

## **Leave on Grounds of Force Majeure**

### **Question:**

I am a citizen of a third country, working in Cyprus on a contract basis in an international company. By force majeure I need to go home and it is still unknown how much I'll be missing. Is there any maximum period of absence, established by law, after which the company can fire me? What do I need to do to avoid it?

### **Answer:**

According to the Parental Leave or Leave on Grounds of Force Majeure Law, taking this sort of leave is, by no means, a reason to terminate employment and it does not interrupt the continuity of employment. Termination of employment during parental leave or leave on grounds of force majeure is only possible in case of redundancy.

Any employee has the right to take unpaid leave or (force majeure leave) of up to 7 days a year if she / he deals with any family emergencies resulting from the accidents or illness of a family member, which makes the presence of the employee indispensable. The force major unpaid leave is given and controlled according to the Parental Leave and Leave on Grounds of Force Majeure Law of 2012.

In case of family emergencies the employee has to inform her / his employer the soonest possible about the decision of using the force major leave days. The employer is allowed to offer more favorable terms than the law through collective agreements or special arrangements with the employee.

An employer cannot fire an employee or give any notice of termination, during the employee's period of force major leave. The employer cannot terminate the employment contract due to any reasons that concern the employees' force major unpaid leave. The employers who disregard the provisions of the Parental Leave and Leave on Grounds of Force Majeure Law of 2012 are guilty of an offense and can be fined with up to €7.500.

The Parental Leave and Leave on Grounds of Force Majeure Law, Law 47(I)/2012, came into force on the 18.05.2012 and repealed and replaced the previous legislation regarding parental leave and force majeure in Cyprus.

It is better for you to contact with your employer and to inform him about the problem you have and maybe your employer understands and gives you more unpaid leave in order to be with your relatives in your country. The other

option is to use your right for your 7-days unpaid leave as you are entitled and add some days of your annual leave.