

In conformity with Article 178 paragraph 1 of the Labour Law ("RS Official Gazette", no. 70/2001),
The Ministry for Social Affairs hereby passes the following

Rulebook on terms, conditions, procedure and manner for generating rights for absence from work for child special nursing purposes

Rulebook was published in "RS Official Gazette" no. 1/2002 dated January, 14th, 2002

Article 1

The Rulebook hereof shall govern terms, conditions, procedure and manner for generating rights for absence from work or part time work for child special nursing purposes, opinion of authority competent for assessing the child handicap degree and other issues relevant for generating the subject right.

Article 2

Either parent, adoptive parent, sustainer or guardian of a child younger than five years, who requires special nursing due to high degree of handicap, save the cases defined by regulations on health insurance, shall have the right, immediately following the expiry of maternity leave and absence from work for child nursing purposes, to be absent from work or attend part time work for child special nursing purposes, in conformity with the Law.

High degree of handicap, in respect of the Rulebook hereof, shall exist if the child is physically handicapped, blind, deaf, partially deaf respectively, mildly, hardly or deeply mentally disordered, the child with pervasive development handicap and the child physically handicapped, blind, deaf, or partially deaf, mildly, heavily or deeply mentally handicapped, child with pervasive development disorder and child multiply handicapped.

Article 3

Physically handicapped child is considered as having:

- 1) hard and permanent disorders or damages of locomotor system and hard and permanent physical deformities ;
- 2) hard neuro-muscular and muscular disorders;
- 3) hard disorders or damages of central and periphery nerve system.

Article 4

A blind child is considered as a child:

- 1) whose corrected sight sharpness at eye in better condition ranges from 0,05 throughout 0,02, namely whose sight range, irrespective the sharpens of sight, is centrally narrowed 5 to 10 degrees;
- 2) whose corrected sharpnes at eye in better condition between 0,02 and light sense, or whose sight is, irrespective sight sharpness, is centrally narrowed at less than 5 degrees;
- 3) without possibility to see, namely without perception to light (amaurose).

Article 5

- 1) Deaf child is a child who has hearing damage over 80 decibels and who cannot percept the speech in total even beside the hearing device.
- 2) heavily partially deaf child is a child with heavy hearing loss (linear and selective reduction) from 60 to 80 decibels at the ear in better condition wherein the development of vocals is considerably disturbed.
- 3) child with heavy hearing loss is a child having the hearing damage from 60 to 80 decibels at the better ear and who mostly developed vocal capacities prior to hearing damage. Such child with hearing aid may receive vocal sounds, which enables development of certain rehabilitation.

Article 6

- 1) mildly mentally handicapped child is a child who shows slow development and limited achievements in development and use of speaking and language, motor capabilities, self care, which requires permanent care. The intelligence quotient is between 35 to 49.
- 2) heavily mentally handicapped child is a child with limited mental capabilities, intelligence quotient ranging between 20 to 34 who may learn to use elementary hygienic habits and self-service habits but needs the permanent care and supervision.
- 3) deeply mentally handicapped child is a child characterized with limited capability of understanding and accepting the requests, limited movability or full movability, incapability for willing control of sphincter. He needs the permanent care and supervision. The intelligence quotient is below 20.

Article 7

A child with pervasive development disorder is an autistic child, a child having Reth syndrome or disintegrative psychosis.

Article 8

Multiple disordered child is a child who has two or more disorders, and may not be selected in line with prevalent disorder in conformity with the Rulebook hereof (two or more disorders, respectively).

Article 9

Right for absence from work or attendance of part time work shall be established by the authority competent for resolving the rights within the social child care, based on the request and in line with the Law.

The authority referred to in paragraph 1 of the Article hereof shall deliver the request to the commission competent for assessment of handicap degree of a child (hereinafter referred to as: the Commission), which calls the person submitting the request for medical examination.

Article 10

Following the medical examination, the opinion on handicap degree with a child shall be delivered to the authority referred to in Article 9, paragraph 1 hereof by the Commission.

Article 11

When providing the opinion, depending on handicap degree of the child, the Commission determines the timeframe wherein the child shall be medically re- examined.

Timeframe for re-examination of the child, in respect of paragraph 1 hereof, mau not be longer than 6 months, save the cases when it is assessed that the child is permanently handicapped.

Article 12

Based on the opinion on existence of terms and conditions referred to in Articles 3 throughout 8 of the Rulebook hereof, the authority referred to in Article 9, paragraph 1 hereof shall direct the user to a competent doctor-podiatrist , who shall compose the report on temporary inability to work (hereinafter referred to as: Report) for designated period.

Article 13

The user shall deliver the Report to the authority referred to in Article 9, para 1 hereof and the organisation wherein the user is working, within three days.

Right for absence from work or attendance to part-time work shall start as of the date when the Resolution provided by such right is deemed as final.

Article 14

The authority referred to in Article 9, paragraph 1 hereof shall be obliged to deliver the Report on number of children per types of handicap to the Ministry for Social Affairs.

The report, referred to in para 1 hereof shall be delivered for every quarter by 15th in the following month, at the form being constituent part hereof.

Article 15

The Rulebook hereof shall come into effect as of eight day following the date of publishing hereof in “Republic of Serbia Official Gazette”.

Municipality

Ministry,
Dr **Gordana Matkovic**, with her own signature

REPORT ON NUMBER OF CHILDREN PER TYPES OF HANDICAP

| No. | Age | Article 3 of Rulebook | | | Article 4 of Rulebook | | | Article 5 of Rulebook | | | Article 6 of Rulebook | | | Article 3 of Rulebook | Article 3 of Rulebook | No. of visiting the Commission | Duration of right |
|-----|-----|-----------------------|-------|-------|-----------------------|-------|-------|-----------------------|-------|-------|-----------------------|-------|-------|-----------------------|-----------------------|--------------------------------|-------------------|
| | | Sec. 1 | Sec 2 | Sec 3 | Sec 1 | Sec 2 | Sec 3 | Sec 1 | Sec 2 | Sec 3 | Sec 1 | Sec 2 | Sec 3 | | | | |
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Remark: _____

Head of Authority

Responsible employee

M.P.