



Legal Alert

Coronavirus—information for employers

March 2020

The threat of the coronavirus (SARS-CoV-2) is generating concern and questions from employers about possible measures involving employees. Answers may be found in legal acts and guidelines drafted to address this special situation.

The special coronavirus act¹ means for employers:

- The right to assign an employee work away from the location designated in the employment contract for performance of work (teleworking)
- In the event of closing of educational institutions due to COVID-19, the insured will receive an additional pool of 14 days of care benefits to use for childcare
- An obligation to comply with decisions of public administrative authorities with respect to preventing and combatting SARS-CoV-2.

Regulations on infectious diseases have been extended to cover infection by this virus.² A decision by the competent authority on isolation or quarantine will be grounds justifying the employee's absence and payment for that period of sick pay and sickness benefits.

Based on guidelines from the State Labor Inspectorate:

- An employee may refuse to travel to infected regions, justifying the refusal by concern for his own life and health as well as danger to others. In the event of travel, travel time should be kept to a minimum and the employee should be provided essential protective devices.
- The employer may not verify an employee's health or order him to undergo medical examinations for admission to work or tests for the presence of the virus. The employer may not collect data concerning the employee's health condition.
- The employer may not demand information from the employee on the destination of recent or planned holiday.
- The employer may not instruct an employee to take annual leave for the purpose of isolating him from other employees.

We can provide:

- Answers to all questions concerning employers' obligations
- Indications of recommended solutions.

Contact us

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¹ Act on Special Solutions for Preventing, Counteracting and Combating COVID-19, Other Infectious Diseases, and Crises Caused by Them of 2 March 2020 (O.J. 2020, item 374).

² Regulation of the Minister of Health of 27 February 2020 on Infection by the SARS-CoV-2 Coronavirus (O.J. 2020, item 325), in connection with the Act on Preventing and Combatting Infections and Infectious Diseases in Humans of 5 December 2008 (O.J. 2019, item 1239 as amended).