

VACO Reference Material

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A COMPILATION OF COMPREHENSIVE Q&A
ABOUT PROBATION IN THE NEW LAW

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Q: What is the probation period duration that may be agreed upon between the parties?

A: The probation period shall not exceed 6 months, and may be agreed on probation period less than (6/5/4/3/2/1 months).

Q: When does the probation period begin?

A: The probation period shall begin from the date of work commencement.

Q: May the employer terminate the employee's contract during the probation period?

A: Yes, the employer may terminate the employee's contract, provided that the employer shall send a prior notice of 14 days before the termination of the contract.

Q: Shall the probation period be calculated of the contract term?

A: Yes, if the employee passes the probation period, the contract shall be considered continuous and calculated of the contract term.

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A: Yes, if the employee passes the probation period, the contract shall be considered continuous and calculated of the contract term.

Q: If the employee or the employer does not comply with the notice period during the probation period, shall the compensation be paid to the other party?

A: Yes, if the party terminated the contract without prior notice, this party shall pay compensation money that is equal to the employee's total salary for the notice period or the remaining period thereof, whichever is less.

Q: May the employee leave the work during the probation period for working with another employer?

A: Yes, the employee may leave work during the probation period, provided that the employee shall notify the employer in writing for a period no less than one month, or according to what was established in the contract.

Q: May the parties agree on non-compensation clause in case of the termination of the contract during the probation period?

A: Yes, the parties may agree on non-compensation clause.

Q: If the employee or the employer does not comply with the notice period during the probation period, shall the compensation be paid to the other party?

A: Yes, if the party terminated the contract without prior notice, this party shall pay compensation money that is equal to the employee's total salary for the notice period or the remaining period thereof, whichever is less.

Q: May the employee take leave during the probation period?

A: Yes, according to the approval of the employer.

Q: If the employee did not pass the probation period, may the employee take leave?

A: Yes, the leave shall be two days for each month of the work period.

Q: Is the maternity leave different for a female employee who has less than or more than a year with the employer?

A: No, the female employee is entitled to obtain maternity leave even if the same within the probation period.

Q: Any sick leave during the probationary period?

A: The employee is not entitled to obtain sick leave during the probationary period. If the employee obtains a sick leave under a medical report within the probationary period, this period shall be unpaid leave.



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