

Employment Flash

March 2020

Coronavirus from the employer's point of view II

The situation around the Coronavirus outbreak in Europe has worsened since our last issue of [Employment Flash](#) newsletter. In response, the Ministry of Health of the Czech Republic issued two emergency measures in the last few days which will affect you as employers.

What do they deal with?

- Citizens of the Czech Republic and other long-term residents in our territory¹ ("Affected Persons") who returned/will return **from any place in Italy**, since 7 March 2020, are obliged to notify their medical practitioner about this fact²;
- General practitioners are obliged to impose quarantine on the Affected Persons as well as persons defined by a relevant Public Health Authority³;
- Affected Persons do not include:
 - Drivers of freight transport transiting Italy or delivering, loading or unloading goods in Italy;
 - Drivers and crew of healthcare transport services that transport patients in Italy, across Italy or from Italy;
 - Passenger aircraft pilots who do not disembark except for carrying out preparation before and between flights during transit or return flights;
- A medical practitioner must be notified **remotely** (e.g. by phone, email, WhatsApp, etc.) – the practitioner will order an obligatory 14-day quarantine period;
- Under the Public Health Protection Act a breach of quarantine can entail a penalty of CZK 3,000,000.

Does the employer have to act actively?

The employer is not entitled (or obliged) to check where the employees spent their holidays. However, considering the seriousness of the situation, and as a part of the prevention, we recommend:

- Encouraging all employees not to ignore the quarantine requirement, and if:
 - they belong to the group of Affected Persons, to fulfil their obligation to report to their medical practitioner immediately;
 - they are relatives or friends of Affected Persons, to postpone their personal visits until the end of the quarantine period;
- Advising employees to reduce their trips (including to high-risk areas) and, of course, not to send them on such trips;
- Reminding employees of further prevention rules, see our previous [newsletter](#).

How do the measures of the Ministry of Health affect employers?

- Quarantine means a limitation of work with the right to reimbursement of wage in the amount of 60% of the adjusted average wage (as is the case of temporary incapacity to work).
- Considering the ongoing spring break, many parents sent their children to the now high-risk areas (e.g. ski courses etc.) – considering the obligatory quarantine for these persons and recommended quarantine for persons sharing a household with the Affected Persons, the number of your employees affected by the measures of the Ministry of Health can be higher than it might initially seem.

¹ *I.e. citizens of other countries with permanent or temporary residence in the Czech Republic (more than 90 days), or persons only employed in our territory (applies particularly to border areas).*

² *If they do not have one, they can fulfil their obligation at any medical practitioner for adults/children and youth.*

³ *Persons who have been provably infected with SARS-CoV-2, or persons who came into contact with these persons.*

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- Some medical practitioners can issue a confirmation of temporary incapacity for work instead of “a quarantine certificate” (only for technical reasons, as e-sick certificates do not cover quarantine, but are easier in terms of administration);
- The employer is entitled (as in the case of sick certificates) to check the compliance with quarantine, however, it is not recommended so as to reduce the risk of the spread of disease between employees and controllers;
- According to the notice of the Ministry of Health of the Czech Republic and after a phone consultation with the Regional Public Health Authority in Prague it should be

acceptable to allow Affected Persons to **work from home** in order to minimize negative economic impacts of quarantine (naturally, only where the nature of the positions allows it). However, this does not release the Affected Persons from their responsibility to inform their medical practitioner about a return from Italy⁴.

We will keep monitoring the situation and in case of any significant changes we will inform you in good time.

Our labour team will be happy to answer any other questions.

⁴ The reason is the need to keep a record of the number of persons potentially infected with Coronavirus.

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