

## **Guidelines for Employer/Employers for COVID-19**

The COVID-19 pandemic has created a global economic crisis with far-reaching impact on economic activity, employment and trade. Thus, the Labour Department has facilitated a series of consultations with key stakeholders (Employers Federation, Trade Unions, Chamber of Industry & Commerce and the Government) to establish guidelines for employers and employees to mitigate the impact of COVID - 19, which are as follows:

### **SICK LEAVE/QUARANTINE/ISOLATION PERIOD**

1. An individual who is experiencing flu-like symptoms **must** stay at home and contact his or her employer, prior to reporting for duties.
2. The individual **must** immediately contact the Ministry of Health's Hotline (532-4325) service where he or she will be assessed and referred to a "flu station or clinic".
3. If it is a case of the common "flu", a Physician will issue a medical certificate for a maximum of 5 days, which will be treated as a normal sick leave. If symptoms prolong for more than 5 days, then the individual will be referred to a Physician for further assessment. If annual sick leave has been exhausted, the individual can claim sickness benefit from the NIS.
4. The individual **must** inform his or her employer about the leave, on the date of issue for verification purposes.
5. An individual who has been exposed to COVID-19 or returning from a country listed with COVID-19 must be **quarantined** for a period of 14

days, exclusive of the annual sick leave entitlement. Furthermore, a Physician must issue a medical certificate for this period, which will be covered by both the Employer (35%) and NIS (65%).

6. An individual who is tested positive for COVID-19 must be **isolated**. The Employer and NIS will compensate the individual for a period not exceeding 30 days.
7. NIS will cover the leave up to a maximum of 6 months, if quarantine and/or isolation period prolong for more than 30 days.
8. Prior to the resumption of duties, the individual who was tested positive for COVID-19 must present to his or her employer a certificate of fitness from the Ministry of Health, declaring him or her "fit to work".

### **Additional Information**

#### **LAY OFF**

1. **Section 27 (1) of the Protection of Employment Act 2003** makes provisions for a lay off period. Lay off is a temporary measure to be used in cases where there is a temporary closure of operations. However, please note the following:
  - a. Notice or payment in lieu of notice is not required for a lay off period. However, employees must be informed if they are going to be laid off.
  - b. The lay off period was increased from six weeks to eight weeks, until further notice. If lay off period prolongs for more than eight weeks, an employee can claim to be terminated and seek severance payment for years' of service.
  - c. After the lay off period, an employer must provide work to an employee of substantially similar terms to the previous

employment for a period of 13 weeks. If such offer is not made, then the employee can claim for severance payment.

### **ROTATION**

- When there is a downturn in operations, a system of rotation of employees could generally be considered in order to maintain some level of employment. However, it is advisable that a rotation system should not exceed a period of three months and the rate of pay should remain the same, even though the income will be reduced.

### **CONFINEMENT**

- **The Wages Regulation Orders (2017)** make provisions for confinement for medical purposes of 30 calendar days per year, exclusive of the normal sick leave entitlement.

For more information on matters relating to employment and labour please contact the Labour Department at 4571789 or email us at [labourdpt@gmail.com](mailto:labourdpt@gmail.com)