



# Legal Flash

March 2020

## How can I protect my business and staff from the coronavirus (COVID-19)? Answers to FAQs by employers and employees.

### 1. Which precautionary measures should I take in order to ensure a safe working environment and protect my employees' health in the workplace?

It is without a doubt that prevention is better than cure. In this context and following the relevant guidelines of the National Public Health Organization ("EODY") and the Ministries of Labour and Health, every business should be diligent for at least:

- Frequent ventilation and thorough cleaning and disinfection of working areas (including lifts, stairs, switches, water taps etc.);
- Providing soaps, antiseptic gels, tissues and trash cans, which do not require contact with the hands, and placing them in clear spots;
- The issuance of guidance to employees regarding the precautionary measures they should take, indicatively including:
  - avoiding sharing of pencils, pens, markers and other personal belongings;
  - avoiding touching the face, mouth and nose with hands;
  - covering the mouth in cases of coughing or sneezing;
  - regular handwashing with soap for at least 20 seconds and wiping with disposable paper napkins;
  - careful and frequent cleaning of shared items (e.g. computer keyboard and mouse, telephones, photocopy machines, etc.);
  - avoiding close contact (less than 2 metres) for more than 15 minutes with people who have symptoms of coughing, sneezing or fever.

### 2. How can I ensure my business operation without jeopardizing my employees' health?

Employers, under the general duty of care to ensure the health and safety of their employees, may unilaterally determine the provision of teleworking as an extraordinary measure, to the extent that this is feasible from an organizational and technical perspective, for example, by using information and communication technologies (No. 4, par. 2, Legislative Order - Government Gazette issue A55/11-03-2020).



### **3. How can I declare in a timely manner the working hours of employees exceptionally working remotely or overtime?**

As of 11.03.2020, the employers' obligation to declare in advance any changes to their employees' schedules, including remote working, overwork or legal overtime to the ERGANI Information System is suspended. Such relevant notifications may be submitted cumulatively up to the first 10 days of the month following the one during which work was provided. Further details are expected with the issuance of a Ministerial Decision.

### **4. Which obligations do employees have, if they show symptoms of the virus?**

Employees should immediately inform the Company's Occupational Doctor and, in case no such Doctor exists, their competent line manager, and in any case EODY in order to receive the necessary instructions.

### **5. Are employees affected by the virus and absent from work entitled to receive remuneration?**

Employees' absence from work due to viral infection is considered as involuntary obstacle and, if the company is still in operation, they are entitled to receive remuneration of up to 1 month, in case they have completed 1 year and up to 15 days in case they have completed 10 days to 1 year to the same employer, in accordance with Art. 657 and 658 of the Greek Civil Code.

### **6. What should I do if employees inform me that they have a travelling history in areas with ongoing virus transmission or a history of close contact with a confirmed case?**

These employees, even if they show no symptoms, should limit their interactions with other people, refrain from coming into work for at least 14 days as of the return date of their trip or the date of their last close contact with a confirmed case of coronavirus infection and closely monitor their health.

In any case, under the context of the employer's general duty of care, the latter is obliged to prevent employees from coming into work, while at the same time ensuring the health and safety of the rest of employees, given that, in case such employees are actually diagnosed as virus vectors, they may have already transmitted the virus to other employees and may risk facing civil and criminal liability.

This absence is considered as involuntary obstacle and the employer is obliged to pay the employees' remuneration in accordance with provisions 657 and 658 of the Greek Civil Code.

### **7. Are employees entitled to receive a salary if the company is closed by a decision of the competent Authority?**

The closure of a business by a decision of the competent Authority constitutes a case of force majeure. Therefore, employers prevented from accepting their employees' work by virtue of such decision are exempted from payment and are not overdue. Consequently, employees in this case are not entitled to receive a salary.

### **8. What about the payment of social security contributions by businesses affected by the virus?**

The issuance of a Ministerial Decision is expected, regulating the suspension of payment of social security contributions payable by 31.03.2020, for companies operating in the affected areas, as those are to be determined by said Ministerial Decision.



## 9. Can a working parent be absent from work due to the closure of school units?

As of 11.03.2020, a special purpose leave is provided, on top of employees' annual leave granted to one of the two working parents for children:

- enrolled in nursery schools and kindergarten;
- attending in mandatory education schools,
- attending in special schools or special education and education institutions, irrespective of the children's age,

and to the working parents of persons with disabilities who, regardless of their age, are cared for by relevant institutions.

For every 4 days of leave, 3 days will constitute a special purpose leave and 1 day will constitute annual leave for as long as school operation is suspended and up until 10.04.2020. The above leave is granted, if at least one parent works in the private sector as an employee, even if the other parent is a freelancer. Special purpose leave is a paid leave, of which 1/3 will be subsidized by the State.

*It is important to note that each individual case needs to be examined based on its own merits, and that the above-mentioned general principles might not necessarily capture all possible eventualities. Our expert advisors are in a position to advise you on the implications arising from a Greek perspective in relation to your specific case.*

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This information is intended only as a general update for interested persons and should not be used as a basis for decision-making. For further details please contact PwC: 268, Kifissias Avenue 15232 Halandri tel. +30 210 6874400

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