

SK: Coronavirus

State of emergency and limitation of some services in Slovakia

State of emergency

State of emergency was declared as of 06:00 a.m., 16 March 2020 in Slovakia. This regime concerns 22 hospitals in 12 districts, where the new coronavirus occurred, including the districts of Bratislava, Trnava, Nitra, Trenčín, Prešov and Košice.

Healthcare

The government imposed an obligation to work, ensuring the provision of healthcare, on all healthcare employees of the concerned hospitals, i.e. they cannot refuse to provide healthcare. These employees are deprived of the right to take part in a strike during the state of emergency.

At the same time, all hospitals, not only the state ones, are ordered to limit planned surgeries.

Ban on retail and services

Effective as of 06:00 a.m., 16 March 2020, retail of goods and services is prohibited for a period of 14 days, excluding grocery stores, pharmacies and stores with medical devices, drugstores, e-shops, delivery services, postal businesses and banks, and some other establishments.

What is the impact of the above-mentioned measures on labour relations?

Retail and Services

The situation in retail and service establishments, that remain closed for sale purposes at least until 29 March 2020 due to a declared state of emergency, may be addressed from the perspective of labour law by one of the following scenarios:

- notification of other obstacles on the employer's part, in which case the employees do not work and are generally entitled to 100% of the average wage;
- order to take a paid leave with the employee's consent;
- appropriate scheduling of working shifts with uneven distribution of working time;
- application of working time account;
- order to work from home; or
- agreement on taking time off for overtime work.

If the employee has been ordered to quarantine, he/she is entitled to wage compensation as in case of incapacity for work.

In addition to the options stated above, the employer may consider reassigning the employee to another type of work to avert the extraordinary situation in which the employee is entitled to the wage.

Should the employer have employees' representatives, it is possible to reach a mutual agreement on serious operational reasons, for which it is not possible to allocate work. In such case, employees are entitled to 60% of their average wage.

Production sector

Besides the above mentioned measures, if it is necessary to close or reduce operation due to a temporary shortage in the supply of raw materials and the employee cannot be reassigned to other work, he/she is entitled to wage compensation equal to his/her average earnings.

Catering facilities

The presence of the public in catering establishments and fast food stalls for a period of 14 days is prohibited; this prohibition does not apply to sales out of establishment providing the catering services (e.g. fast-food restaurants with a dispensing window or the sale of take-away food without the entry into establishment).

Therefore, it is not necessary to close canteens. It is possible to dispense food, but persons are not allowed eat it in the canteen.



Traveling to / from abroad

It is recommended to cancel business trips abroad. A mandatory 14-day quarantine period applies to all persons returning from abroad (not only from the risk countries). From the labour law perspective, it is possible to agree on the work from home, in which case they are entitled to the wage. If, for medical or technical reasons, it is not possible to agree on the work from home, these persons shall be deemed to be incapable of working, i.e. the employer pays their wages for the first 10 days and from the 11th day the allowance is paid by the Social Insurance Agency. The Social Insurance Agency has introduced a simplified procedure for the processing of nursing and sickness allowance requests without the personal contact with a doctor or an Agency's employee, more information can be found [HERE](#) (in Slovak only).

At the same time, all persons returning in groups from affected areas abroad are ordered to be isolated for 14 days in the facilities designated by the Ministry of Interior of the Slovak Republic. For the sake of clarity, it concerns the persons, which are to be transported to Slovakia by buses or by the government special airplane.

From the employer's point of view, quarantine rules will apply. The employee is incapable of work and is entitled to wage compensation pursuant to the social law regulations.

Continual monitoring

The situation is not simple and further steps are expected from the government and other state institutions. The Ministry of Finance and the Ministry of Economy will develop measures to mitigate the economic impact of the stated measures. We will monitor the situation for you and keep you informed.

Should you have any question, please contact



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