

Athens, 8th April 2020

FAQs for employers and employees related to changes made to the Greek labor market due to the COVID-19 outbreak

The Greek government, like other governments around the world, has taken a number of measures through the adoption of legislative acts and ministerial decisions to facilitate and support the labour market, employers and workers affected by the emergency and temporary measures taken to address the consequences of the coronavirus - COVID 19 pandemic.

These supportive measures concern mainly specific businesses and employers, which the government has found to be affected depending on their activity. In particular, it concerns a) employers which are suspending their business following a government mandate, such as schools, restaurants, shops, as well as b) private sector employers, which are severely affected by the negative consequences of the coronavirus - COVID 19 outbreak, even though their business was not mandatorily suspended.

The aforementioned measures are summarized in the below FAQs.

Is it possible for an employer to fire its employees or suspend the employment contracts with them?

Pursuant to article 11 par. 1 of the ALC of 20.3.2020 (Government Gazette Issue A' 68 - 20.3.2020) employers, which are suspended from their business activity by order of a public authority, are obliged not to make staff reductions by terminating employment contracts for as long as the measures to deal with the coronavirus COVID-19 pandemic last.

Moreover, in accordance with par. 2 sec. A of the same article employers of the private sector, which are significantly affected due to the negative consequences of the coronavirus COVID-19 phenomenon, may suspend the employment contracts of part or all of their staff, in order to adjust their operational needs in the adverse business environment created. Such employers, which will make use of the above regulation, are expressly prohibited from terminating the employment contracts for all their staff. In addition, they are obliged, after the expiration of the period of suspension of the employment contracts of their staff, to maintain the same number of jobs for a period of time equal to that of suspension.

Is it possible for an employer to unilaterally decide to operate by a system of work rotation?

Pursuant to article 9 of the ALC of 20.3.2020 (Government Gazette Issue A' 68 – 20.3.2020) the employer may unilaterally decide to operate on a form of part-time work. Specifically, businesses can operate by the system of work rotation using safety personnel. However:

- This measure shall not exceed a six (6) months period starting from 20.3.2020.
- Each employee may work for a minimum of two (2) weeks per month, continuously or intermittently, with a respective decrease in his/her salary.
- The above way of organizing the work is done weekly and comprises at least 50% of the business staff.

- An employer who applies this way of organizing work is required to maintain the same number of employees employed at the time of its commencement.

Is it possible for a group of companies to transfer its personnel intra-group?

Pursuant to Article 10 of the ALC of 20.3.2020 (Government Gazette Issue A' 68 -20.3.2020) an employer – group of companies whose business activity is significantly affected, or its operation is suspended based on the existing regulatory acts, may transfer personnel from one company of the group to another company of the same group. The companies of the group that will implement the above measure are obliged to maintain, in total, the same number of employees that were employed before the transfer.

Is there a government support for the affected employees?

Pursuant to article 11 par. 2 sec. B of the ALC of 20.3.2020 (Government Gazette Issue A' 68 - 20.3.2020) the employees whose the employment contract is suspended, either due to the prohibition of the operation of their employer by order of a public authority, or due to a suspension made by an affected employer by virtue of par. 2 sec. A of the same article, are beneficiaries of emergency financial assistance, as compensation for special purpose, which amounts to eight hundred (800) Euros and covers a period of forty five (45) days, starting from 21.03.2020.

Can an employee work remotely?

Pursuant to article 4 par. 2 of the act of legislative content ("ALC") of 11.3.2020 (Government Gazette Issue A' 55 - 11.3.2020), the employer may determine that the work provided by the employee in accordance with the individual employment contract, will be carried out with the remote work system. Therefore, if decided by the employer, the employee is entitled to work remotely from his/her home, instead of going to his/her regular workplace.

Is there a special purpose leave due to the coronavirus COVID-19?

Pursuant to article 4 par. 3 of the ALC of 11.3.2020 (Government Gazette Issue A' 55 - 11.3.2020), a special purpose leave is provided for the working parents. In particular, as long as the educational units of the country remain closed, the working parents have the right to obtain a special purpose leave for at least three (3) days, provided that the employee makes use of one (1) day of his annual leave for every three (3) days of the special purpose leave.

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