. 92 Accommodation of Crews Convention (Revised), 1949 (in force in Moldova since December 12, 2005);
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312237:NO - English Version.
<https://ism.gov.md/ro/legisla%C5%A3ia> - Romanian Version.
Law N. 238 October 20, 2005
https://www.legis.md/cautare/getResults?doc_id=107323&lang=ro
17. ILO Co N. 95, Protection of Wages Convention, 1949 (in force in Moldova since August 12, 1996);
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312240:NO - English Version.
<https://ism.gov.md/ro/legisla%C5%A3ia> - Romanian Version.
Parliament Decision N 593 September 26, 1995
https://www.legis.md/cautare/getResults?doc_id=60838&lang=ro
18. ILO Co N. 97 Migration for Employment Convention (Revised), 1949 (in force in Moldova since December 12, 2005);
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312242:NO - English Version.
<https://ism.gov.md/ro/legisla%C5%A3ia> - Romanian Version.
Law N. 209 July 29, 2005
https://www.legis.md/cautare/getResults?doc_id=26320&lang=ro
19. ILO Co N. 99 Minimum Wage Fixing Machinery (Agriculture) Convention, 1951 (in force in Moldova since April 04, 2003);
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312244:NO - English Version.
<https://ism.gov.md/ro/legisla%C5%A3ia> - Romanian Version.
Law N. 1404 October 24, 2002
https://www.legis.md/cautare/getResults?doc_id=107773&lang=ro
20. ILO Co N.117 - Social Policy (Basic Aims and Standards) Convention, 1962 (In force in Moldova since August 12, 1996);
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312262:NO – English Version.
<https://ism.gov.md/ro/legisla%C5%A3ia> – Romanian Version..
Parliament Decision N 593 September 26, 1995
https://www.legis.md/cautare/getResults?doc_id=60838&lang=ro
21. ILO Co N. 119 Guarding of Machinery Convention, 1963 (in force in Moldova since April 04, 2003);

- https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312264:NO - English Version
<https://ism.gov.md/ro/legisla%C5%A3ia> - Romanian Version.
Law N. 1404 October 24, 2002
https://www.legis.md/cautare/getResults?doc_id=107773&lang=ro
22. ILO Co N. 127 Maximum Weight Convention, 1967 (in force in Moldova since December 9, 1997);
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312272:NO - English Version
<https://ism.gov.md/ro/legisla%C5%A3ia> - Romanian Version.
Parliament Decision N 1330 September 26, 1997
https://www.legis.md/cautare/getResults?doc_id=62447&lang=ro
23. ILO Co N. 131 Minimum Wage Fixing Convention, 1970 (in force in Moldova since March 23, 2000);
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312276:NO - English Version
<https://ism.gov.md/ro/legisla%C5%A3ia> - Romanian Version.
Parliament Decision N 610 October 1, 1999
https://www.legis.md/cautare/getResults?doc_id=60108&lang=ro
24. ILO Co N. 132 Holidays with Pay Convention (Revised), 1970 (in force in Moldova since January 27, 1998);
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312277:NO - English Version
<https://ism.gov.md/ro/legisla%C5%A3ia> - Romanian Version.
Parliament Decision N 1330 September 26, 1997
https://www.legis.md/cautare/getResults?doc_id=62447&lang=ro
25. ILO Co N. 133 Accommodation of Crews (Supplementary Provisions) Convention, 1970 (In force in Moldova since December 12, 2005);
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312278:NO - English Version
<https://ism.gov.md/ro/legisla%C5%A3ia> - Romanian Version.
Law N. 239 October 10, 2005
https://www.legis.md/cautare/getResults?doc_id=107322&lang=ro
26. ILO Co N. 135 Workers' Representatives Convention, 1971 (In force in Moldova since August 12, 1996);
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312280:NO - English Version
<https://ism.gov.md/ro/legisla%C5%A3ia> - Romanian Version.
Parliament Decision N 593 September 26, 1995
https://www.legis.md/cautare/getResults?doc_id=60838&lang=ro
27. ILO Co N. 141 Rural Workers Organisations Convention, 1975
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312286:NO - English Version
<https://ism.gov.md/ro/legisla%C5%A3ia> - Romanian Version.
Law N. 1404 October 24, 2002
https://www.legis.md/cautare/getResults?doc_id=107773&lang=ro
28. ILO Co N.142 Human Resources Development Convention, 1975 (In force in Moldova since December 19, 2001);
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312287:NO – English Version .
<https://ism.gov.md/ro/legisla%C5%A3ia> – Romanian Version.
Law N. 480 September 28, 2001
https://www.legis.md/cautare/getResults?doc_id=13105&lang=ro

29. ILO Co N. 150 Labour Administration Convention, 1978 (In force in Moldova since November 10, 2006);
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312295:NO - English Version
<https://ism.gov.md/ro/legisla%C5%A3ia> Romanian Version.
Law N. 274 September 29, 2006
https://www.legis.md/cautare/getResults?doc_id=107116&lang=ro
30. ILO Co N.151 Labour Relations (Public Service) Convention, 1978 (In force in Moldova since April 4, 2003);
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312296:NO – English Version .
<https://ism.gov.md/ro/legisla%C5%A3ia> - Romanian Version.
Law N. 17 February 7, 2003
https://www.legis.md/cautare/getResults?doc_id=27701&lang=ro
31. ILO Co N. 152 Occupational Safety and Health (Dock Work) Convention, 1979 (In force in Moldova since January 22, 2007);
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312297:NO - English Version
<https://ism.gov.md/ro/legisla%C5%A3ia> - Romanian Version
Law N. 339 November 17, 2006
https://www.legis.md/cautare/getResults?doc_id=107295&lang=ro
32. ILO Co N. 154 Collective Bargaining Convention, 1981 (In force in Moldova since February 14, 1997);
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312299:NO - English Version
<https://ism.gov.md/ro/legisla%C5%A3ia> Romanian Version
Parliament Decision N 994 October 10, 1996
https://www.legis.md/cautare/getResults?doc_id=60782&lang=ro
33. ILO Co N. 155 Occupational Safety and Health Convention, 1981 (In force in Moldova since April 28, 2000);
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312300:NO - English Version
<https://ism.gov.md/ro/legisla%C5%A3ia> - Romanian Version
Parliament Decision N 755 December 29, 1999
https://www.legis.md/cautare/getResults?doc_id=60184&lang=ro
34. ILO Co N. 158 (In force in Moldova since February 14, 1997);
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312303:NO - English Version
<http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=357319> - Romanian Version
Parliament Decision N 994 October 10, 1996
https://www.legis.md/cautare/getResults?doc_id=60782&lang=ro
35. ILO Co N. 160 Termination of Employment Convention, 1982 (In force in Moldova since February 10, 2012);
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312305:NO - English Version
<https://ism.gov.md/ro/legisla%C5%A3ia> - Romanian Version
Law N. 186 September 29, 2011
https://www.legis.md/cautare/getResults?doc_id=23146&lang=ro
36. ILO Co N.181 - Private Employment Agencies Convention, 1997 (In force in Moldova since December 19, 2001);

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312326 - English Version.
<https://ism.gov.md/ro/legisla%C5%A3ia> – Romanian Version.
Law 482 September 28, 2001
https://www.legis.md/cautare/getResults?doc_id=62096&lang=ro

37. ILO Co N.183 Maternity Protection Convention, 2000 (In force in Moldova since August 28, 2006);
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312328:NO - English Version
<https://ism.gov.md/ro/legisla%C5%A3ia> - Romanian Version
Law N. 87 April 20, 2006
https://www.legis.md/cautare/getResults?doc_id=107284&lang=ro
38. ILO Co N.184 Safety and Health in Agriculture Convention, 200 (In force in Moldova since September 20, 2002);
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312329:NO - English Version
<https://ism.gov.md/ro/legisla%C5%A3ia> - Romanian Version
Law N. 1058, May 16, 2002
https://www.legis.md/cautare/getResults?doc_id=107925&lang=ro
39. ILO Co N.185 - Seafarers' Identity Documents Convention (Revised), 2003 (In force in Moldova since August 28, 2006).Amendments of 2016 to the Annexes of the Convention No. 185 (In force in Moldova since June 8, 2017).
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:93:0::NO:93:P93_INSTRUMENT_ID:312330:NO – English Version.
https://www.ilo.org/dyn/normlex/en/f?p=1000:51::NO:51:P51_CONTENT_REPOSITORY_ID:3337151 – English (Amendments of 2016 to the Annexes of the Convention No. 185).
<https://ism.gov.md/ro/legisla%C5%A3ia> – Romanian Version.
Law N. 31, February, 2006
https://www.legis.md/cautare/getResults?doc_id=107138&lang=ro
40. ILO Co N. 187 Promotional Framework for Occupational Safety and Health Convention, 2006 (In force in Moldova since February 12, 2010);
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312332:NO - English Version
<https://ism.gov.md/ro/legisla%C5%A3ia> - Romanian Version
Law N. 31, February 2006
https://www.legis.md/cautare/getResults?doc_id=2739&lang=ro
41. Code N. 154, March 28, 2003 Labour Code of Republic of Moldova:
https://www.legis.md/cautare/getResults?doc_id=120714&lang=ro – Romanian Version.
42. Law N.100, December 22, 2017 Normative Acts
https://www.legis.md/cautare/getResults?doc_id=105607&lang=ro – Romanian Version

Control Point 4:

1. Code N. 154, March 28, 2003 Labour Code of Republic of Moldova:
https://www.legis.md/cautare/getResults?doc_id=120714&lang=ro – Romanian Version.
2. Law N. 1129, July 07, 2000 On Trade Unions
https://www.legis.md/cautare/getResults?doc_id=120710&lang=ro – Romanian Version.
Moldovan Version.
3. Law N. 121, May 25, 2012 on ensuring equality
https://www.legis.md/cautare/getResults?doc_id=106454&lang=ro - Romania Version.

Control Point 5:

1. Code N. 154, March 28, 2003 Labour Code of Republic of Moldova:
https://www.legis.md/cautare/getResults?doc_id=120714&lang=ro – Romanian Version.

Parties of the individual labour contract is provided by paragraphs 1-8 of the **Article 46** of the Labour Code of Republic of Moldova.

Paragraph 1. Parties of the individual labour contract are employee and employer.

Paragraph 2. Physical person acquires work capacity when he reaches the age of 16 years.

Paragraph 3. Physical person will be also able to conclude an individual labour contract when he is 15 years old, having the written consent of parents or legal representatives, provided that the work to be performed shall bring no damage to his health, development, training and professional grounding.

Paragraph 4. It is prohibited to employ persons less than 15 years of age, as well as to employ persons deprived by the court of the right to have certain jobs or carry out a certain activity related to the respective positions.

Paragraph 5. Any person, physical or legal, regardless of the ownership type and legal form of organization, who uses waged labour, can be employer - party of the individual labour contract.

Paragraph 6. Employer legal entity can conclude individual labour contracts from the moment of acquiring the status of legal entity.

Paragraph 7. Employer-legal entity can conclude individual labour contracts from the moment of acquiring full performance capacity.

Paragraph 8. It is prohibited to conclude the individual labour contract for the purpose of performing an unlawful or immoral work.

Paragraph 9. A party of the individual labour contract can be the citizens of the Republic of Moldova, foreign citizens and stateless persons, except the cases stipulated in the legislation in force.

Article 54, paragraphs 1-5 of the Labour Code of Moldova establishing duration of the individual labour contract

Paragraph 1. Individual labour contract is usually concluded for a definite term.

Paragraph 2. Individual labour contract can be also concluded for an indefinite term, which does not exceed 5 years, on conditions stipulated by the present code. The legal basis for concluding the individual fixed-term employment contract is indicated in the contract.

Paragraph 3. The contract shall be deemed concluded for an indefinite term if its duration is not provided in the individual labour contract

Paragraph 4. It is forbidden to conclude individual fixed-term employment contracts in order to evade the granting of the rights and guarantees provided for employees employed for an indefinite period.

Paragraph 5. The individual employment contract concluded for a determined duration in the absence of legal grounds, ascertained by the State Labor Inspectorate, shall be considered concluded for an indefinite duration.

Labour Code of Republic of Moldova is establishing by the following articles such as Article 55. Definite term individual labour contract, Article 47. Employment guarantees, Article 48. Information on the conditions of activity

Article 50. Prohibition of requesting performance of a work which is not stipulated in the individual labour contract.

Labour Code of Republic of Moldova stipulate by Chapter II Conclusion and execution of the individual labour contract (Articles 61-67); Chapter III. Modification of the individual labour contract (Articles 68-74); Chapter IV Suspension of the individual labour contract (Articles 75-80) Chapter V Ceasing of the individual labour contract (Articles 81-90).

Additional: By means of the Law No. 22/2018 it is provided that the labour relationship between the day labourer and the beneficiary is established through the parties' agreement, without the written conclusion of an individual employment contract.

Law No. 22 of 23 February 2018 regarding the exercise of unskilled activities with an occasional character carried out by day laborers.

Article 1 establishing Scope of regulation. Paragraph 1 of the Article 1 stipulate the derogation from the provisions of the Labour Code of the Republic of Moldova no. 154/2003 the present law regulates the way in which day laborers can exercise unskilled activities on an occasional basis, and Paragraph

2 stipulate the provisions of this law shall apply to the beneficiaries of agricultural works. Chapter II stipulate Exercise of unqualified occasional activity by a day labourer. Paragraphs 1-7 of **Article 4** stipulate conditions for carrying out the unskilled activity on an occasional basis.

Paragraph 1. The relationship between the day labourer and the beneficiary is established under the conditions provided in article 1, by the agreement of the parties, without the conclusion in writing of an individual employment contract.

Paragraph 2. The daily duration of the occasional unskilled activity carried out by a day labourer may not exceed 8 hours. People aged 16 to 18 can work 7 hours, and people aged 15 to 16 - 5 hours.

Paragraph 3. Persons aged 15 to 16 may engage in unskilled activities on an occasional basis as day laborers only with the written consent of their parents or legal representatives if, as a result, their health, development, training will not be endangered. and professional training.

Paragraph 4. It is prohibited the exercise at night of the unskilled activity with occasional character by the persons specified in paragraph 3.

Paragraph 5. The working time of the day labourer shall not exceed 40, 35 or 25 hours per week, depending on the age of the day labourer.

Paragraph 6. No day labourer may carry out activities for the same beneficiary for a period of more than 90 days cumulated during a calendar year.

Paragraph 7. Aliens and stateless persons may engage in unskilled activities on an occasional basis after obtaining a residence permit.

Paragraph 1 of **Article 5** regulate Management of the Register of Records

Paragraph 1. In order to keep the records of the day laborers, the beneficiary registers all day laborers in the Register of Evidence in distinct pages, in chronological order. In addition to those presented by the Law No. 22 of 23 February 2018, it contains the following articles that stipulate: Income taxation Article 6 and Article 7 Social insurance; Article 8. Compulsory health care insurance; Article 9. Remuneration of the day labourer; Article 10. Rights and obligations of the beneficiary; Article 11. The rights and obligations of the day labourer; Article 12. Finding and sanctioning contraventions and Article 13. Settlement of disputes.

Control Point 6:

1. Code N. 154, March 28, 2003 Labour Code of Republic of Moldova:
https://www.legis.md/cautare/getResults?doc_id=120714&lang=ro – Romanian Version.

Order No. 57 din 27.07.2016 issued by State Service Archive on the approval of the Standard Documents Indicator and their storage periods for public administration bodies, for the institutions, organizations and enterprises of the Republic of Moldova and the Instructions for the use of the Indicator

<http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=366152> – Romanian Version

Control Point 7:

1. Government Decision N. 165 March 9, 2010 Regarding the minimum guaranteed amount of salary in the real sector:
https://www.legis.md/cautare/getResults?doc_id=114035&lang=ro - Romanian Version.
2. Law N. 847, February 14, 2002 Salary
https://www.legis.md/cautare/getResults?doc_id=110657&lang=ro - Romanian Version

Control Point 8:

1. Code N. 1107, June 06, 2002 Civil Code of Moldova:
https://www.legis.md/cautare/getResults?doc_id=112573&lang=ro – Romanian Version.
2. Code N. 154, March 28, 2003 Labour Code of Republic of Moldova:
https://www.legis.md/cautare/getResults?doc_id=120714&lang=ro – Romanian Version.

Control Point 9:

1. Code N. 152, July 17, 2014 Education code of the Republic of Moldova
<http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=355156> – Romanian Version

Control Point 10:

1. Code N. 154, March 28, 2003 Labour Code of Republic of Moldova:
https://www.legis.md/cautare/getResults?doc_id=120714&lang=ro – Romanian Version.

Control Point 11:

1. Code N. 154, March 28, 2003 Labour Code of Republic of Moldova:
https://www.legis.md/cautare/getResults?doc_id=120714&lang=ro – Romanian Version.

Status of ratifications by Moldova of ILO conventions and protocols:

https://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102695