



EMPLOYMENT ISSUES & COVID-19 – QUESTIONS & ANSWERS

The following questions - answers concern private sector employees. They are up to date on the latest legislative developments, however, as the data is modified every day, changes may occur.

1. Suspension of work and Salary

- **What changes may occur regarding my employment status based on the new measures due to coronavirus?**

(a) In whichever company you work, the employer may unilaterally change your contract to rotation or part-time. This means that you will be working fewer days per month or fewer hours per day, in any case however for at least two (2) weeks per month. During this time, you will be receiving a reduced salary.

This measure:

- 1)** can be applied by all companies,
- 2)** can be imposed for a period of up to six (6) months (until September 2020),
- 3)** prohibits redundancies to the implementing company. This is the up-to-date information, however in March 26th, 2020, the Ministry of Labour announced that the measure of working on rotation will be applied only to the "affected" businesses (according to the continuously expanding ACN – Activity Code Number list of businesses).

(b) If the business where you are employed belongs to those whose operation has been suspended under governmental order, you are entitled to a subsidy of € 800.00. Your employer includes you in the APD (Analytical Periodical Statement) and your insurance levy for this period is covered by the state.

(c) If the business where you are employed belongs to the "affected" ones, according to the ACN list, your employer may unilaterally suspend your employment contract for up to one (1) month (until 20/04/2020).

During this time, you are not supposed to work (or telework) and you are entitled to receive a subsidy of € 800.00. Your employer includes you in the APD and your insurance levy for this period is covered by the state.

The application of this measure prohibits any dismissals to the enterprise for a period equal to that of the suspension.

2.Financial Support Mechanism

- **My company has stopped its function temporarily due to the measures for the corona virus. How can I get support as a worker?**

According to law 64/14-3-2020 a new mechanism was enacted supporting all those employees whose workplaces were shut temporarily due to the corona virus measures.

Employers whose business has stopped from order of the State must submit a form in ERGANI system stating that they're temporarily out of business.

If you are working in one of those business, you will need to submit an Ypetfthini Dilosi, in the electronic platform of the Ministry of Labor (ERGANI). In the application you will include your personal information, your IBAN and the information of your company, in which you are employed, so as to be included in the financial support mechanism.

- **What is the emergency financial assistance – Grant-?**

It is a monetary compensation which is provided to the employee and includes his insurance for as long as the company, at which he is employed, has suspended its work.

According to the latest reports the amount of this support will be 800 euros. Money will be given during the first ten (10) days of April and will include a time period of 45 days, from mid-March until the 30th of April. The compensation is not taxed and will not be summed with other debts. Also, it cannot be confiscated.

- **Can I get the Grant?**

You can if you belong to the following categories:

1. You work but your contract has been suspended due to the prohibition of operation of the business with order from the State.
2. You are among the employees whose contract has been suspended because your employer suspended the contracts of its employees in order to adapt the business's function in the new measures.

3. Your contract has been terminated from the 1st of March until the 20th of March either by your employer or by yourself.

- **Which employees are excluded from the Grant?**

The workers – employees that are excluded from the grant are:

- Those who work from home
- Those who are on legal personal leave (sick leave, maternity leave or annual leave etc.)
- Those who work as safety personnel
- Those whose work has not been suspended due to the closing of a business because of the corona virus

- **I am a seasonal worker, what are the relevant provisions for my case?**

If your OAED seasonal unemployment benefit expires in January / February, it is extended for two (2) months.

There is no provision for the seasonal workers to be included in the € 800.00 subsidy.

- **I am an uninsured worker, what applies to my case?**

There is no provision for a subsidy for uninsured workers.

- **I am paid by "ergosimo" (labour ticket), what applies to my case?**

There is no provision for inclusion in a subsidy for workers who are paid by "ergosimo".

- **I have a fixed-term contract. Am I eligible for the 800.00 € grant?**

(a) If the operation of the company where you work is suspended by governmental order, yes.

(b) If your employment contract has been suspended because you work in an "affected" business (ACN list), yes.

(c) If the company is operating normally you are not eligible for a subsidy, you are entitled to what has been agreed and is included in the terms of your contract.

- **How can I receive the Grant?**

If you want to receive the Grant your employer must submit an Ypefthini Dilosi in ERGANI system of the Ministry of Labor. In the application the employer will mention the employees whose contracts are suspended either due to the closure of the business with order of the State or due to the suspension of the contracts after a decision of the employer.

- **I receive unemployment benefit, which expired in January / February, or ends on 31/03/2020, what are the relevant provisions?**

The duration of OAED unemployment benefit, of long-term unemployment benefit and of unemployment benefit for EFKA – previously OAEE, MME, ETAA (TSMED, TSAY, TAN) self-employed persons shall be extended until May 31st, 2020, if it expired or is to expire within the first trimester of 2020.

- **What about redundancies based on alleged financial downturn of the enterprise due to the coronavirus?**

In addition to the above, and in the event that the employer does not fall into any of the above categories and is entitled to dismiss the employee, the financial difficulty of the enterprise is not a major (thus valid) reason for terminating the employment contract.

In this case, the employer must first exhaust all measures prior to dismissal (e.g. part-time, rotational work). In any case, in case of dismissal, all the legal requirements must be met, namely a written termination of the contract and payment of the legal compensation.

- **I got fired or I quit my job during the period between 01/03 until 20/03/2020, do I get the Grant?**

Yes, you are entitled to get the 800,00€ Grant if you were made redundant or quit your job during the time period between 01/03 until 20/03/2020, as long as you are not receiving the unemployment allowance from OAED.

- **Am I entitled to pay reduced rent? What are the details of this measure?**

You are entitled to pay reduced rent if you work with employment contract in a business whose operation has been obligatorily suspended or prohibited. The reduction concerns exclusively the rent of your main residence. The relief consists of paying 60% of the rent for the months of March and April 2020.

3. Leave for Exceptional Reasons

- **I am a working parent, am I entitled to leave for exceptional reasons?**

Yes, the leave for exceptional reasons was created for working parents who have children that are:

- Registered in day care centers for toddlers and kindergartens
- Pupils in compulsory education (Junior, middle and high school)
- Studying in schools for Special Education despite their age

Since the schools are closed and while they remain closed parents can get an Exceptional Leave of Absence from their work for at least three (3) days.

Kindly note that the entitlement to this type of leave has also been expanded to include working parents whose children are not registered in care/ education structure (e.g. kindergarten).

- **I am a working parent with a child with disabilities who is not very young, am I entitled to this type of leave?**

Yes, **working parents of persons with disabilities are entitled to this type of leave**, independent of the children's age, as long as the children are beneficiaries of centers that provide services to persons with disabilities.

- **I work at the private sector, but my spouse is self-employed; am I entitled to the Exceptional Reasons Leave?**

Yes, **even if the other parent is self-employed**, the parent who works at the private sector is entitled to this leave that can be granted until the 10/4/2020.

- **We are both working parents at the private sector, are we both entitled to this leave? How do we apply for it?**

In the case where both of you work at the private sector (either for the same or for a different employer), you have to submit a common solemn declaration [to your employer(s)] with which you will inform them about who is going to use this leave or define the chronological periods that each one of you will use it (if you decide to share the days of leave).

- **I work at the private sector, but my spouse works at the public sector; am I entitled to the Exceptional Reasons Leave as a working parent?**

The parent who works at the private sector can use this type of leave, but in this case the spouse who works at the public sector will have to submit a solemn declaration to their supervisor that he/she has not made use of this leave.

- **I am a working parent at the private sector and my spouse does not work; am I entitled to this type of leave?**

In the case where only one parent works and the other does not, the working parent cannot make use of this leave.

- **In the case where one of the parents is sick or hospitalised because of the coronavirus, is the other parent entitled to the leave?**

In the cases where the non-working parent is sick or hospitalised due to the coronavirus or is a person with disabilities and receives the relevant benefit by OPEKA, the working parent may use the Exceptional Reasons Leave.

- **Who is entitled to this leave if the parents are divorced or separated?**

For parents who are divorced or separated, this leave is granted to the parent who has the child's custody, unless custody of children is in common. In the latter case, either parent or both of them can use it (share the days and inform their employers in written).

- **If the child is born out of wedlock, is the parent entitled to the leave?**

In case a child is born out of wedlock or out of a civil partnership, then the leave is granted **to the single parent** (normally this is the mother).

- **If one parent has passed away, is the other entitled to the leave?**

In case of death of the one parent, the leave is granted directly **to the single parent**.

- **Both are working parents, one of them is on (annual) leave; is the other parent entitled to the Exceptional Reasons Leave?**

If one of the parents is on (other type) of leave, the other parent is not entitled to the exceptional reasons leave for as long as the first parent's leave lasts.

- **My employer has suspended the business's function for reasons of health protection; am I entitled to this leave?**

If the employer suspends the business's function for health protection reasons, the working parent is not entitled to this type of leave.

- **Can both working parents get this leave?**

The use of this type of leave can be made either by one of the parents or from both of them, if they share the days granted between them. **Simultaneous use of the leave by both parents is not possible.**

- **Am I obliged to use all the days of this leave if I start using it?**

No, I can use it partially, depending on my needs as a working parent. **In fact, I can use it in addition to working from distance, if I agree so with my employer.**

- **What is the duration of this leave? How is it related to annual leave?**

It lasts for at least three (3) days, followed by one (1) day of annual leave. This scheme is repeated for as long as the working parent needs it. The working parent has to fulfil the requirements of being granted annual leave of at least five (5) days when working 5 days/week and of at least six (6) days when working 6 days/week. The days of annual leave that are added to the exceptional reasons leave are removed from the total annual leave for the year 2020.

- **Is this leave paid?**

Two thirds (2/3) of the wages are covered by the employer and one third (1/3) by the state budget for the leave days. The leave days are considered as working time, working parents get full insurance and full wages.

4. Working from Distance / Telework

- **Can I work from distance? Who decides on this?**

Your employer may **unilaterally** decide to apply the system of working from distance, if possible.

- **Can I ask my employer to work from distance?**

You can submit such a request; it will be examined and considered by your employer. It may be accepted if it is a reasonable measure and all preconditions are fulfilled. **It is up to the employer though if it will be applied or not.**

5. Precautionary Measures for the Protection of the Employees' Health – Protection of Vulnerable Groups

- **What precautionary measures does the employer have to take?**

The employer is obliged to take all necessary measures of proper hygiene. If the business has over fifty (50) employees, the Work Doctor has to indicate the measures that have to be taken and applied by everyone.

- **What do I have to do if I have the virus's symptoms?**

If yourself or any member of your family have symptoms, you have to stay at home for prevention of spreading the virus. Your employer has to accept your abstention while paying your salary normally, unless the business in which you work belongs to the ones suspended by the government. In this case, you are entitled to the 800€ benefit.

- **I am a working pregnant woman, what am I supposed to do?**

For pregnant women it is recommended that they abstain from their workplaces for prevention. They will be receiving their salaries normally, unless the business in which they work belongs to the ones suspended by the government. In this case, they are entitled to the 800€ benefit.

- **I do not want to go to work, because I am afraid of getting the virus. Is my absence justified?**

If your employer has taken all necessary measures for the employees' protection, you cannot abstain from work on your own initiative, as this absence may be considered as unjustified.

- **I belong to vulnerable population, what am I supposed to do?**

Your employer is obliged to keep you away from your workplace. **This working regime is in no way related to annual leave or to leave for special reasons.** However, you will continue to receive your remuneration normally, unless the company you work for has been suspended by governmental order, in which case you are entitled to a € 800.00 subsidy. It is useful to provide a medical certificate of your state of health.

- **What is the legislation concerning the sick leave in case I get sick by the corona virus?**

Despite the measures taken for the protection against the corona virus the legislation for the sick leaves is applied as usual. The employee of a functioning business that will get sick with the corona virus is entitled to be absent from work and get its salary for up to one (1) month if he/she has completed one full year of work in the company or up to fifteen (15) days if he/she has completed 10 days of work in the employer.

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