

A photograph of a modern industrial factory floor. Several white robotic arms with yellow protective bellows are positioned along a long, dark conveyor belt that recedes into the distance. The background shows a large, bright windowed ceiling. A semi-transparent yellow rectangle is overlaid on the left side of the image, containing text.

EY Global Labor & Employment Law Covid-19 Tracker

21 April 2020

Important notes

- ▶ This document provides a snapshot of the Labor and Employment Law regulations that operate in jurisdictions around the world.
- ▶ This document is updated on an ongoing basis but should not be relied upon as legal advice. It is designed to support conversations about policies that have been proposed or implemented in key jurisdictions.
- ▶ In addition, not all jurisdictions are reflected in this document.
- ▶ You should consult with your local EY Law team to check for the latest developments.

In challenging times like these, many businesses are encountering questions that urgently need to be answered. Companies around the globe are now facing unprecedented challenges, not only financially but also in terms of human resources.

As the spread of the novel coronavirus Covid-19 continues to accelerate throughout the world, it is essential for businesses to stay agile. This particularly applies to multinational companies working across many different jurisdictions; taking into account varying legal regulations.

In this tracker, we provide a comprehensive overview of legal regulations in more than 40 jurisdictions around the globe. We have put together guidance on the new initiatives around the world on state support for furlough, short-time or part-time work.

Staying informed of the latest information will be essential in adapting to the new business landscape we are now facing. Our local labor and employment law [professionals in your jurisdiction](#) are available to discuss your specific queries. We will continue to update this document as further information comes to hand.

With best wishes,



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EY teams have developed additional trackers to help you follow changes on our dedicated ey.com page [here](#), including:

- ▶ [Immigration Policy](#)
- ▶ [Force Majeure](#)
- ▶ [Tax Controversy](#)

EY professionals are updating the trackers regularly as the situation continues to develop.

Jurisdictions (42) covered / updated (except where specified)

Argentina	Cyprus	Germany	Luxembourg	Portugal	United Kingdom
Austria	Denmark 26 March 2020	Greece	North Macedonia	Romania	Vietnam
Belgium	Dominican Republic	Honduras 26 March 2020	Mexico 26 March 2020	Russia	
Bosnia and Herzegovina 26 March 2020	El Salvador	Hungary	The Netherlands	Singapore	
Brazil	Finland	India	New Zealand 26 March 2020	Spain 26 March 2020	
Bulgaria 26 March 2020	France	Italy	Norway	Sweden	
Canada	Gabon 26 March 2020	Japan	Paraguay	Switzerland	
China Mainland 26 March 2020	Georgia 26 March 2020	Kazakhstan 26 March 2020	Poland 26 March 2020	Turkey	

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

No

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

In order to protect public health, the Argentinean President established the "social, preventive and compulsory social isolation" throughout Argentina from 20 March to 12 April 2020 inclusive.

During the validity of the mentioned term, all the people who live in the country, or are in it temporarily, must remain in their habitual residences or in the residence in which they were at the time of initiation of the ordered measure (midnight on 20 March 2020), and must abstain from going to their workplaces.

People affected by certain activities and services declared essential in the emergency are exempt from complying with the "social, preventive and compulsory isolation" and the prohibition to go out their homes.

Among others, the exemptions apply to health personnel, public security and armed forces, migratory activity, national meteorological service, firefighters and air traffic control, oil and gas activities, foods and medicines, etc. In all these cases, employers must guarantee the sanitation and safety conditions established by the Ministry of Health to preserve the health of workers.

Likewise, Law provides that workers will have the right to the full enjoyment of their habitual earnings in the above-mentioned terms established by the regulations.

On 01 April 2020, the Argentinean Ministry of Labor has stated additional rules to put in force the above-mentioned regulations. In this respect, it must be taken into account that:

- The workers reached by the "preventive and compulsory social isolation" will be exempt from

the duty of assistance to the workplace.

- When their tasks or other similar tasks can be carried out from the place of isolation, they must, within the framework of contractual good faith, establish with their employer the conditions in which said work will be carried out.
- The concept of "workers" includes those individuals who provide services continuously under non-dependent figures such as service locations within the private and public sectors, trainees and internships, as well as medical residences.
- The reorganization of the working day in order to guarantee the continuity of the production of the activities declared essential in adequate health conditions in accordance with the protocols established by the health authority, will be considered a reasonable exercise of the powers of the employer.
- The need to hire personnel while the "preventive and compulsory social isolation" lasts, must be considered extraordinary and transitory under the terms of article 99 of the Labor Contract Law.
- Paid leave on these days of isolation must not be considered as holidays or vacations at the time they are paid to employees. Thus, additional payments that arise when holidays or vacations take place, will not be paid at the time of paying this special license.

In addition, Presidential Necessity and Urgency Decree No. 332/2020 was published on 02 April 2020, in the

Official Bulletin, whereby an "Employment and Production Emergency Assistance Program" is adopted for emergency health service employers and workers, according to the following detail.

Benefits

This program will offer one or more of the following benefits:

- a) Postponement or reduction up to 95% (ninety-five percent) of the payment of employer contributions to the SIPA (Argentine integrated social security system).
- b) Additional payment: payment made by the Argentine government to payroll employees in the private sector governed by the collective bargaining agreement system under Law No. 14,250 (as revised in 2004), as amended, for companies up to 100 (a hundred) workers.
- c) Health emergency aid under the REPRO (productive recovery program): nonwage amount related to the SIPA paid by the Argentine government for payroll employees in the private sector governed by the collective bargaining agreement system under Law No. 14,250 (as revised in 2004), as amended, for employers exceeding 100 (a hundred) workers.
- d) Comprehensive unemployment benefit system: the workers that meet the requirements included in Laws No. 24,013 and No. 25,371 will be entitled to unemployment compensation.

The regulation states that the employers entitled to these benefits should evidence with the AFIP (Federal

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

Public Revenue Agency) the payroll and activities subject to this benefit.

The Ministry of Labor, Employment and Social Security shall a) consider the information and documentation submitted by the Company; b) may reveal other information to expand and/or verify the data provided and request the documentation deemed necessary, and c) may arrange assessment visits to the site to ratify and/or revise its conclusions.

Employers

The parties to this regulation may be entitled to the benefits mentioned in points (a), (b) and (c) provided that they comply with one or more of the following criteria:

a) Economic activities greatly affected in the geographic areas where they are conducted.

b) High number of employees infected with Covid-19 or subject to mandatory isolation or individuals exempt from work because they are included in risk groups or in charge of family care responsibilities concerning Covid-19.

c) Dramatic decrease in sales after March 20, 2020.

Parties excluded

The parties that carry out the activities and services that are essential to address this health emergency and which personnel were exempt from complying with the "social, preventive and mandatory" isolation established in section 6, Presidential Decree No. 297/20 and Administrative Decision No. 429/20, as amended, are excluded from the benefits included herein, as well as the parties that, even though they are not expressly included in the aforementioned regulations, do not show specific signs that evidence a representative drop in activity levels.

The Chief of Staff will establish the objective criteria, sectors of activity and other considerations that allow to determine the assistance provided for by this decree, including exceptions for those who perform essential activities but they have been also damaged by a drop down of its sales.

Social security taxes

a) Postponement of the due dates for paying employer contributions to the SIPA; to such end, the AFIP is instructed to set special due dates for the payment of employer contributions to the SIPA accrued this March and April, and payment-in-installment plans applicable to the employers governed by the regulation to be issued.

b) Decrease up to 95% (ninety-five percent) of employer contributions to the SIPA accrued in

April 2020. This benefit will be established by the Chief of Staff based on the parameters defined by the regulation to be issued.

The 95% decrease in payroll contributions to the SIPA (benefit included in point b) will apply to employers which have less than 60 (sixty) payroll employees as of 29 February 2020.

To be entitled to this benefit, employers which payroll employees exceed such amount should file the crisis prevention proceedings provided for in Chapter 6, Title III, Law No. 24,013, with the scopes and limits established in the regulation.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Decree No. 332/2020 also provided an additional payment made by the Argentine government to payroll employees in the private sector governed by the collective bargaining agreement system under Law No. 14,250 (as revised in 2004), as amended, for companies up to 100 (a hundred) workers and a Health emergency aid under the REPRO (productive recovery program), that consists in a nonwage amount related to the SIPA paid by the Argentine government for payroll employees in the private sector governed by the collective bargaining agreement system under Law No. 14,250 (as revised in 2004), as amended, for employers exceeding 100 (a hundred) workers.

Additional payment to employers with less than 100 employees: This amount must be paid by the ANSeS (Argentine social security agency) for all or some workers included in the collective bargaining agreement system under Law No. 14,250 (as revised in 2004, as amended) in the case of employers up to 100 (a hundred) workers.

The compensation amount will be determined based on the following parameters:

a) In the case of employers up to 25 (twenty-five) workers: 100% (a hundred percent) of the gross salary up to 1 (one) monthly adjustable minimum sustenance salary in place (ARS 16,875).

b) In the case of employers from 26 (twenty-six) to 60 (sixty) workers: 100% (a hundred percent) of the gross salary up to 75% (seventy-five percent) of the monthly adjustable minimum sustenance salary in place (ARS 16,875).

c) In the case of employers from 61 (sixty-one) to 100 (a hundred) workers: 100% (a hundred percent) of the gross salary up to 50% (fifty percent) of the monthly adjustable minimum sustenance salary in place (ARS 16,875).

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

This additional amount will be considered a payment towards compensation of the personnel affected, and employers are required to pay the remainder amount until the full amount is reached. It is a wage amount for all legal and collective bargaining agreement purposes.

Upon requesting the benefit, the employer should withhold the portion applicable to the SIPA, the statutory health care contributions and the contribution to the INSSJP (Argentine Institute of Social Services for Retirees and Pensioners).

Should the employer suspend labor service, the additional payment will be reduced by 25% (twenty-five percent) and may be considered part of the nonwage benefit defined in section 223 bis, Employment Contract Law No. 20,744, as revised in 1976, as amended.

Health emergency aid under the REPRO for employers with more than 100 employees: It is a nonwage benefit related to the SIPA for workers through the productive recovery program led by the Ministry of Labor, Employment and Social Security for companies not included in the previous point (i.e., more than 100 workers).

The benefit per worker will range between ARS 6,000 (six thousand Argentine pesos) and ARS 10,000 (ten thousand Argentine pesos). To such end, the enforcement authority will adopt a new differential and simplified productive recovery program while maintaining the effectiveness of Resolution No. 25, of 28 September 2018, issued by the former Secretary of Government of Labor and Employment of the then Ministry of Production and Work insofar as it is compatible.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Regulation pending.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes.

Short-time work is the temporary, non-seasonal reduction in working hours and pay due to economic difficulties in order to reduce personnel costs. Due to the current situation, the Austrian federal government, together with social partners, has developed a special short-time working model to overcome the corona crisis ("Corona short-time work"). The new rules entered into force on 16 March 2020.

Specific Regulations

- Agreement on reduction of normal working hours
- Agreement regarding consumption of time credits or outstanding holiday entitlements
- Agreement of (unpaid) vacation/leave (Karenz)
- Agreement on educational leave
- Short-time work (Kurzarbeit), which is under certain conditions financially supported by the Federal Government.

According to the new model the working time of individual or all employees must be at least 10% during the entire short-time work period. It can also be reduced temporarily up to 0%, provided at least 10% is reached in average. Companies can apply for short-time work for a maximum of

three months. If necessary, a further extension of three months is possible after discussions between the social partners. After that, the regulation will cease to apply.

The working time performed is to be remunerated by the employer on a pro rata basis. The lost working time (i.e. the reduced hours) is compensated by the Public Employment Service Austria (AMS) by means of a short-time work allowance between 80% and 90% of the net remuneration of the employee before short time-work (net replacement rate) (limited with a maximum amount to be compensated).

Conditions for short-time work:

- The Public Employment Service Austria ("AMS") must be informed immediately of any employment difficulties.
- Short-time work must be agreed between the company and the employee. If a works council exists, this is done by means of a company agreement, otherwise by individual agreement with the concerned employees.
- The agreement must be submitted to the social partners (in general Chamber of Commerce and competent specialist Trade Union) for signature. The social partners will sign the agreement within 48 hours as of the

submission of the agreement.

- An application for short-time work assistance must be submitted to the AMS.

For employees who are covered by short-time work, a payroll list must be submitted by the 28th of the following month. After the partial payroll has been submitted and checked, the short-time work allowance is paid retrospectively for each calendar month.

Please note the above might still be subject to changes.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

If the business operation is closed due to the newly implemented Covid-19 Measure Act (COVID-19-Maßnahmengesetz) in order to prevent the spreading of Covid-19, currently no special rules regarding reimbursement are foreseen. We understand that the business operation of Henry Schein in Austria is currently not shut down based on the Covid-19 Measures Act and the Regulation based thereon.

However, a Covid-19 Crisis Management Funds was installed which might provide for further compensation. However, details in this regard are not yet determined. Thus, changes might occur within the following days.

Moreover, tax deferrals may be requested at the competent tax authority. Within the application it must be made credible that the company is impacted by Covid-19.

Regarding short-time allowance, we refer to question 1.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Please find our answers in 1. and 2.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Please find our answers in 1. and 2.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes.

Trade unions/works council

Specifically in the context of the coronavirus crisis, the conditions for application of temporary unemployment for force majeure have been relaxed for employers that, while affected by the lockdown measure, only suffer a partial closure or are still allowed to offer limited services. These employers can put their affected employees in "temporary unemployment for force majeure" until 03 April 2020 included, with a reduced administrative burden. Moreover, exceptionally, alternated days of work and days of unemployment can apply and until 30 June 2020, the amount of the allowance for temporary unemployment for force majeure has been increased to 70% (instead of 65%) of the remuneration capped at €2,754.76 gross / month).

In principle, the impact of the coronavirus crisis and of the lockdown measures imposed by the government on the employment within the undertaking should be the object of information and consultation of the works council. However, the limitation of meetings presented as a preventive measure by the Federal Ministry of Employment will hamper the normal information and consultation of the works council. No special procedure has been foreseen.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

Competence for economic matters is spread over the Federal authorities and the Regional authorities of the Walloon Region and the Flemish Region

Walloon Government:

The Walloon Government has only introduced an automatic fixed compensation for Micro and Small companies in the sectors legally required to close (€5,000 in the catering, hospitality, tourism and retail sectors and €2,500 for the hairdressing sector).

A general support plan has been announced for all companies, which would mainly include financial support through guarantees, loan and delayed payment plan but the decision has not been enacted yet.

Federal Government:

As of yet, the Federal Government has only introduced the possibility to benefit from extension of delays of payment for employer's social contributions and delayed payment plans, waiver of late payment interest and waiver of fines for the payment of (i) withholding tax

payments, (ii) VAT and, (iii) Corporate taxes.

Flemish Government:

The Flemish Government has introduced the corona obstruction premium ('corona hinderpremie').

All companies affected by a complete closure are entitled to a fixed premium of €4,000; and if they still have to keep their business closed after 21 days, an additional premium of €160/per day.

Companies which only have to close at weekends are entitled to a premium of €2,000.

The premium is granted per establishment to the extent that at least one full-time member of staff is employed in the additional establishments.

The number of premiums shall be limited to a maximum of five per establishment

The Brussels-Capital Region introduced a similar premium of €4,000 per company that is obliged to close as a result of the

decisions of the National Security Council, but limits the premium to companies belonging to one of the following sectors: (A) Eating and drinking establishments, (B) Travel agencies, tour operators, booking offices and related activities, (C) Retail trade other than grocers' (including night shops), pet food shops, pharmacies, newspaper shops, petrol stations and fuel suppliers, (D) Recreational and sporting activities. [These measures are complementary to those taken at European and federal level]

All enterprises with a physical location (e.g. shop or office) in the Brussels-Capital Region are obliged to close down directly because of the decisions of the National Security Council.

There is currently no information on the procedure for the time being, but we expect this to be available soon.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Walloon Government:

Except for the automatic fixed compensation for Micro and Small companies in the sectors legally required to close, there is no general prerequisites to qualify for the state aid. Each aid scheme depend on specific situation (e.g. prior existing guarantees, conditions of loan from private banks, etc.)

Federal Government:

The company need to demonstrate the existence of payment difficulties originating from the Coronavirus crisis (e.g. (turnover decrease, significant decrease of sales; 'chain reactions' such as supply problem or otherwise).

These measures cannot be granted to companies suffering from structural payment problems. The debt must not originate from a fraud.

Flemish Government:

All enterprises with a physical location (e.g. shop or office) in the Flemish Region that are obliged to close down directly because of the government measures can apply for the corona obstruction premium.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Walloon Government:

There is no general framework for such application thus far. Contact should be made with each concerned institutions that can grant aid (public investment banks, regional services, SWDE, etc.).

Federal Government:

Amicable delay payment of employer's social contributions: specific application form through the website of the National Office of Social Security

https://www.socialsecurity.be/site_fr/employer/applics/paymentplan/index.htm# and must include the desired number of monthly installment (up to 12), the reasons and justification of the payment difficulty.

Other aid schemes:

- One demand per debt for all type of measures (delay payment, waiver of late interest; waiver of fines);
- At the latest on 30 June
- A specific form must be filled, including the debt nature and amount and the motives and justification of the payment difficulties (<https://finances.belgium.be/fr/entreprises/mesures-de-soutien-dans-le-cadre-du-coronavirus-covid-19>);
- The form must be sent to the Regional Center for Recovery (CRC);
- The demand will be processed within 30 days.

Flemish Government:

Applications for the corona obstruction premium must be submitted within one month after the end of the mandatory closing period at the Agency for Innovation and Business (VLAIO). There is no further information on the procedure for the time being, but this will soon be available.

Link: <https://www.eylaw.be/2020/03/23/covid-19-update-22-march-2020-the-national-labor-council-concludes-cba-nr-147-to-extend-the-possibility-to-introduce-temporary-unemployment-for-white-collar-workers-to-all-belgian-companies/>

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes.

NB: Bosnia and Herzegovina consists of two entities i.e. Federation of Bosnia and Herzegovina (FBiH) and Republika Srpska (RS) and one self-governed administrative unit Brčko District (BD). Each of these entities and BD has its own labor legislation. The matters mentioned are subject to Labor Laws adopted in both entities and BD.

The rules of the respective Labor Laws foresee a legal possibility for redistribution of working hours as a possibility for flexible workforce planning or working on part time basis.

Furthermore, if the employee is prevented from conducting of his obligations from employment agreement due to force majeure, he is entitled to a 50% of salary in RS and BD or 100% respectively in FBiH which he would have received if he had worked. However, please note that the Labor Laws do not specifically define what the "force majeure" is and hence the definition of the same should be assessed on a case-by-case basis.

Also, in RS employer is allowed to send an employee to a paid leave in case of: unexpected temporary reduction of the amount of work, economic and financial reasons and technical and technological reasons. In such case, employee is entitled to at least 50% of average salary earned in the previous three months. However, sending an employee to this kind of paid leave must be done with

consultation of the trade union or work council.

Generally, according to the applicable Labor Laws, employees are allowed to organize the work council when the employer is hiring 15 or more employees.

In both Bosnian entities, the employer is obliged to consult work council in case of introduction of certain extraordinary measures such as sending an employee to a paid leave due to unexpected temporary reduction of the amount of work, economic and financial reasons and technical and technological reasons (RS) or before passing a decision regarding the measures related to health and safety at work (FBiH).

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

So far, the competent authorities have only adopted a proposal of measures for stabilization of the economy and remediation of the Covid-19 pandemic consequences (e.g. establishment of different funds the purpose of which is to provide assistance to the companies affected by the mentioned pandemic). Hence, please find all related information regarding the measures considered by the governments of the FBiH and RS in our attached newsletter. According to the publicly available information, the criteria for application of mentioned measures does not differentiate bankrupt companies and companies in need. However, the fact that the said measures are still being considered and as such are not yet applicable implies that it remains to be seen how the qualification and the process of application for the state aid in this case will be regulated. Currently, certain indications exist that the companies which decide on the termination of the employment agreements as a measure to cope with the decrease in operations caused by the Covid-19 pandemic are not likely to receive support in any form from the government, or will not be made a priority if such support is made available to them. However, this is only an indication and there is no explicit and legally binding act on this topic.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

There is a State Aid Law of BiH that prescribes specific situations where a permitted state aid is allowed. However, the applicable regulation prescribes only in general manner what a state aid may be and in which cases the state aid can be applied for. Among others, it also includes a damage compensation in case of natural disaster and other extraordinary circumstances. However, since the applicable law on state aid does not prescribe explicitly this particular case (Covid-19) as legal basis for applying for state aid it is still open question how this particular situation will be treated by the competent authorities in term of granting of the state aid. Regardless of the State Aid Law of BiH, please refer to the previous point for further information on proposed measures as a form of assistance to the companies affected by the Covid-19 pandemic.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Please refer to Q2 and Q3.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes.

Companies are able to suspend the work contract during up to 60 days, due to Covid-19 situation.

Companies which gross revenue was superior to R\$4.8 mm in 2019 must keep a payment equivalent to 30% of the employees' salary, as "compensatory support". Such payment is not subject to payroll taxes and may be deducted from the profit for purpose of calculating corporate income tax and social contribution due on net profit. Additionally, during the work contract suspension period, government will pay an additional to the affected employees, based on the unemployment aid that is in place in Brazil. For companies paying the compensatory aid mentioned above, government's support will be equivalent to 70% of the unemployment aid the employee would be entitled to.

The suspension of work contract may be agreed between employer and employee, unless in the following situations, that demand

negotiation with the Unions: i) employee's salary up to R\$3,135; ii) graduated employees, whose salary is equal or superior to R\$12,202.

During the suspension period, all benefits regularly granted must be kept.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

The government has published some measures that aim to help companies that need to reduce or interrupt its activities. Such measures include, besides the work contract suspension: i) anticipation of vacation periods; ii) anticipation of holidays; iii) implementation of bank of hours to be compensated by employees in 18 months; iv) possibility to reduce salaries and work shifts proportionally; v) suspension of the payment of Employee's Severance Fund and employer's Social Security Contribution; vi) reduction of 50% in the rates of contributions due to social services, paid on payroll.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

In general, all companies could benefit from the measures, but there are some specific rules to be observed, for example regarding to formalization, deadlines and percentages applicable.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Some of the measures require formalization with the employees, only. But the salary reduction and work contract suspension require the employers to formally communicate government and also Unions in up to 10 days after the agreement is signed. Government needs to receive the information in order to make the emergency additional payment to the employees. Payment will be made after 30 days after the communication is received. To postpone of social security contribution and employee's severance fund, companies need to inform the contributions due in the period in the applicable ancillary obligations, in order to avoid the application of penalty and interests.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

No

There are no special rules. The general rules concerning reduced working hours apply. An employer is entitled to introduce part time work in case of reduced workload. In case the employer imposes a temporary leave of the employee based on the employers suspicions, the employer may be held liable for payment of the full remuneration to the employees. The employer is entitled to force the employee to take a temporary annual paid leave in limited cases (e.g. suspension of the work).

The Bulgarian Parliament is expected to adopt a new Act on State Emergency which should enter into force in the upcoming days. The act is likely to introduce employment related measures, i.e. allowing the employers to unilaterally introduce annual paid leave (up to 50% of the total), remote work and part time work in case of emergency.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

No government programs have entered into force as of 23 March. However, Bulgarian government, Confederation of Employers and the unions of employees, are currently discussing mechanisms for social and financial support in the situation of Covid-19 pandemic. The discussed mechanisms are related to:

- 1) Social support for retention of employees (payment of 60% of gross salaries by the government);
- 2) Provision of liquidity financial support to affected businesses (provision of interest free financial loans);
- 3) Tax breaks;
- 4) Stimulation packages for medical staff.

Discussions continue and additional measures may be undertaken in the upcoming days/weeks. Clarifications of the currently discussed government programs:

- 1) The government is discussing the opportunity to provide social support to employers, affected by the measures against the-COVID-19 spread. The proposal includes the State to cover 60% of the gross remuneration of employees. It may be concluded that entertainment (restaurants,

clubs, cinemas, etc.), tourism, transport and retail are the most severely affected by the new measures. The initial plan is to provide such funding for a limited term of three months with option for extension if the crisis continues.

- 2) Another form of financial support discussed by the government in the context of the current Covid-19 pandemic is to increase the capital of the Bulgarian Development Bank by BGN 500 million. The goal behind this measure is to allow the bank to provide interest free funding to affected companies via cash contributions in their registered capital. The plan is to provide a buy-back option to all affected companies who wish to receive such financial support. In its essence, the State aims to provide affected businesses with interest free loans.
- 3) Tax breaks for affected businesses, extension of deadlines for tax payments, etc. are also among the discussed measures;
- 4) The Bulgarian government is also considering to grant a BGN 1,000 payment per month to all medical staff, involved in the fight against Covid-19.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

As mentioned in response to Q2, no measures and government programs in relation to the current crisis have entered into force yet. However, among the discussed prerequisites for employers to comply with are:

- Bulgarian companies or foreign companies operating in Bulgaria;
- Business totally/partially closed due to state order as part of the measures against Covid-19 spread;
- More than 50% of the employees unable to work due to closure;
- Not insolvent/not in liquidation procedure;
- No tax/social contributions obligations;
- Obligation to retain the employees for at least 3 months after the term for which compensations are granted, etc.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

No measures have entered into force yet, therefore, the implementation procedures also remain unclear.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes.

General employment standards statutes which speak to job-protected leaves of absence and govern under what circumstances employers may unilaterally place employees on unpaid leaves of absence or temporarily lay them off. There is also a federal mandatory employment insurance regime which insures employees during extended leaves of absence.

Trade unions/works council

It will depend on the planned course of action and terms of collective agreement but, in general, unions and/or work councils should be kept informed of such material workforce planning matters.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

Yes. New programs are being proposed daily, but currently employers can explore programs that may assist during a downturn.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Refer to response to Q2

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Refer to response to Q2

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes.

- Employers are encouraged to arrange employee to work at home or remotely;
- Employers may consult with employees to give priority to use statutory paid annual leave and welfare leave;
- Employers may consult with employees to deduct the normal working hours;
- Employers are encourage to arrange employee to adopt flexible working hours but ensure the effective working time to avoid the traffic peak period, for example, come to the office earlier and off duty earlies or vice versa; in addition, the employer can apply for special working system with the local government, which including comprehensive working hour system and non-fixed working hours system according to applicable positions.

Consultation with trade union will be required for the employer's importance decision related to:

- The company's operation, such as the employer decides to cease operation due to business struggling rather than government restriction; or
- The employees' vital interests, such as the employer would like to adjust the employee's salary or working positions, working hour due to its difficulties in production and operation causing by the outbreak, such adjustment could only be proceeded upon mutual consultation with employees or via collective negotiation with the works councils and/or trade unions.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

For the companies with difficulties and are struggling in business due to the outbreak, the national rules set up preferential policies to support the employers during the outbreak, which are mainly as below:

- To apply for deferment and exemption on social insurance contribution of the employers' part, specifically, no more than 5 months' fully exemption for small and medium size enterprises, and 50% reduction for large scale enterprise and the reduction should not be more than 3 months. The exemption covers pension, unemployment and work-related injury issuance. The application for deferment of social insurance can be last for 6 months.
- To apply for subsidy for online skills training arranged by the employer during such specific period.
- The employer that does not downsize employees and keep stable positions is entitled to apply for return of unemployment insurance.
- The labor administrative department shall also provide sufficient and necessary support and guidance on the employers' recruitment and employment management.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Please refer to comments in Q2.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Please refer to comments in Q2, applications should be submitted to the social insurance management center and the applicable local human resources and social security bureau, and each locality has the specific procedures and government criteria.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

No

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

No. Generally, in cases where a termination of employment takes place because (a) the employer has ceased or intends to discontinue the business (totally or partially) in which the employee is employed or (b) where the employer has ceased or intends to cease to operate in the place where the employee is employed, then such employee is entitled to compensation due to redundancy, provided that specific conditions are met. The employee is compensated from the Redundancy Fund of the Government. We note that compensation due to redundancy applies only to businesses that have permanently ceased to operate and not to businesses that cease or suspend operations for a certain period of time.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

A) Full Suspension of Work Scheme:

Applies to businesses that fall under the provisions of the Ministerial Decrees and which had to shut down their operations, including construction sites (from 23 March 2020 onwards), unless the said Companies have found alternative ways of working. Companies that have no business activity, except from the essential management processes.

The Scheme provides that for business with more than nine employees there is a 90% coverage of subsidy (10% must first include managers, shareholders with more than 20% and who work in the company, and so on). Businesses with up to nine employees there is a 100% coverage.

Companies whose operations are connected to those companies that shut down due to the Minister of Health Decrees will also be entitled to participate to the full work suspension plan, if they have experienced more than 80% reduction in turnover (as this is calculated based on the relevant guidelines).

It is noted that companies that will apply to the Full Suspension of Work Scheme but do not satisfy the terms and conditions, but they likely satisfy the conditions of the Partial Suspension of Work Scheme will be examined based on the terms of the latter.

B) Partial Suspension of Work Scheme:

Applies to businesses that that do not fall under the compulsory suspension of work and suffer a turnover reduction of more than 25% comparing to the previous year. In order for a company or self-employed person to calculate the reduction in turnover, any transactions that happened before 16 March 2020 will not be counted in the estimation of turnover (even if the invoice had been raised after 16 March 2020 or if payment had been received after 16 March 2020).

The Scheme provides that for businesses with up to 50 employees there is a 75% coverage of subsidy and for businesses with over 50 employees there is a 60% coverage (25% or 40%, respectively, must first include managers, shareholders with more than 20% and who work in the company, and so on).

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid. (continued)

Regarding both schemes:

- i) The duration of the Schemes is for the period 16/03/2010 until 12/06/2020. The Minister of Labour noted that, provided that certain conditions will apply, the support to business will continue for an additional four months after 12/06/2020.
- ii) Employees eligible to participate in the Schemes will be entitled to unemployment benefit. The coverage is 60% of the 2018 insurable units' value (with exceptions), with a maximum of €1,214. The employee should not receive two benefits concurrently.
- iii) Employees who did not have insurable units within 2018 and are therefore entitled to receive the special unemployment allowance based on their insurable income of January 2020 (or earlier in case this does not apply) will be entitled to 40% of their insurable income and not 60%.
- iv) To participate in the Schemes, the business must have not terminated any employee for financial reasons from 1st March and onwards and will be obliged to not terminate any employee for the period participating in the Scheme times 2 plus 1 month. Termination of employees that under the law no notice is required are permitted.
- v) For Groups of companies (i.e. relationship between mother company and a subsidiary or connected company via a common shareholder) with separate Employer's Registration with the Social Insurance Numbers all applications per Employer's Registration Number for the full and/or partial suspension schemes will be considered as one application and the terms of the scheme(s) will be applied as though the Employer Registration Number was unified. It is pointed out that, for this to apply, all companies in the Group have to be engaged in the same activities (e.g. retail chain with many brands/companies, food chains with different brands, restaurant groups with each restaurant being a different company and so on).
- vi) Companies which are single legal entities but have more than one Employer's Registration Number with the Social Insurance will be treated as though they have a single Employer's Registration Number, regardless of whether their applications have been submitted per Employer Registration Number.
- vii) All applications will be treated in a first come - first served basis, provided that employees insert their banking data/IBAN in the system and the applications are properly filled.
- viii) In case that more than one application is submitted regarding the same period for each Scheme, only the most recent will be taken into consideration and examined, unless such application is withdrawn.
- ix) All business participating in the Schemes must keep for a period of at least two years from the date of submission, all information, files, documents and/or evidence for the terms and conditions of the Schemes.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid. (Continued.)

C) Special Sickness benefit

Employees who (a) have specific health problems and which are included on the List published by the Ministry of Health; (b) fall into compulsory absence from work; (c) Persons between the ages of 63 - 65, who do not receive statutory pension and continue to work and fall into Categories 1 and 2 of the Ministry of Health Guide on vulnerable groups

D) Special Leave for Parents

Paid to parents who work both in the private and public/wider public sector and is granted for the care of children up to 15 years of age, unless it is a parent of a person with disabilities then no age limit applies.

E) Cypriot General Healthcare System ("GHS")

Suspension of the obligation to contribute the additional payment to the Cypriot General Healthcare System ("GHS") for two months

F) VAT

Temporary VAT payment deferral to 10 November 2020 suspending the additional 10% tax penalty, interest and criminal sanctions on VAT payable for taxable persons promptly submitting their VAT returns applicable for:

- The majority of entities (except from the list of sectors that have been expressly excluded in the amending law with reference to their economic activity coding) regardless of turnover volume, total outputs or their respective decreases
- VAT quarters December 2019 - 29 February 2020, January - March 2020 and February - April 2020
- The deferrals apply as long as those entities timely submit their VAT returns for the above quarters, i.e., by 10 April, 10 May and 10 June 2020 accordingly

Major Excluded Sectors from above deferral comprise those that did not suffer material reduction during the crisis and collect normally VAT on sales in cash. Exempted business areas depend on economic activity coding found in VAT Registration Certificates of taxable persons

G) Loans

The obligation on all borrowers to pay principal and interest instalments in their credit facilities granted by banking institutions is suspended for nine months. Borrowers include physical persons, public legal persons, self-employed and businesses all of whom have been meeting their obligations. The total of principal and interest instalments suspended shall not be immediately due and payable at the expiration of the decree. The procedure for showing interest in participating is simple, by completing a special form and sending it by post, electronic mail or fax to the banks.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid. (Continued.)

H) Controlled Rents Law

Recovery of possession is suspended by 31st May 2020, provided that the tenants fully complied with their rent payment obligations by February 2020.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Regarding the measures listed in Q3, the application procedure will be electronic; Further details pending.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes.

The employer may choose to enter into a local agreement with a group of employees (all employees in the group must accept) on certain working time reduction/part time work ("arbejdsfordeling") with immediate effect during a period of 13 weeks. No redundancies must take place within this group of employees during the period. The employees will receive reimbursement from an unemployment union - if they are members - up to full time employment at certain rates. If the employer chooses to use this scheme - the employer is not entitled to get governmental support on the new special salary compensation scheme. Further, if a collective bargaining agreement includes the right: blue-collar employees can be requested not to attend to work with immediate effect - with no payment - having the right to unemployment benefits if member of an un-

employment union at a rate of up to DKK 19,000 per month.

If a collective bargaining agreement applies stipulating the possibility of part-time work the rules in the Collective Bargaining Agreement (CBA) must be followed. If no CBA applies, the part-time work must be entered into with a group of employees.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

New rules on temporary wage funding

The Danish government has passed a new resolution which entitles private companies to be temporary funded by the Danish government if the company contemplates redundancies of more than 50 employees or minimum 30 % of the workforce due to lack of work because of Covid-19.

The purpose of the funding scheme is to support employment and ensure that employees can retain their jobs and wages for a period of time despite of the deep economic downturns due to the Covid-19.

The companies can receive a temporary financial support from the state of an amount of up to 75 % of the monthly salary for a white-collar employees, but capped at DKK 23,000 per month per white-collar employee - and up to 90 % of the monthly salary for a blue-collar employee, but capped at DKK 26,000 per month per blue-collar employee.

The temporary funding scheme can be used by private companies from 9 March 2020 and until 9 June 2020 - thus, the scheme can be applied for retrospectively, in case the employer has, prior to 15 March, sent employees home with pay due to lack of work. The company can use the funding scheme for a maximum of 3 months.

It is a condition for financial support from the state that:

- the employer pays the employee full salary during the period,
- the employer do not dismiss employees for financial reasons during the period,
- the affected employee was an employee of the company on 9 March 2020,
- the affected employee must not attend work and must not work during the period and
- the affected employee must pay 5 days him/herself during this compensation period - using accrued holidays and/or overtime.

Applications for compensation can be submitted to the Danish Business Authorities (Erhvervsstyrelsen) from week 13. Cash out is expected in week 14.

The temporary funding scheme cannot be combined with an agreement on certain working time reduction.

Agreement on certain working time reduction

A company may alternatively choose to enter into an agreement with a group of employees on certain working time reduction with the purpose to ensure that employees can retain their jobs.

By entering into such an agreement, the working time can be reduced in a temporary period of up to 13 weeks. No redundancies may take place within this group of employees during the period.

An agreement on certain working time reduction must be reported to the public employment agency. The Danish government has decided to make this scheme more flexible given the current situation. Therefore, the agreement on certain working time reduction can now enter into force as soon as the public employment agency has been notified. This will suspend the normal requirement for the agreement to be reported to the public employment agency no later than one week before it can enter into force.

The working hours must be reduced in one of the following ways for the agreement to be permissible:

- At least 2 full working days per week,
- 1 week of full time work followed by 1 week of unemployment,
- 2 weeks of full time work followed by 1 week of unemployment or
- 2 weeks of full time work followed by 2 weeks of unemployment.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period? (continued)

Some employees are covered by collective bargaining agreements which may include provisions regarding the right to conclude an agreement on certain working time reduction. In other cases, the agreement on certain working time reduction must be concluded as an collective agreement covering a group of employees and it is a requirement that all employees in the group accept the agreement.

The employees may receive reimbursement from an un-employment union up to full time employment, however typically at hourly rates that are lower than the employee's usual salary - provided that they are members of an un-employment union and provided they are entitled to receive reimbursement from the un-employment union according to the normal requirements.

On 24 March 2020 the Danish Government passed a bill which entitles companies to be funded by the Danish government if the company contemplates redundancies of more than 50 employees or minimum 30 % of the workforce due to lack of work due to covid-19. The funding will amount to up to ¾ of the salary for a white-collar, however within a maximum of DKK 23,000 - and up to 90% of the salary for blue-collar however within a maximum of DKK 26,000. The funding takes places with effect from 9 March 2020 and until 9 June 2020 provided that the employee has been employed with the company on 9 March 2020. It is a condition for payment of the funding that the

employer pays the employee full salary during the period and the employee should not attend work and should not be entitled/obligated to work. The applications can be submitted to the Danish Companies Agency (Erhvervsstyrelsen) starting in the week 13. The employee must contribute five days themselves during this 3 months period - using accrued overtime or holidays. The employer will not be funded from the Danish Government if the employer during the funding period enforces redundancies (due to lack of work) or if the employer requires the employee to go home without salary or if the employer may choose the above mentioned part-time work scheme ("arbejdsfordeling")

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Please refer to Q1 and Q2.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

The employer can file with the Danish companies agency for the salary compensation funding above from week 13 and the funding will be paid out for the period 9 March - 9 June 2020 if no redundancies, part-time work funding ("arbejdsfordeling") or home-sending-without-salary have taken place during this period.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

Yes, the Employee Solidarity Assistance Fund (FASE, in Spanish: "Fondo de Asistencia Solidaria a Empleados")

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

The government authorize the Dominican Internal Revenue Authority (DGII, initials in Spanish) to facilitate payments and reporting deadlines and suspend the "Agreement on Anticipated Prices" (APA) for the all inclusive tourist sector. For tax reports and payments waivers: all employer is automatically qualify for the new payments and reports schedules. For APA prices, only tourist sector provider will benefit with the measure; 2. For financial relief, the National Monetary Board has authorized to financial sector providers to avoid the reporting on credit payments defaults for 60 days. There is no prerequisite to obtain such waiver.

Another state aid is the FASE program, designed to support formal workers on a transitional basis (during the months of April and May) with a cash transfer consisting of a portion of the worker's salary coming from the Dominican Government.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

The Dominican State shall provide a minimum of RD\$5,000 and a maximum of RD\$8,500. In case the contributor earns a salary of RD\$5,000, the state subsidy will cover 100% of this salary. Instead, if the employee salary above RD\$5,000, the State will cover 70% and the employer 30% of that value. This subject to the state contribution having a ceiling of RD\$8,500.

As to the form and specific date of payment, the Dominican Government will transfer its contribution to the worker directly into the payroll account reported by the employer. Payments shall be carried out exclusively on 7 and 21 April, as on 7 and 21 May, 2020, without the possibility to opt for retroactive payments. If the employee does not have an account payroll bank, the Dominican Government will open one at the Banreservas, a process that will take approximately 5 working days.

Requirements to be met:

- The worker must be previously included in the TSS and be contributing in the same;
- The operations of the company must be suspended, partially or totally, in reason for the social distancing measures adopted by the Dominican Government to mitigate the spread of Covid-19.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Applicants must register by means of the form provided for these purposes on the website of the Ministry of Finance:

<https://www.hacienda.gob.do/>.

They will be asked for their Registro Nacional de Contribuyentes (RNC), the name of the company, the contact and the details of the employees to be included in the program.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes.

A national state of emergency has been decreed due to the Covid-19 pandemic.

Due to this declaration, any worker who is quarantined by Covid-19, ordered by the competent health authority, may not be fired. The guarantee of employment stability will begin after the quarantine is issued, and will extend for 3 months.

Teleworking may be applied by employers.

The government just approved teleworking regulation for companies that are likely to organize teleworking in relation to their business to make systematic and widespread use of it.

Specific measures have been adopted by the Government (Extraordinary government support):

Credit incentives, an extension of the term for payment of taxes, suspension of payment of electric energy, water, telephone, cable and internet fees, freezing of commercial rental payments for 3 months, among others). The process to request these benefits is still on development.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

Yes.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Necessary prerequisites: 1) That the company has closed its operations due to the emergency and 2) that the company has sent its employees to their homes for quarantine, maintaining their salaries and legal benefits.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Where a business has suffered damage due to Covid-19, they can apply for credit incentives, for which the company need to fill the prequalification form to certify companies interested in credit incentives for voluntary closure in the context of the covid-19 emergency. The form must include the name of the company, Tax ID, activity, information of contact, among other.

Regarding the extra-ordinary government support measures abovementioned, there's no application procedure since they are available at the discretion of the companies.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes.

The Employment Contracts Act provides provisions on furloughs, i.e. how an employer may lay off employees. As a consequence of Covid-19 the minimum negotiation times laid down in the Act of Co-operation within Undertakings in the event of layoffs will be temporarily reduced to five days in all situations (this provision is in force until 30 June 2020).

The notice period for layoffs will also be temporarily reduced to five days. The right to lay off is temporarily extended to cover fixed-term employment contracts to the same extent as for indefinite employment contracts. Laid off employees will have a right to terminate their fixed-term contracts regardless of its original term. Also these provisions are in force until 30 June 2020.

The Act on Co-operation within Undertakings permits that the employer may deviate from the co-operation obligations if particularly weighty and unforeseeable reasons which are causing damage to the production or service activities of the company preclude the co-determination negotiations.

The government and the Labour market organisation's have agreed, that the sudden and severe drop in demand for a company's products or services caused by coronavirus, leading to the need to lay off employees, constitutes an exceptional situation under the Act on Co-operation within Undertakings.

Assessment of the applicability of the exception shall, however, be made on a case-by-case basis.

When grounds for deviating from the co-operation obligation do not exist any longer, the employer must immediately commence the co-determination negotiations.

Layoffs are not directly supported by the state but laid off employees are primarily compensated by unemployment funds. Furthermore, according to the latest legislation updates, employee who has been laid-off shall have improved entitlement to the unemployment benefit until 31 July 2020.

As regards terminations of employment, also regulated in the Employment Contracts Act, the following measures have been implemented in the employment legislation due to Covid-19 (legislation valid until 30 June 2020, unless otherwise stated below):

- Cancellation of an employment contract (immediate termination without notice) during the trial period is temporarily allowed on financial and production related grounds.
- The employer's re-employment obligations are temporarily extended. If an employee has been dismissed on financial and production related grounds during the period of the proposed temporary changes to employment laws, the employer's obligation to re-employ a dismissed employee if workforce is needed to perform the same or similar duties to those of the dismissed employee is extended to nine (9) months.
- Employers are obligated to notify the TE Office of dismissal of ten employees or more on financial or production-related grounds. The obligation also applies to employers who dismiss ten employees or more as a result of restructuring proceedings or bankruptcy (this notification obligation is valid until further notice).

No contact with the trade unions or works councils is required. In case of the lay-offs, the employer shall fulfil the negotiation obligation described above and prepare a written notification of lay off to each affected employee.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

The Finnish Government has prepared an extensive package to support companies and to alleviate the negative effects of the coronavirus epidemic.

The Government will make additional financing of €10 bn available to businesses through Finnvera. The principal operating model is offering guarantees to banks that grant loans. In addition, the state will increase its coverage of Finnvera's credit and guarantee losses from 50% to 80%.

Additionally, funding services for SMEs and mid-cap companies operating in Finland whose companies are impacted negatively by the coronavirus epidemic are provided through Business Finland. Mid-cap companies are large companies with a turnover or group-wide turnover of up to €300 million. The funding cannot be granted to large enterprises, private traders, public organizations, foundations, association or companies registered in Åland. The funding is provided especially to the tourism industry, supplementary services for the tourism industry, creative industry and performing arts, and all industries whose subcontracting chains have been or will be impacted by the coronavirus epidemic.

Additionally, mid-cap companies with at least €10 m turnover and at least 50 employees, which have run into temporary difficulties due to Covid-19, may apply for funding from the Finnish Industry Investment Ltd in order to secure the continuation of the business.

Small companies with maximum of five employees can apply for funding from the Finnish Centre for Economic Development, Transport and the Environment, if the company's business has been disturbed by Covid-19.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Please see the answer to Q2.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

The funding must be applied from the competent body (see Q2) and by following the required procedure for the funding type in question.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes.

In the context of the Covid-19, several regulations provide an employer with possibility for flexible workforce planning.

Teleworking may be imposed by employers. The government asked companies that are likely to organize teleworking in relation to their business to make systematic and widespread use of it.

Partial activity scheme allows employers, in certain circumstances such as this pandemic, to close down all or part of the business or to reduce the working hours of the employees concerned (see more details below).

Compensated leave: the employer should declare the work stoppage of its employees who are forced to stay at home due to the confinement order. The stoppage will be compensated by the social security system from Day 1 without a waiting period under certain conditions related to the employee's situation: having one or more children under 16 years old, not having

teleworking solution, being the only parent

who can keep the child etc.)

Unpaid leave/Days off: a draft bill contemplates the possibility for employer to impose employees to take their unpaid leave/days off - not yet applicable..

Trade union/works council involvement

Teleworking: the employer must inform and consult the Works Council (now referred to as the Social and Economic Committee, "SEC") in case of a significant change in the organization of the working conditions. In the current context, the government encourages the use of videoconferencing. However, if urgency requires it, the employer may implement this measure of teleworking before consulting the SEC.

Partial activity scheme: in principle, the implementation of a partial activity scheme requires a prior information and consultation of the SEC. However, given the current circumstances and the urgency, it is possible to consult the SEC remotely or afterwards (see further question responses for more details on partial activity).

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

Yes, as mentioned in Q1, there is the partial activity scheme, the recourse to which will be facilitated by the government. The government seems to be facilitating access to the partial activity to a greater number of employees and companies. The conditions for the recourse of this scheme in the context of Covid-19 are still under discussions before the French Parliament and may be subject to change.

Partial unemployment

The French Government transformed the former partial activity system. The employer shall still pay the employee an allowance equivalent to 70% of his hourly pay multiplied by the unemployment hours within the limit of 35 hours per week (or lower were applicable). The reimbursement made to employers of the given allowance is no longer based on a lump-sum capped at €7.74 per compensable unemployed hours but on the full partial activity allowance paid to employees placed under partial activity up to 4,5 times the minimum wage for growth (SMIC).

The French government is also entitled to take exceptional and temporary measures to limit the termination of employment contracts and to mitigate the effects of the downturn in activity by facilitating and strengthening the use of partial activity for all companies, irrespective of their size, in particular by temporarily adapting the social scheme applicable to allowances paid in this context and extending it to new categories of beneficiaries.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

The partial activity scheme benefits companies which are obliged to reduce the working time of their employees or close down all or part of their business because of exceptional circumstances (economic situation, tightness of supply, exceptional accident or bad weather etc.). Covid-19 has been deemed as a valid "exceptional circumstance" by the French administration. However, the administration will assess the situation on a case by case basis and may refuse the benefit of the partial activity scheme if it considers that it does not have an exceptional impact on the company. As indicated above, some categories of employees were excluded from the benefit of the partial activity. However, a draft decree released on 17 March 2020 indicates that the scope of the partial activity will be extended to most employees.

Government paid sick leave

Paid to employees with sick dependents / vulnerable employees.

The conditions for the legal maintenance of wages have been improved by the recent publication of another ordinance for this category.

Government loans

3-5yrs of (a) €10m for SMEs and (b) €30m for MCs, depending on number of employees and turnover amount.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Government guarantees

Max 90% of loans (3-7yrs) or overdrafts (12-18m), depending on number of employees and turnover amount

Credit mediation

Government support to reschedule debt with banks. The government is also providing mediation between SMEs and clients/suppliers.

Force majeure

No delay penalties

Start up support

€4bn support announced to help start ups but no eligibility criteria announced at this stage

Government loans for new/innovative companies

State-guaranteed treasury loan of up to 25% of annual turnover or 2 years of payroll for newly created or innovative companies. No repayment will be required in the first year; the company may choose to amortize the loan over a maximum period of five years. Scheme enabling the State to guarantee 300 billion in cash loans. The guarantee may cover 70 to 90% of the amount of the loan, depending on the size of the company

Export credits

Setting up of reinsurance for short-term export credits with the "Cap Franc export" public reinsurance scheme, launched in October 2018, will be extended to support French exporters. The cap on outstanding amounts reinsured by the State has been doubled to €2bn, and eligibility has been extended to more destination countries.

Credit insurance

Public reinsurance on outstanding credit insurance up to €10bn, which will help companies to keep the credit insurance cover they need in order to maintain their activity.

Utilities and rent payment deferral

For VSEs and SMEs, water, gas or electricity bills and rents will be postponed for the time of the crisis.

Early corporate tax / VAT credit claims

Early repayment of corporate tax claims refundable in 2020 and accelerated processing of VAT credit claims

Tax/social contributions deferral

March payments deferred w/o penalty. Social contribution deferred for April and March.

Sick leave

No waiting period for sick leave if Covid-19 related.

No waiting period for derogatory Covid-19 "sick leave" (for child care or vulnerable employee).

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Paid leave and other resting days

Paid leave can be enforced by employer of up to of six working days, provided a collective agreement applies (at branch sector level or an in house collective agreement).

Resting days (autonomous employees resting days, working time reduction days...) up to 10 working days can be enforced upon unilateral employer decision under related Covid-19 economic justifications.

Procedural deadline

Procedural deadline arranged during the crisis.

Employees representation

Information and consultation procedures with employee representatives are facilitated (videoconference).

Negotiation and execution of collective agreement are also facilitated.

Mandatory and voluntary saving plan

Premium payment conditions are modified.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

As mentioned in Q1, the implementation of the partial activity scheme is subject to the information and consultation of the SEC. Given the circumstances, this information and consultation process may be done remotely or afterwards.

In addition, the authorization request which must usually be sent to the Labor Authority ("Direccte") before applying partial activity to the employees concerned, can now occur a bit later through the website: <https://activitepartielle.emploi.gouv.fr/>.

Indeed, as the website is saturated, the Ministry of Labor has announced that a period of 30 days is granted for companies to declare their partial activity, with retroactive effect to 1 March 2020.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes.

It is the Partial activity scheme (Congés technique). The Labor Code does not provide any provision regarding the payment of salary during that period. However, companies used to allocate a certain amount to the employees. In practice, employers pay a technical leave indemnity calculated as a percentage on the basis of the salary that each employee receives during the normal period of activity. It is generally between 40 and 70% and can be decreasing over time.

It should be noted that this compensation is fully covered by the employer; to date there is no state support mechanism.

Partial activity scheme: in principle, the implementation of a partial activity scheme requires a prior information and consultation of the Labor Inspector.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

Partial activity scheme allows employers, in certain circumstances such as this pandemic, to close down all or part of the business or to reduce the working hours of the employees concerned (see more details below). Companies are asking the Government to make the information and consultation process of Labor inspector more flexible. Companies are also asking for a Financial support from the Government.

(3) If state aid and/or other extraordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Not applicable for the moment.

(4) If state aid and/or other extraordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Not applicable for the moment.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes.

Labor Code of Georgia ("Code") does not envisage the right of the employer to unilaterally initiate the part-time work or the temporary leave of the employee on the grounds of the pandemic outbreak such as Covid-19.

However, employer and employee may mutually agree on part-time work/temporary leave and the remuneration for such period thereof.

Additionally, the employee may take a temporary leave on the grounds that the employee is (a) infected with Covid-19; (b) in a quarantine/self-isolation.

- (a) If an employee is infected with Covid-19, such employee is deemed to be in state of „temporary occupational disability.“ The "temporary occupational disability" is the ground for temporary leave (temporary suspension of the labor relations), if an employee obtains a medical certificate from the relevant medical establishment, proving that an employee is infected with Covid-19.
- (b) If an employee is not diagnosed with Covid-19, but is in a quarantine/self-isolation, because he/she has visited a foreign country, or has had a contact with infected person, such employee

may be similarly deemed to be in state of "temporary occupational disability", if he/she obtains the certificate issued by the Ministry of Internally Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs of Georgia, having the same legal consequences as the medical certificate mentioned above.

- (c) Similarly, a medical certificate on occupational disability can be issued to one of the parents (guardian) for the purposes of taking care of a healthy child under the age of 7, if quarantine is announced for preschool establishments or preschool aged children. The said certificate may be issued for the whole period of quarantine.

No special regulations exist in relation to initiation of contacts with trade unions and/or work councils.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

In order to mitigate the negative impacts caused by Covid-19, the Government of Georgia plans to implement following supporting measures to economy:

- The banks shall restructure loans of the businesses, which may face repayment problems;
- The citizens, who wish to postpone the payment of the loan, will be offered 3-month grace period by the banks;
- The Government of Georgia will postpone payment of property and income taxes to the companies engaged in tourism-related activities during following 4 months (until 1 November). Such companies are hotels, restaurants, travel agencies, transportation companies etc.
- According to the statement, the Government of Georgia will double VAT return and the Ministry of Finance of Georgia will return GEL 1,200 million to the companies until the end of the year.

Please note that abovementioned supporting measures are not yet fully implemented in laws of Georgia, therefore details of regarding the necessary prerequisites and application procedure are yet unknown. We will describe such details of one of the supportive measure which has been implemented already.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Co-financing Mechanism for Supporting Small, Medium and Family-Type Hotel Industry

In light of the above-mentioned supporting measures, the Government of Georgia has approved the State Program - Co-financing Mechanism for Supporting Small, Medium and Family-Type Hotel Industry.

The Program is aiming at supporting the entities of small, medium and family-type hotel industry in Georgia, who cannot pay interest accrued on the loans taken at the commercial banks, due to the circumstances caused by the pandemics of novel coronavirus.

The business entities, who wish to participate in the Program, shall apply to commercial banks. The Program covers co-financing of annual interest accrued on the loans issued to the business entities within the framework of hotel industry, by Legal Entity of Public Law (LEPL) Produce in Georgia.

Co-financing of the accrued annual interest will be calculated on the loan existed as of 1 March 2020, for the following 6-month period. Herewith, LEPL Produce in Georgia will perform co-financing as follows:

- In case of the loans disbursed in national currency - in the amount of 80%;
- In case of the loans disbursed in USD and EUR - in the amount of 70%;

As at the time of inclusion in the Program, a business entity shall comply with other criteria listed below:

- Amount of the loan approved by the commercial bank shall not exceed GEL 1.000.000. In case of the loan issued in foreign currency - USD 300.000 or EUR 250.000.
- Commercial bank shall have the loan issued before 1 March 2020;
- Purpose of the loan agreement signed by and between the business entity and the commercial bank shall be construction, extension, equipment, repairing or/and reconstruction of the hotel.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Please see the answer to Q2 and Q3.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

- Yes.
- Agreement with works council/union on short time work – funding by the state
 - Company vacation – funded by employees (reduction of their vacation account)
 - Reduction of overtime hours – funded by employees (reduction of their overtime account)
- Additionally, in case there is no works council in place, mutual agreement with employees re. short time work.
- Additionally, in case there is no works council in place, mutual agreement with employees re. short time work.
- Trade unions / works council**
- Short time work agreed with the works council in a writing (sometimes already stipulated in tariff agreements)
 - Whether company vacation and reduction of overtime accounts can be ordered by the employer itself (in alignment with works council –if existing) must be reviewed on a case-by-case basis. The company vacation must be based on operational reasons and take the interests of the employees into account. Therefore, a unilateral grant of vacation is only possible under restricted conditions. A reduction of overtime accounts depends on the respective regulations in place for overtime.
 - Additionally, in case there is no works council in place, mutual agreement with employees re. short time work in writing.
 - Company vacation and reduction of overtime accounts can mostly be done by the employer itself (in alignment with works council - if existing) based on operational reasons, like currently the Covid-19 impact.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

If short-time work can be ordered in the company based on a corresponding clause in the employment contract, in a works agreement or in the collective bargaining agreement, employees may under certain circumstances be entitled to receive short-time work compensation under Sections 95 et seq. of German Social Code (SGB III). The prerequisite for the allowance is a considerable loss of working hours. The loss of working hours may have economic reasons or be due to an "unavoidable event". An epidemic with significant number of employees on sick leave in the company or effects on the supply chain and production can be regarded as such an unavoidable event. The entitlement to short-time work compensation is 67% of the loss of earnings (net). As a general rule, the employer must pay social security contributions based on 80% of the lost net earnings without the employee's participation. However, these social security contributions will now (according to a new regulation for the Covid-19 situation) be fully reimbursed to the employer.

(3) If state aid and/or other extraordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Conditions for receiving short-time work compensation: Needed is a considerable loss of working hours with loss of remuneration, which is based on economic reasons or an unavoidable event, which is temporary and unavoidable and results in a loss of work of at least 10 % of the employees employed in the operation and a loss of earnings of more than 10% of the gross remuneration. Further requested are operational conditions (at least one employee at the operation) and personal conditions for employees. The loss of work needs to be notified to the employment agency.

Amendment of the Infection Protection Act from 30 March 2020: Parents, who have to stay at home due to the ordered school and kindergarten closures of their children (under the age of 12 years) and consequently lose their income, are entitled to a compensation of 67% of their net income, but a maximum of about €2,000 per month for six weeks. At first, the compensation is paid by the employer and will then be reimbursed by the competent state authority.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Step-Plan for receiving short-time work compensation:

- ▶ Create a legal basis for short-time work (corresponding clause in the employment contract, in a works agreement or in the collective bargaining agreement)
- ▶ Order short time work
- ▶ Notification of loss of work to the employment agency (with the relevant information according to the loss of work, the company, the reduced working hours, etc.)
- ▶ Short-time work has to be paid at first by the employer
- ▶ Reimbursement request of short-time work compensation to the employment agency (with the relevant information regarding the employees which receive short-time work compensation and a settlement list as an appendix to the reimbursement request)
- ▶ If necessary correction of the short-time work compensation

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes, there are provisions – among others- for special leave of parent employees, teleworking etc.

For special annual leave of parent employees the following have been provided. The Legislative Decree dated 11 March 2020 (article 4 par. 3) provides a special paid leave for parent employees, for the duration of the operational ban on schools and until 10 March 2020. Only one of the parents may make use of said special leave, to the exclusion of the other parent (with the exception when the other parent is under sick leave /disable status). The special leave should be of a minimum duration of three (3) days, whilst for every four (4) days of leave taken, three (3) days shall be considered as special paid leave and one (1) day shall be deducted from the employee's annual leave. The circular 12339/404/12 March 2020 clarifies that the special leave constitutes a right of the employee and the employer is obliged to provide it if its preconditions are met. The circular 12339/404/12 March 2020 states in addition that said leave may be provided in parts. Finally it is provided that the measures of teleworking and special leave may be implemented in combination so as not to disturb the proper operation of the business.

No special process shall be followed with trade unions so as to the employers make use of sate measures for the pandemic outbreak of Covid-19.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

In the context of emergency and temporary measures in the labor market to combat and limit the spread of Covid-19 coronavirus, and for a period not exceeding six (6) months from 20 March 2020, the employer may unilaterally, appoint personnel for the secure operation of the business as follows:

- Each employee may be employed for a minimum period of two (2) weeks with a reference period of one month on a continuous or intermittent basis,
- The above way of organizing the work is organized on a weekly basis and includes at least 50% of the business staff,
- An employer who applies this way of organizing the work should maintain the same number of employees employed at the start of implementation of the measure

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Private-sector employers who are significantly affected (the list of is determined by a decision of the Minister of Finance), due to the negative effects of the COVID 19 phenomenon, may suspend the employment contracts of part or all of their staff in order to adapt their functional needs to the current unfavourable environment.

The suspension of the employment contracts may be applied for up to one (1) month from 20.03.2020, with the possibility of extension following a joint decision of the Ministers of Finance and Labor and Social Affairs, taking into account the development of the crisis.

Private-sector employers making use of said measure are expressly prohibited from terminating the employment contracts of their entire personnel. They are also required, after the expiry of the measure, to maintain the same number of headcount for a period equal to that of the suspension.

Employees whose employment contract is suspended, either because of the prohibition on the operation of a publicly-owned company or because of the application of the abovementioned measure, are entitled to exceptional financial assistance as a special purpose allowance. Employees whose employment contract has been terminated from 1 March 2020 to 20 March 2020 by either termination by the employer or by voluntary retirement are also eligible.

Special purpose allowance is tax-free and may not be offset by any debt.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

In order the employees to receive from the Greek State the special purpose allowance, the employer is obliged to submit a statement to the "ERGANI", declaring the employees whose contracts are suspended. Private-sector employers are required to include in their statement. Also the employees whose employment contract has been terminated, from 1st of March 2020 to 20th March 2020, either due to termination or due to resignation.

In the event that employers do not submit the above mentioned statement of the foregoing cases, they shall be excluded from being subject to instalment suspension measures or partial payment arrangements or facilities for any kind of certified debts towards the Greek State.

Employers are required to notify the above statement, in writing or electronically, to the employee on the same day, stating the "ERGANI" registration number.

Following the above process, the employees, in order to receive the special purpose compensation, should submit a respective statement on a dedicated electronic platform that shall operate for said purpose.

Any detail necessary for the implementation of the measures shall be clarified by a joint decision of the Ministers of Finance, Labor and Social Affairs.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes, Honduran labor Law establishes that force majeure and Sickness are cases in which company can ask for Work Stoppage. This must be duly authorized by the Honduran Labor Ministry.

In Honduras, there is work stoppage in Honduras with authorization from the Honduran Labor Ministry in the cases for sickness and for Force Majeure. Article 100, part B, of the Honduran Labor Code.

There is a special process. The Process must be made in the Honduran Labor Ministry and this office must authorize the work stoppage.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

No. There are no special programs in this situations for the moment. There are some companies that the government has allowed to work because they are necessary, such as hospitals, supermarkets, pharmacies and other related.

Honduras is in a process of curfew (state of law) from 16 to 29 March 2020. However, Honduran Government may establish a special Decree in which they authorize some companies to close for a special period its operations.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Yes, public services such as water and energy sumistration will not stop their services despite the non payment of the people for 3 moths or for as long the pandemic emergency is active. The entities regulated by the National Commission of Banks and Insurance are giving a period of grace up until June 30, without regarding the risk of the debtor to all persons and companies that are economically affected by the pandemic. There will be no charges for any reasons to people in this period. All loans' dispositions will be arranged after the pandemic is over.

There is also some aid from the Mobile and internet companies with special services.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

For the moment there is no procedure.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes.

Since 12 March 2020, the Hungarian Government has the right to change legal regulations due to the special order of laws (extraordinary state). With the aim of safeguarding jobs, the Government temporarily amended Act I of 2012 on the Hungarian Labor Code (the "Labor Code") by way of Government Decree 47/2020 (III.18.) (the "Government Decree") effective from the 19 March 2020 until 30 days after the end of the extraordinary state. The Government Decree includes the below employment related terms:

(i) The employer unilaterally is allowed to:

- Order **remote work** or **home office** work,
- **Modify** the already announced working time schedule,
- Perform necessary and justified health checks to assess the employees' fitness for work.

(ii) The employer and the **employee are allowed to deviate from the provisions of the Labor Code** in their agreement (i.e., the parties may deviate from the mandatory provisions of the Labor Code with their mutual agreement.)

(iii) **Suspension of contributions on wages:** the employer is exempted from paying public dues on wages of employees working in the tourism, hospitality, entertainment, gambling, film, performer, event, and sports services sectors (the "Protected Sectors") in March, April, May and June 2020. While the employees who work in the Protected Sectors are only liable to pay health insurance contributions in kind, the amount of which may not exceed the monthly amount of the health care contribution, i.e., HUF 7,710 in March, April, May and June 2020.

The Hungarian Government introduced new measures to mitigate the economic effect of the covid-19 pandemic by way of Government Decrees 57-61/2020 (III.23.) effective as of 24 March 2020. We hereby summarize the measures which have a direct effect on employment:

(i) Extended child care benefit: according to Government Decree 58 and 59/2020 (III.23.) different types of child care benefits (the so-called "GYED", "GYES" and "GYET") will continue to be paid out for those whose eligibility would expire during the term of the extraordinary state and the referred child care benefits will be provided until the end of the extraordinary state (note: it is expected that employees who are on maternity / child care leave and can avail of the extended child care benefit might consider postponing their return to work).

(ii) Suspension of contributions on wages extended for more sectors: Government Decree 61/2020 (III.23.) extended the Protected Sectors listed in point (iii) to cab drivers, conference and commercial presentation organisers, newspaper editors, magazine editors and broadcasting.

The Government Decree overrides the potentially conflicting provisions of the Collective Bargaining Agreements which may be applied by the employers. However, in all other topics, employers must consult their works councils (if operating at the employer) concerning the initiatives / actions planned by them affecting a large group of employees.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

No, there is no governmental program which is specifically addressing the closure of the company. However, the Government Decree has introduced a payment moratorium as of 19 March 2020 until 31 December 2020 which extends to all debtors (private persons and legal entities) in Hungary to mitigate the impact of Covid-19 pandemic on the national economy. Further measures were introduced on 24 March 2020 to mitigate the economic effect of covid-19 pandemic, such as: the enforcement of tax debts will be suspended until the end of the extraordinary state and certain private entrepreneurs and small businesses (e.g. taxi drivers, hairdressers, dentists, etc.) will be exempted from paying the "KATA" flat tax and social security contributions for a fixed period of time.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Please see response to question 1 (i.e. employees and employers in the Protected Sectors can avail of the suspension of contributions on wages).

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Government Decree 61/2020 (III.23.) includes rules of suspension of contributions on wages.

Please note, however, that no specific direct state aid is introduced or planned yet.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes.

The Ministry of Home Affairs, Government of India has, vide order dated 15 April 2020, extended the nationwide lockdown until 3 May 2020 to contain the spread of Covid-19. To mitigate hardship to the public, select additional activities (apart from provisioning of essential goods and services) may be permitted from 20 April 2020, subject to applicable restrictions and hotspots (i.e. areas wherein Covid-19 cases have been discovered).

In the context of the Covid-19, several notifications have been issued by the governments of various Indian states providing for flexible workforce planning.

Work from home (WFH) Several state governments have issued orders requiring all non-essential sectors to arrange for WFH. The state governments have asked companies that are likely to organize teleworking in relation to their business to make systematic and widespread use of it.

Compensated leave: Several state governments have issued orders requiring the employers of establishments that have been mandated by government order to stop work to treat its employees as being on duty on such days and to pay wages accordingly. Certain state governments have announced financial support for daily wage earners through the direct benefit transfer system of the government.

The Government of India vide order dated 24 March 2020 has declared a lockdown all over India for a period of 21 days with effect from 25 March 2020 until 14 April 2020 in order to prevent the spread of Covid-19. As per the said order all private commercial and industrial establishments are required to close down their establishments except those dealing with essential goods and services, including health care infrastructure. Further, while certain financial aid is being provided by the state in this regard, the same relate to daily wage earners & construction workers and such financial aid shall be provided under the direct benefit transfer system of the government. The same may also differ from state to state and case specific analysis shall be required.

Further, the Central Government has announced that for employers having up to 100 employees and 90% of whom earn under INR 15,000/- per month, the Government of India shall take care of payment of provident fund contributions for both the employer as well as the employee, under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 ("EPF Act") for a period of three months and the employer may approach the regional EPF authority in relation to the same. However, a gazette notification of the said benefit is still awaited.

Trade union consultation maybe required for wage/hour reduction (case assessment required).

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

Please refer to Q1.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Certain state governments have announced wage support for daily wage earners through the direct benefit transfer system of the government and have also increased allocation of ration and in certain cases announced distribution of food grain for free. While most of these announcements are to support daily wage earners, the pre-requisites to qualify for such aid differs from state to state and case specific analysis shall be required.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Most of these announcements are to support daily wage earners who are registered with the relevant state government and financial aid shall be provided to those who are enrolled under the direct benefit transfer system of the government. The same may also differ from state to state and case specific analysis shall be required.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes.

The Collective Bargaining Agreements applied by the employer at national, territorial and/or company level, might provide special flexibility measures, such as bank hours and multi-period working hours that, depending on the case, might be unilaterally activated by the employer, or prior unions consultation or approval. These treatments do not benefit for the moment of state subsidies.

Furthermore, the Government “encouraged” the utilization by the employers and employees of accrued holidays and permits. It is not clear if the employer can impose the employees to use also holidays and permits not yet accrued, or only holidays and permits already accrued but not used by the employees. At the moment, also these measures do not benefit of state subsidies.

Finally, with the Law Decree 18/2020 dated 17 March 2020, an additional parental leave has been granted for private sector employees, for public sector employees and for certain self-employed workers, parents of children aged not more than 12 years or of disabled children. The parental leave provide the possibility for such workers to refrain temporarily from work, for a continuous or split period of 15 days, with the right to receive an indemnity equal to 50 percent of their salary.

The same Law Decree also provided an extra amount of 12 days of paid leave for the care of disabled family members, to be used in March and April 2020.

As far as concerns legal arrangements provided by the Collective Agreements, special unions procedures might be requested therein.

Special parental leave do not require specific procedures to be granted to the employees.

As far as concerns the additional paid leave for the care of disabled family members, in case such treatment is requested by healthcare workers, the leave can be authorized only after verification of compatibility with the needs of medical facilities.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

Special temporary wage guarantee funds, connected to the health emergency, have been implemented by the Italian Government in the last weeks, in order to integrate the salaries of the employees in case of temporary contractions of the activities and/or shutdown of the companies due to the risk of contagion. In particular:

- i) New “Ordinary” Temporary Wage Guarantee Fund;
- ii) New “Ordinary” Temporary Wage Guarantee Fund for companies already benefiting of an extraordinary temporary wage guarantee fund;
- iii) New Temporary Wage Guarantee Fund “In Derogation”;
- iv) “Extraordinary” Temporary Wage Guarantee Fund for the “Red Zone”

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

- New “Ordinary” Temporary Wage Guarantee Fund:
 - Companies: industrial companies (manufacturing, transport, building and others), production and employment cooperatives which carry out activity similar to industrial companies and to craft firms in the building sector.
 - Employees: the persons employed on the date of entry into force of Law Decree 23 February 2020, no. 6, even if they have not yet performed 90 days of work.
- New “Ordinary” Temporary Wage Guarantee Fund for companies already benefiting from an extraordinary temporary wage guarantee fund:
 - Companies: Those that, at the date of entry into force of Legislative Decree 23 February 2020, no. 6, were benefiting of an extraordinary temporary wage guarantee fund treatment; companies that are benefiting of a solidarity subsidy.
 - Employees: employees already benefiting of an extraordinary temporary wage guarantee fund treatment.
- New Temporary Wage Guarantee Fund “In Derogation”:
 - Companies: Those operating in the private sector (including agricultural, fisheries and non-profit sector, including religious organizations, and regardless of the number of employees), for which the treatments provided for by the current provisions regarding safety treatments are not applicable.
- “Extraordinary” Temporary Wage Guarantee Fund for the “Red Zone” and “Yellow Zone”:
 - Companies: Those falling within the municipalities of the so-called “Red zone” and the “Yellow Zone” regions of Lombardy, Veneto and Emilia-Romagna
 - Employees: if the companies are not located in the “Red Zone” or in the “Yellow Zone”, the subsidy can be requested limited to the employees resident and/or domiciled in the Red or Yellow Zone.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

New “Ordinary” Temporary Wage Guarantee Fund: the Law Decree 18/2020 provided for a simplified trade union consultation procedure in case of request of the treatment, which can also take place after the request of intervention and through telematic means. The union agreement is not requested. The duration of the temporary wage guarantee fund will not be computed in the maximum overall duration provided by the normal provisions, and the treatment is exempted from the additional contribution.

New “Ordinary” Temporary Wage Guarantee Fund for companies already benefiting of an extraordinary temporary wage guarantee fund: the granting of “Ordinary” treatment is subject to the prior suspension of the effects of the previously authorized extraordinary intervention. The simplified procedure should be the same provided for the New “Ordinary” Temporary Wage Guarantee Fund.

New Temporary Wage Guarantee Fund “In Derogation”: except for companies with no more than 5 employees, this treatment requires a prior union agreement with the more representative trade unions, which can also be concluded electronically. The intervention is authorized by decree of the concerned Italian Regions and the Italian Autonomous Provinces, to be sent electronically to Istituto Nazionale della Previdenza Sociale (INPS) within 48 hours from its adoption, along with the list of beneficiaries.

“Extraordinary” Temporary Wage Guarantee Fund for the “Red Zone” and “Yellow Zone”: According to art. 15 and 17 of the Law Decree 9/2020, still applicable even after the Law Decree 18/2020, the simplified procedure this treatment requires a prior union agreement with the more representative trade unions, and the intervention is authorized by decree of the concerned Italian Regions (Lombardia, Veneto, and Emilia Romagna), to be sent electronically to INPS within 48 hours from its adoption, along with the list of beneficiaries.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes.

Although the answer on question 1 is YES, what has been mainly discussed so far is how the existing labor and employment regulations apply to the current situation, except for new governmental aids for employers (and employees). The current discussion includes:

- **Flexible working style**

Flexitime working hours system, remote work and off-peak commuting

- **Overtime work**

Variable working hours system, special clause in labor-management agreement concerning overtime work and special overtime work due to disaster

- **Leave**

Annual paid leave, statutory leave allowance, sick pay from Employees' Health Insurance or Workers' Accident Compensation Insurance

- **Subsidy**

Subsidy for employment adjustment, for special paid leave for school closure, for implementation of remote work system (and other subsidies at municipal level)

Please see Q2, Q3 and Q4 for information on government aids.

Some systems listed above require a labor-management agreement with an employees' representative (the regulation has been unchanged since prior to Covid-19). NB: No works councils system exists in Japan.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

Subsidy for employment adjustment

This subsidy is paid to an employer which downsizes its business due to economic reason and (but) place employees on leave instead of terminating them. This subsidy can apply not specifically for Covid-19 situation, but the government made some of the conditions expand the applicable range for employers suffering from Covid-19 situation. The following outlines the special treatment for temporary leave undertaken from 1 April to 30 June 2020.

What is paid to the employer

2/3 (or 4/5 in case of medium-sized businesses) of statutory leave allowance (roughly speaking 2/3 of wages) paid by the employer to employees placed on leave

- There is certain upper limitations - up to JPY 8,330 per employee per day
- When the employer does not conduct any unilateral termination of employee (including certain non-renewal of fixed-term employee and termination of temporary staff agreement with staffing agency), the ratio is 3/4 (or 9/10 in case of medium-sized business)
- Please note that the calculation of subsidy is made based on the total amount of wages (for the purpose of the Employment Insurance (koyo hoken)) paid by the employer to its employees for the previous year, not based on the total amount the employer actually pays to its employees as leave allowance this time. This means that this subsidy may not be able to cover the subsidized ratio of actual spending depending upon who is placed on leave.

Main conditions

- Employer places its employees on leave due to economic reason which should include cases where: i) the business got slow because of customers downsizing due to Covid-19; ii) the business was closed because of an employee infected with Covid-19; and iii) the business was closed because of employees who cannot work due to the temporary closure of schools.
- Employer must be a business covered by the Employment Insurance (koyo hoken).
- Employer's management indicator such as production volume or revenue for the last one month was decreased by 5% or more compared to the indicator during the same period last year.
- Employees are placed on leave based on a labor-management agreement with an employees' representative and are paid at least the amount of statutory leave allowance.

Process

- A labor-management agreement is concluded and then the employer must submit a notification of leave plan to the government before the employees are placed on leave. Importantly, this timing has been made relaxed for Covid-19 situation; namely, leave plans for 24 January 2020 or later can be submitted retrospectively by 30 June 2020.
- Within two months after the leave period, the employer must apply for the subsidy payment. The government announced that the subsidy will be paid about one month after the application (with sufficient supporting documents).

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Subsidy for employment adjustment (for Covid-19): Please see responses to Q1 and Q2.

Subsidy for special paid leave (for Covid-19): The government newly established this subsidy to an employer which gives special paid leaves to its employees who need to take care of their children during the period of the temporary school closure from 27 February to 30 June 2020.

Subsidy for remote work implementation (for Covid-19): D7
This subsidy is for an small- or mid-sized employer which newly implemented remote work system successfully (meaning at least one employee worked remotely) during the period from 17 February to 31 May 2020. This covers 50% of relating cost up to JPY 1mn such as cost for changes in rules of employment, training for HR division and employees, consultancy from outside professional, but, importantly, not including cost for computers, tablets and smartphones.

There are other aids at municipal level.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Subsidy for employment adjustment (for Covid-19): Please see responses to Q1 and Q2.

Subsidy for special paid leave (for Covid-19):
Application must be made by 30 September 2020. The application must be supported by documents such as employee roster, attendance record, wage ledger, working schedule, notice from relevant school, etc. Applying employer would need to cooperate with investigation by the government checking eligibility for the subsidy.

Subsidy for remote work implementation (for Covid-19): Application to be subject to the subsidy must be made by 29 May 2020, together with supporting document such as implementation plan, etc. After implementation, application for payment must be made by 15 July 2020.

There are other aids at municipal level.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

No, there are no COVID19-specific regulations. All terms and conditions of such change of the working regime are dictated by the Labour Code and the Employment Law, trade union regulations, the employer's internal regulations and the employment contract with each employee.

In accordance with the Labour Code of RoK there are three types of temporary leaves:

(1) temporary disability leave;

(2) stand-by period;

or (3) paid or unpaid vacation.

(1) Temporary Disability Leave (sick leave):

Sick leave is paid by the employer based on the certificate from medical institutions. Based on the Labour Code, the employer must pay a minimum amount of 15 monthly calculated indexes (currently, approx. USD 80), unless a higher amount is provided by the employer's own internal policies.

(2) Stand-by period at neither of the employer's or employee's failure must be paid by the

employer in the amount of minimum salary, i.e. currently approx. USD 100.

(3) Paid vacation should be compensated with not less than the average monthly salary of the employee, and unpaid vacation is not paid.

Only if employees are members of a trade union. Special procedures are set out by the Trade Unions Law and collective agreement. However, they are not Covid-19 specific, they are of general nature.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

In his speech of 23 March 2020, the President of Kazakhstan stated that for the period of the state of emergency monthly payments will be made to individuals deprived of income due to introduction of the state of emergency (around USD100).

By the Government Ruling dated 20 March 2020 No. 126, certain enterprises which suffered from a mandatory shutdown were exempt from the following taxes until 31 December 2020:

- (1) Property tax for malls, shops, entertainment centers, cinemas, theaters, exhibitions, sports facilities;
- (2) Land tax for agricultural producers;
- (3) Personal income tax for individual entrepreneurs using a general regime of taxation.

For taxpayers indicated in items (1) and (2) above, the accrual of interest has been suspended until 15 August 2020, and the period for filing tax reports on the relevant taxes was extended until Q3 of 2020. In addition, the filing period for CIT tax reports was extended until 30 April 2020 (one-month extension) for all enterprises.

Other governmental support measures have been declared by the President and the Chairman of the Agency for Financial Supervision in their statements in mass media, such as:

- (i) Potential loan repayment vacation (until June 2020) and freezing of interest accrual by banks and by the National Management Holding Baiterek.
- (ii) Potential freezing of lease payments, no interest and penalties, by the Investment Fund of Kazakhstan for lease of immovable property.

However, no regulations have yet been publicly issued to support those statements.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Please see Q1 - No regulations have been published yet.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

For the monthly payments from the government, there are no regulations available yet. For tax benefits, nothing is expected from the taxpayers, the exemptions would apply automatically.

For the financial benefits, the borrowers are expected to file an online application with the relevant lender. No details are yet available.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes.

In the context of the Covid-19, several regulations provide an employer with possibility for flexible workforce planning.

Teleworking: The Luxembourg government asked companies to foster the teleworking when possible.

Partial unemployment scheme allows employers, in certain circumstances such as this pandemic, to close down all or part of the business concerned and to receive a state fund to maintain the salaries.

Leave for family reasons: an employee can request a leave for family reason if he/she must stay at home to take care of one or several children under 13 years and has no other solution (no option for teleworking, etc...). This specific leave cannot be used by both parents simultaneously. This leave can be full time or part-time (for example 3 days a week) and will be fully compensated by the Social Security Scheme.

Partial unemployment scheme: all companies must apply through a dedicated e-platform available on the Unemployment Authorities website ("ADEM").

However, some companies (closed due to the lockdown) will be automatically eligible whereas companies only facing a business decrease will be eligible, subject to a decision to be taken by the Government ("Comité de conjuncture").

The application process requires legal information about the company and detailed figures regarding the business, breakdown of staff numbers, etc.

The application is valid for one month and must be renewed each month by the company.

Partial unemployment scheme: The implementation of a partial unemployment scheme requires a prior consent of the Staff Delegation (signature of the President of the Staff delegation is required on the application). Unions must be involved if the company is subject to a collective bargaining agreement.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

Yes, as mentioned in Q1, there is the partial unemployment scheme, the recourse has been facilitated by the government. The government introduced an automatic access for companies obliged to close down due to the isolation obligation (shops, etc.). In this case, the state support will be paid directly and the controls will be held ex post. Other companies suffering from a significant slowdown need to apply and fulfil a detailed form. In this case, each application is subject to the approval of the government.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

The partial unemployment scheme benefits companies facing serious difficulties.

In the application, the company must explain the measures already taken to maintain the employment level (training sessions, teleworking, etc...) and the business (research for new clients or suppliers, developments of new products, investments or restructuration plan, etc...).

Prior to receiving the state aid, the employer must undertake to not dismiss any employees for economic reasons during the partial unemployment scheme.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Partial unemployment scheme: all companies must apply through a dedicated e-platform available on the Unemployment Authorities website ("ADEM").

However, some companies (closed due to the lockdown) will be automatically eligible whereas companies only facing a business decrease will be eligible, subject to a decision to be taken by the Government ("Comité de conjuncture").

The application process requires legal information about the company and detailed figures regarding business, breakdown of staff, etc.

The application is valid for one month and must be renewed each month by the company.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

No

There are already effective economic measures imposed by the Government, which are related to direct financial support of the certain trade companies affected by the situation, postponement in tax payments, etc. In addition, there are expected economic measures, such as subventions for social security contributions, as support to the certain trade companies affected by the situation.

The national Government adopted an Ordinance for implementation of law on labor relations in state of emergency, as well. The same stipulates the following:

- The employees in the private sector that are affected by the so far imposed measures due to Covid-19 should take the unused annual leave days for 2019 up to 31 May 2020 and should use two consecutive working weeks (10 working days) as part of their annual leave for 2020 until 30 June 2020, both in accordance with the working process requirements and upon approval from the employer
- The prescribed period of maternity leave is automatically extended, as well as the salary compensations up until the measures imposed due to Covid-19 are in force

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

Not applicable

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Not applicable

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Not applicable

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

No

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

No developments, we continue to monitor the situation.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

No developments, we continue to monitor the situation.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

No developments, we continue to monitor the situation.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes.

Please note that on 17 March 2020, the old working time reduction regulations (i.e., Working Time Reduction Scheme) has been withdrawn and new regulations (i.e., Temporary Emergency Measure for Bridging Work Retention, the "NOW") have been announced.

The NOW, in short covers the following topics:

- Employers who expect a loss of turnover of at least 20% as of 1 March 2020, can apply to the Dutch Public Employment Service (in Dutch: "UWV") for a subsidy of labor costs for a period of three months.
- The amount of the subsidy depends on the loss of turnover. With a loss of turnover of 100%, the subsidy is 90% of the wage bill, with a loss of turnover of 50%, the subsidy is 45% of the wage bill, and so on.
- After the application, the employer will receive an payment in advance of at least 80% of the expected subsidy. The actual loss of turnover is subsequently determined. For large applications, an auditor's report is required (the extent of this has yet to be determined). If the advance payment turns out to be to incorrect a subsequent payment or

recovery can take place.

- The subsidy for labor costs can also be claimed for employees with flexible contracts, such as on-call workers.
- Under the NOW employees do not consume unemployment benefit rights.

Works council requirements apply. The works council needs to be informed (in advance) about the NOW application. The works council has no right of advice or consent with regard to the application

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

Yes, see response to Q1 regarding the NOW.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

In short, to be eligible for the subsidy pursuant to the NOW:

- Employers expect a loss of turnover of at least 20% as of 1 March 2020;
- Employers are required to continue to pay 100% of the salary to their employees;
- During the period in which the employer receives the subsidy, he may not dismiss employees for business economical reasons.
- Employers applying for a NOW subsidy have to comply with several obligations, including but not limited to, acting in accordance with the purpose of the subsidy scheme and notifying the municipality from which they receive the wage cost subsidy.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Applications for the NOW can be submitted as of 6 April 2020:

- The UWV expects to be able to pay the first advance payments within 2-4 weeks after the application submission.
- The final determination of the amount of the subsidy should be requested within 24 weeks after the end of the three month period. In principle, an auditor statement is required for the final determination of the amount of the subsidy. However, it is expected that this will not apply to small undertakings. Further guidelines in this respect will follow shortly. The final subsidy will be based on the actual turnover loss in the applied three months period in 2020 and the actually paid salary in the months March, April and May 2020.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?	(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?	(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.	(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).
No	No	<p>The Government has introduced a Wage Subsidy and Covid-19 Leave Subsidy which is available to businesses, registered charities, non-governmental organizations, incorporated societies and post-settlement governance entities. To be eligible, the employers must be a New Zealand registered operating business, there must be employees that are legally employed in New Zealand and be able to show that:</p> <ul style="list-style-type: none"> ► It has experienced a minimum 30% decline in actual or predicted revenue over the period of a month from 1 January 2020 through to 9 June 2020 in comparison to the same month last year (for businesses older than 12 months), a previous month (for businesses younger than 12 months or have has significant growth) or the previous year's monthly average (for the self-employed) and that decline is related to Covid-19; ► It has taken active steps to mitigate the impact of Covid-19 on its business activities (such as engaging with their bank or financial advisor, Chamber of Commerce, industry association or the Regional Business Partner Programme); ► It will make best endeavors to retain employees named in the application and pay them a minimum of 80% of their normal income for the subsidized period, presumably being the 12 weeks from when applications could first be made (17 March 2020). <p>Self-employed people with variable monthly incomes are eligible if they can demonstrate the revenue loss assessment against the previous year's monthly average (e.g., 30% loss of income attributable to Covid-19 comparing March 2020 to the average monthly income in the period March 2019 to March 2020).</p> <p>The wage subsidy will be paid at a flat rate of:</p> <ul style="list-style-type: none"> ► NZ\$585.80 for people working 20 hours or more per week ► NZ\$350.00 for people working less than 20 hours per week. ► The wage subsidy is paid as a lump sum and covers 12 weeks per employee. <p>The Covid-19 Leave Subsidy will be available to those employees that:</p> <ul style="list-style-type: none"> ► Need to self-isolate (as per the Ministry of Health directions) ► Cannot work because they are sick with Covid-19, or ► Cannot work because they are caring for dependents who are required to self-isolate or are sick with Covid-19. <p>The Covid-19 Leave Subsidy will be paid to employers who have eligible employees and they must pass the payment onto their employees in full.</p> <p>The Covid-19 Leave Subsidy will be available for 8 weeks from 17 March 2020. Employers will be able to apply for this more than once.</p> <ul style="list-style-type: none"> ► The Covid-19 Leave Subsidy will be paid at a flat rate of: ► NZ\$585.80 to a person working 20 hours or more per week ► NZ\$350.00 to a person working less than 20 hours per week. ► Employers will be able to apply for this subsidy as and when needed. 	<p>Application is made through the government Work and Income site: https://workandincome.govt.nz/products/a-z-benefits/covid-19-support.html.</p> <p>Employers are to provide their Inland Revenue Department (IRD) No, business name, business address, names of employees, employee IRD numbers and contact details for their business and employees.</p> <p>Employers may make application at any time, although it is suggested that they make applications as early as possible.</p>

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes.

For all practical reasons, temporary lay-offs (NW: "Permittering") will be the chosen measure by employers in Norway and it has recently has been enacted several changes in the relevant legislation / rules because of Covid-19. Lay-offs can be done either full-time or part-time basis (however, please see our response under Q2 regarding the employees' entitlement to benefits from the state, i.e. the employment must be reduced by a minimum of 40 % due to a lay-off).

Laying off employees is a temporary measure under which the employee's obligation to work and the employer's obligation to pay salary are suspended, i.e. the employment relationship continues to exist and it is assumed that the work stoppage is temporary.

A lay-off requires reasonable grounds related to the business and not the employee. If the undertaking has a temporary need to reduce its workforce due to Covid-19, e.g. due to lack of work, the employer may consider to temporary lay-off employees. Furthermore, the employer must act reasonably in the evaluation of who should be laid-off and has to follow a prescribed procedure. The procedure includes, among other things, sending a notification to the Norwegian Labour and Welfare Service ("NAV"), I/C obligations towards the employees' elected representatives / the employees and delivering a notice of lay-off to the employees in questions which include certain information. It is important that the employer ensures having sufficient documentation regarding

the justification of the lay-offs, the selection between the employees and that the procedure has been carried out in accordance with the applicable rules.

A lay-off may last for 26 weeks during a period of 18 months. For unemployed and laid-off workers who are about to expire the maximum period of unemployment benefit, the Parliament has extended the period to June.

If it becomes clear or highly likely that the situation will be permanent, the employer must give notice of dismissal. We emphasize that if such a notice is given, the main rule is that the temporary lay-off stops and the employment relationship is taken up again, included that the employer has to pay full salary during the notice period. Dismissals have to be handled in accordance with the applicable strict rules.

- Consider whether the undertaking has reasons to lay-off employees and the potential selection between the employees (which has to be reasonable and objective)
- The employer must notify NAV as soon as possible, and at the latest at the same time as the employer calls a consultation meeting
- Even though it is not a statutory duty for undertakings that are not bound by a collective bargaining agreement, it is recommended that the lay-offs are discussed with the employees' elected

representatives / the employees. Undertakings bound by collective bargaining agreements will have to carry out a I/C procedure according to the collective bargaining agreement.

- Notice of temporary lay-offs, which, among other things, must include information about the notice period, the reasons for and extent of the lay-offs, the period under which the employer will pay salary etc.
- When the notice period has expired, the employer will pay salary during the employer's period before the state takes over.
- Employees must apply NAV for compensation for loss of income because of a lay-off. The employees must, however, first register as a job seeker.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

Employers are to some extent obligated to pay the employees' salary, i.e. during the notice period of the lay-offs and the employer's period. Please find more information on the economic consequences of a lay-off below.

- The notice period is generally 14 days. This may however be reduced to two days in case of an "unforeseen event". The effects of the Covid-19 virus is such an unforeseen event and may trigger a two day notification period.
- When the lay-offs are in effect, i.e. when the notice period has expired, the employer must pay salary for two days (normally 15 days, but this has been changed because of the Covid-19 crisis). Following the employer's period, the employer is exempted from the obligation to pay salary for a period of 26 weeks during a period of 18 months. If the crisis continues the Norwegian Parliament may expand this period.
- Following the employer's period (two days after the lay-offs are in effect), the state takes over the duty to pay salary (upward limited to 6 G - which is further described below) for 18 days. (Please note that the employer in addition have to pay salary during the notice period, which in case of unforeseen events usually is 2 days).
- After the mentioned 20 days, laid-off employees are ensured an income from the state equal to 80 % of their income up to 3G. For income between 3G up to 6G, laid-off employees receive 62.4% of their salary. Salary exceeding 6G is not compensated.

NB: The G is short for "Grunnbetrag" and is the calculation amount for the National Insurance System when they calculate the benefits. The G is subject to annual adjustments every 1 May. Currently the G amounts to NOK 99,858.

- While employees previously had to wait three days from the employer's payment ended to unemployment benefits were received, they are now entitled to unemployment benefits from compensation from the State immediately following the employer period and do no longer have to wait three days.
- Employees must apply NAV for compensation for loss of income because of a lay-off. The employees must, however, first register as a job seeker.

► If an employee's employment is reduced by a minimum of 40 % (previously 50 %) due to lay-offs, the employee will according to the new rules be entitled to unemployment benefits from the NAV.

► The threshold for eligibility for salary compensation as laid-off is reduced from 1.5G to 0.75G. This helps part-time workers to secure an income.

► Unemployed are now entitled to unemployment benefits during Easter and Christmas. According to the Regulations on Unemployment Benefit (FOR-1998-09-16-890), it is usually a requirement that unemployment benefit is not disbursed in the period from 20 December to 1 January, and from Palm Sunday to the second Easter Sunday (cf. Section 6-3). Section 6-3 has been temporarily repealed by Regulation 20 March 2020, No. 373.

► The employer period for paying salary related to sick-leave related to Covid-19 is reduced to three days (previously 16 days).

► Self-employed workers and free-lancers are entitled to sick leave pay from NAV from day four in connected with Covid-19. This is a direct response to the Covid-19 crisis with the aim of reducing costs related to sickness benefits.

► The paid days for taking care of small children (12 years and younger) is doubled from 10 days to 20 days. The employers are to pay the days of the carer leave while the state pays the rest. This is a direct response to the fact that schools and kindergartens are closed. Self-employed workers and free-lancers are to receive paid carer leave from day four.

In principle, a reimbursement scheme for unemployment benefit is not envisaged so that employers can offset unemployment benefits to their employees until the unemployment benefits application is granted. However, to help NAV, which is under a tremendous pressure, the Minister of Labour and Social Affairs, Røe Isaksen, has urged all employers who have the opportunity to pay the 18 days of salary that the State is responsible to pay for. Employers who offset will have their wage costs reimbursed by NAV, upwards limited to 6G.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

NAV has in addition opened for employees to apply for NAV to offset 60% of salary until the unemployment benefits application is processed. The payment will be offset against the final unemployment benefit, when available. On 27 March 2020, the Government decided that, NAV now may grant unemployment benefits, without employees having to wait for the unemployment benefit application to be processed. NAV will pay the unemployment benefit in advance, however limited to approximately 60 % of the unemployment benefit basis. The unemployment benefit will be offset against the final decision when the application is processed. It is voluntary for the employees to apply for such payments in advance, and the application form is available in the following link.

<https://www.nav.no/dagpenger/forskudd/>

An employee is entitled to unemployment benefits during a period of 26 weeks during a total period of 18 months. For unemployed and laid-off workers who are about to expire the maximum period of unemployment benefit, the unemployment benefit period is extended to June. After the end of this period, the employer's wage obligation will again occur.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Many companies in Norway are experiencing a dramatic decrease in revenue amid the evolving Covid-19 pandemic. To mitigate the economic consequences of the occurring crisis, the Norwegian Government announced on 27 March 2020 a new and comprehensive 10-20 BNOK Government aid scheme for business in Norway that are suffering from the Covid-19 crisis. The main goal of the proposed act is to partially cover businesses' current operating expenditure, whilst companies experience significant a temporary decline in revenue due to the economic consequences of the Corona virus.

According to the Ministry of Finance, the Government aid plan is built on the following seven guiding principles:

- The scheme must be efficient and have immediate effect
- The scheme must be targeted
- The scheme will be temporary
- The scheme must be comprehensive
- The scheme must be manageable and convenient
- The scheme must be in accordance with EU state aid regulations
- The scheme must be subject to oversight and control

The Government's proposal entails a Government aid scheme for business suffering from the Covid-19 crises which stipulates different models for compensation. The one model applies for companies operating within activities that are mandated to close by the Government, i.e. hairdressers, beauty salons, tattoo shops, swimming halls, sporting complexes and similar environments where person-to-person contact is inevitable.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Businesses affected by these measures will have their current operating expenditure compensated based on this equation: decrease in revenue based on March/April 2019 in % * (current operating expenditure) * 0,9. For those businesses not directly impacted by the Government restrictions a different calculation will apply: decrease in revenue based on March/April 2019 in % * (current operating expenditure- 10 000 NOK) * 0,8.

Only businesses with a 30 % decrease in revenue (20 % is sufficient for the month of March), with revenue loss of minimum Kr5,000 in the designated month are eligible. Furthermore, the scheme only applies to businesses operating in Norway. The scheme is not applicable to business that have already filed or in the process of filing for deregistration, closure or bankruptcy/liquidation prior to the implementation of the cash support scheme.

The 7 April 2020 there was a session in the Norwegian Parliament which resulted in the bill being approved. The legislation on compensation schemes will be in force as soon as the Parliament has discussed the matter a second time (as prescribed by the Constitution) and it is sanctioned by the King. Unless something extraordinary takes place in the days to come, it is reasonable to expect that the enactment will go through without any significant changes.

It is expected that businesses may apply for this scheme from 17 April, however we do not know any further details in relation to what must be included in this application. It is expected that the government will elaborate more on the application process after Easter.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Please see the answer to Q3 above. We do not yet know any definite details regarding the application procedure. We do however know that businesses must provide the government with documentation that supports a decrease in revenue equal to a certain percentage. Thus, businesses must likely present financial statements from the comparable month(s) the previous year. If the business is newly started, it is likely sufficient to provide financial statements from the previous two or three months. It is important that what the business presents accurate documentation, because there will be no governmental control with these numbers prior to the cash support being disbursed. However, it is expected that all numbers must be verified retrospectively.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes.

All the following options are regulated in the actual Labor Code. The Ministry of Labor has issued advisories stating that, as part of business continuity plans, employers are encouraged to:

- Allow employees to work from home where feasible or allow for split team arrangements.
- Employee can use of time credits or outstanding holiday entitlements.
- Subscribe short-term contract labor.
- Suspension of the labor contract (unpaid by the employer)
- The Paraguayan Government has enacted a new Law N° 6524/2020 that establish news administrative, finance and fiscal measures for both private and public sector in the framework of the pandemic. This law regulates, among others, the legal regime of “telework” in dependency relationship for both private and public sector.

Allow employees to work from home where feasible or allow for split team arrangements: It is coming from the right that the employee has of organize, and manage work in their industrial, commercial establishments or in any other place.

Employee can use of time credits or outstanding holiday entitlements: This measure ensures the payment of wages to the employees.

Subscribe short-term contract labor: The Labor Law allows to subscribe contracts labor for 16 or 32 hours of work per week. The employee has all benefices (social security, familiar assignation,

holiday, etc.)

Suspension of the labor contract (unpaid): According to the Resolution SG 90 of the Ministry of Health enacted on 10 March 2020; All school, public shows, and other activities of mass attendance were suspended. Regarding offices and work centres, the Resolution establishes that they must implement hygiene, safety and health measures to mitigate the circulation of the COVID 19. In other words, they are not with the obligation to close, if they can comply with health and safety measures.

However, if a company decide to close and suspend its normal activities, must give notice of this decision to the employees and the Administrative Authority. The Company must justify the "force majeure" and explain the circumstances that force them to close. For example:

- lack of infrastructure that meets sanitary measures - space less than 1m between people;
- the lack of commercial movement that makes it impossible to face the payment of workers' wages.

Labor Law, Art. 71: “The causes of suspension of employment contracts are: f) The fortuitous case or force majeure, when it has as a necessary, immediate and direct consequence the interruption of the tasks; the lack of commercial movement that makes it impossible to face the payment of workers' wages duly justified by Employer...”

During the suspension of employee's contract, the Employer is exonerating to pay, but everything related to seniority remains in force and once the cause that prevents compliance with the contract has been finished, labor contract relations are normalized.

Paid leave: Companies with the possibility of close their office or industries and can pay wages to their employees, would not have to carry out any suspension of the contract, only communicate the license to the Ministry of Labor. In this case the Company would be required to make Social Security (IPS) payments normally.

By Decree N° 3490/2020 enacted on 28 March 2020, the government extended the social, preventive and compulsory social isolation throughout Paraguay until 12 April 2020. Until that date, only some companies are authorized to open, especially supermarkets, pharmacies, transport, health services companies, financial services companies, among others.

While the health emergency lasts, the Ministry of Labor has been established an accelerated method for the suspension of labor contracts in MSMEs.

Telework: According to the Law N° 6524/2020, there is no established procedure for the formalization of telework contracts, more than the agreement between employees and employer.

Employees who are ill from Covid-19 will receive a subsidy for medical rest by the Social Security Administration. That also extends their rights to have medical expenses covered.

Please be aware that it is expected that new rules and measure surrounding the Covid-19 are likely to be implemented soon in order to provide individuals and companies in Paraguay with the necessary legal tools to combat this critical situation.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

Public Sector

Central Bank of Paraguay (BCP) issued a set of regulations aimed to face the effects of Covid-19 on Paraguayan families and companies that carry out commercial, productive, industrial, service, and other activities, including:

- The legal resolutions modify and extend the current regulatory regime, favouring - in the first instance - the formalization of the renewals, refinancing and restructuring of the credits granted.
- To avoid inadequate pressure on the price of real estate assets, facilities are granted to financial intermediaries by extending terms for the sale of real estate that is awarded in payment of credits
- Efforts have been made to allow the appropriate use of funds deposited as legal reserve in foreign currency
- The interest rate of the Permanent Liquidity Facility (FPL) has been reduced by 100 basis points (from 4.50% to 3.50%).

National Development Bank (BNF): The Bank has granted Short-Term Operating Capital to individuals and companies that carry out productive activity in the agricultural, industrial, commercial and service sectors.

Financing and Guarantee: For credit amounts up to G5bn, the Bank will determine the guarantees in each case (securities, joint debtor).

National Institute of Cooperativism (INCOOP): Exceptionally, until 31 December 2020, cooperative entities may consider the special situation of its members in default, whose income has been affected by the risk of spreading Covid-19.

It is established that the request of a modification of terms and conditions established in a credit agreement, interrupts the computation of the term in default until the new transaction is formalized.

For operations in instalments, the obligation to cancel the entire obligation will not govern, and the

application of any modification of terms and conditions and a grace period of 1 year for the amortization of capital and interest, may be agreed.

Possibility of deferring the charges generated by the provisions to be established from the current month, which may be recognized within a period not exceeding 30 days.

Exceptionally, it is established that movable and immovable property, awarded or received in payment by cooperatives in the period between 1 January 2019 and 31 December 2020 inclusive, may be disposed of up to 36 months.

According to the Law N° 6524/2020:

- The Paraguayan government may establish a trust to support MSMEs, which will be administered by the Development Finance Agency (AFD for its acronym in Spanish).
- The Government will grant economic compensation to active Social Security workers, when their labor contracts have been suspended or their companies are closure due to the sanitary emergency. The economic compensation also covers part-time and fulltime domestic workers, part-time workers and subject to the moonlighting regimen.
- The Government will grant a subsidy of 25% of the current legal minimum wage to independent workers in MSMEs, who are over 18 years old, do not have Social Security and are not obligated to the payment of personal income tax.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period? (Cont'd)

- Possibility to refinancing the Social Security Contributions: The Social Security Administration (IPS for its acronym in Spanish) must continue assisting the employees during the emergency, beyond the payments received from the employer's labor contributions. The payments may be refinanced up to 18 months.
- operations in foreign currency., among others.

Private Sector

Banks Association of Paraguay: The Association decided that for individual clients or small and medium size enterprises whom have credits of G.1bn, its member will proceed with the extension of their quotas corresponding to the months of March, April and May 2020. This extension will be offered with refinancing of up to 24 months and 36 months. The interest rate will be 9% per year, for operations in national currency and 7% per year for

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Related to Q2, mainly natural person(s) or legal entity/entities carrying out productive activity in the agricultural, industrial, commercial and service sectors, which, because of the preventive measures ordered by the National Government, have had a negative impact on their productive activity.

Prerequisites include that recipients do not have open lawsuits, inhibition, summons of creditors, bankruptcy, among others.

According to Law N° 6524/2020:

- Until July 1, 2020, banks will not apply or communicate to the Superintendence of Banks (BCP department) sanctions for disabling bank current accounts, which derive from checks rejected due to insufficient funds.
- The non-payment of rentals will not be grounds for eviction until June 2020, provided the payment of at least 40% of the monthly rental value.
- New deadlines regarding with the schedule for the mandatory shareholders meeting or Ordinary Meeting in companies, which must have carried out before April 2020, but now could be called up to and until 30 June 2020.
- In tax matters, exceptional extensions have been established in relation to the presentation of certain documents and the payment of taxes before the Tax Authority.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Please find our answers in Q1 and Q2. But please be aware that it is expected that new rules and measure surrounding the Covid-19 be implemented soon.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes, new Act on 2 March 2020 concerning special solutions regarding counteraction, prevention and combating Covid-19, other contagious diseases and crisis situations caused by them.

The Act was adopted by Polish Sejm and Senate, as well as signed by the President on 7 March 2020. Therefore, it is officially binding.

The Act indicates that in case of closing the nursery, children's club or school to which the child is attending, due to Covid-19, the employee, being insured, exempted from performing work due to the need to personally take care of the child is allowed to additional care allowance for the period no longer than 14 days.

Employers should take care to consult trade unions and works councils as appropriate.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

The Polish government has announced the preparation of a special legal act for entrepreneurs who will feel the effects of the coronavirus epidemic (general programme for company). The act for entrepreneurs shall include improvement in the financial liquidity of companies (financial instruments for companies, including guarantee support up to 80% and additional payments to credit interest from a disaster fund) protection and support of the labor market, including solutions for unplanned work stoppage. According to officials the Act should come into force by the end of March 2020

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

The abovementioned special act has not been passed yet.

However the general conditions for aid include 5 pillars with an estimated value of PLN 212 billion, i.e.:

1. Aid for the labor market (protection of employees against job losses):
 - Deferring Social Insurance Institution (ZUS) payments, spreading ZUS payments into installments
 - Contractors will be paid up to 80% of the minimum wage
 - Prolongation of loan installments (pursuant to an agreement with the banking sector)
2. Credit guarantees:
 - Micro loans for entrepreneurs up to 5,000 PLN
 - Liquidity solutions, e.g. increasing the loan guarantees of entrepreneurs up to 80% of the loan value
3. Support for health care (PLN 7.5 billion)
4. Ensuring the safe functioning of the financial system:
 - Capital and liquidity package - protection for deposit funds
5. Public investments:
 - Opening of a PLN 30 billion fund for the purpose of strengthening expenditure on local roads, digitization, modernization, energy transformation, environmental protection, reconstruction of state infrastructure and architecture.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

The special act has not been passed yet.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes.

A short term state aid program through the form of partial payment of wages in a simplified lay off procedure and financial support has been set up - please refer to Q4.

In order to implement simplified lay-off (temporary reduction and/or suspension of employment agreements), union representatives need to be consulted/informed and this should be documented.

It is not necessary to follow formal consultation procedures, as more expeditious informal procedures are allowed (e.g., meeting, notice to comment on a reduced deadline).

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

I) A simplified lay-off procedure has been implemented, whereby employment agreements may be suspended/reduced . This is accessible to: a) companies facing a breach of supply chain; and b) companies facing a 40% reduction in turnover in the last 60 days, compared to the homologous period.

Employees under this procedure shall receive up to 2/3 of their monthly wages, with a minimum of €635 and a cap of €1905, with 70% of the remaining 2/3 being supported by Social Security. This mechanism shall have a duration of one month, extendable up to six months.

II) In alternative to the partial support of wages referred above, eligible companies may resort to an extraordinary professional training plan for the employees, in a part-time basis. This program must be agreed with the Professional training Authority (IEFP, I.P.) and shall be implemented in the near future. This extraordinary plan is borne by IEFP, I.P. and is defined according to the attended training hours, up to 50% of the employee's working time, and grants right to an allowance paid according to the employee's hourly wage (from salary), with a cap of €635. This measure has a duration of one month.

III) In addition to I) or II), companies receiving these incentives shall also receive a financial incentive in the value of €635 per employee.

IV) Lastly, companies benefiting from these incentives shall also be exempted of paying Social Security contributions for the employees in question pending the duration of the incentives.

For a company to be able to apply for this aid, it is now required that it is facing: a) a breach of supply chain; or b) a 40% reduction in turnover in the last 30 days, compared to either: a) the homologous period; or b) the average of the previous two months.

It is now also restricted for companies resorting to this regime to perform economic dismissals of any employees from the date the regime is implemented in the company until 60 days after it ends (previously it was restricted only towards employees included in the short term state aid regime/temporary lay-off).

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

A company may apply to the financial mechanism for maintenance of employment contracts, provided that it complies with the following:

- The company must be facing (i) a total shutdown as result from the interruption of global supply chains, the suspension or even cancellation of its orders; or (ii) the abrupt and sudden breakdown of at least 40% of its profit billing regarding a 60-day period before the request of this incentive, based on the average billing in reference to a 3-month period similar to the current one;
- The company must have its contributory and tax situations duly regularized before Social Security and tax authorities, respectively; and
- The company must notify by writing all employees of its decision to apply to this incentive, informing as well of the probable duration of this period, after consulting with the work council or labor delegate (if existent).

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Application to be made through a form (not yet available) to be filled in and submitted to Social Security (or IEFEP) with the applicable supporting documents.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes.

- Working from home/teleworking - when the nature of the activity permits it, employers must implement one of these measures by a unilateral decision issued by the employer.
- Flexible working hours - this measure must be agreed between the employer and the employee while respecting the maximum working hours/day/week according to the Labor Law. For instance, if employers opt for working in shifts, a shift of 12 hours must be followed by 24 hours rest period.
- Delaying the working hours - if the measure mentioned at a) is not possible, the delay measure is recommended by the Romanian authorities for employees that use the public transportation to and from work, or for the whole personnel, to avoid the periods of overcrowding (shifted with 1 or 11/2 hours from the usual working hours). A combination of b) and c) could also be used by employers.
- Reduction of the working hours due to economic, technological, structural, or similar reasons. If the measure is established for a period that exceeds 30 working days, the employer has the legal possibility to reduce the working scheduler from 5 to 4 work-days/week, with proper reduction of the employees' wages, until the situation is remedied. The employees that are not working during this time are entitled to an allowance that cannot be less than 75% of the base salary, which in cases described at point 2 and 4, is supported by the State.
- Days of holiday left untaken from the previous years (if any) - with the consent of the employee;
- Granting paid days off to compensate for overtime that the employee will perform in the next 12 months - with the consent of the employee;
- Technical unemployment as a result of the temporary interruption of activity due to economic, technological, structural or similar reasons. The employee is entitled to an allowance that cannot be less than 75% of the base salary, and is paid by the State, but not more than 75% of the gross average wage (approx. €1,120).
- Unpaid leave - with the consent of the employee;
- Implementation of decisions affecting regular working time and place of work and other measures significantly affecting employees.
- If the reduction of working hours exceeds 30 workings (see letter d) above), before reducing the working scheduler from 5 to 4 work-days/week, the employer must consult the employees' union/representatives.
- If the employer decides to draw up/adapt a/the Remote Work Policy or to set out rules and procedures for flexible working hours, it must be done by consulting with the trade unions/employee representatives.
- If the employer plans mass layoffs because it can no longer sustain the salaries of all its employees and opts for downsizing and restructuring, the Romanian Labor Code provides that it must previously consult with the unions/employees' representatives.
- Implementation of work health and safety measures - in the development of occupational health and safety measures, the employer consults with the union/employees' representatives, as well as with the occupational health and safety committee.

If YES on question 1, please describe which contacts that may need to be initiated with trade unions and/or works councils. Must a special process be followed?

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

Yes. If the company temporarily needs to close its activity partially or totally due to economic, technological, structural, or other similar reasons, it can unilaterally decide to suspend all or part of the employment contracts.

During the state of emergency, if the company incurs a temporary reduction or discontinuance of the activity as a result of the effects of the Covid-19 pandemic, and decides to suspend the employment contracts, the technical unemployment indemnity to which the employees affected by this measure are entitled, will be borne from the State's unemployment insurance budget.

The legal provisions on the matter have undergone numerous changes during a short period. At this moment, the conditions to be met and the procedure to be followed have been significantly simplified.

The technical unemployment indemnity, which will be borne by the unemployment insurance budget is 75% of the base salary corresponding to the job occupied, but not more than 75% of the gross average wage (approx. €1,120). However, if the employer has the financial capacity, it has the possibility to supplement the indemnity received from the State's budget with additional amounts representing the difference up to the minimum of 75% of the base salary, which is paid to the employee, according to his/her employment contract.

The state of emergency in Romania was initially established for 30 days as of 16 March 2020. However, as of 15 April, a new presidential decree has entered into force that, among other measures, prolongs the state of emergency in Romania with an additional 30 days.

This measure will have effects on the technical unemployment, in that it will extend the period during which the technical unemployment indemnity can be supported from the State's unemployment insurance budget, thus extending the financial support from the State.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

a) Paid days-off when day-cares and educational units are closed

If day-cares and educational units are temporarily closed, employees that have children up to 12 years old, or 18 years old if the child has a disability are entitled to free paid days. During the time that the employee stays at home, he/she shall be entitled to an allowance of 75% of their gross base salary, but not more than 75% of the average gross wage in Romania (approx. €1,120). The state shall reimburse the allowances paid by the employers during these periods. The employees shall not benefit from free paid days if the work can be performed from home or remotely, or the other parent is unemployed/has paid leave/unpaid leave/benefits himself(herself) from paid days-off when day-cares and educational units are closed. The period during which the employees are entitled to stay at home is equal to that in which day-cares and educational units are closed. This indemnity is received including during school holidays.

As mentioned at Q2 previously, since the state of emergency in Romania was extended with another 30 days as of 15 April, the period during which day-care and educational units are closed will also be extended, meaning that the period during which the employee receives this indemnity is prolonged.

b) Granting of state guarantees to SMEs

This state guarantees refers to investment loans and/or credit lines for working capital and is up to a maximum of 80% of a financing amount up to 10,000,000 Lei (approx. €2,064,000) for investment loans and 5,000,000 Lei (approx. €1,034,380) for credit lines. The state guarantee for credit lines is up to a maximum of 90% for a financing amount of up to 1,000,000 Lei (approx. €206,000) for small enterprises and up to 500,000 Lei (approx. €103,440) for micro-enterprises.

c) Legal extensions for the payment of the tax

If taxpayers pay the tax on buildings, on land and means of transport until 30 June inclusive, they will benefit from a 10% discount. Taxes that are due and outstanding as of 21 March 2020, are not considered to be outstanding tax liabilities, and thus interest and late payment penalties are not calculated and due. This measure is applicable during the state of emergency decreed by the Romanian President and until 30 days from the cessation of the state of emergency.

d) Payment deferrals

During the state of emergency, SMEs which have interrupted their activity in whole/in part based on the decisions issued by the competent public authorities and have the certificate of emergency issued by the Ministry of Economy, Energy and Business Environment, benefit from the deferred payment for utilities - electricity, natural gas, water, telephone and Internet services, as well as the delayed payment of the rent for the destination building of its registered office and secondary offices, in particular conditions.

e) Tax discounts and other

Taxpayers who pay the corporate income tax due for the first quarter of 2020, respectively, for the advance payment for the same quarter, up until 25 April 2020 inclusive, benefit from a 5% or 10% discount calculated on the corporate income tax due. Large companies will have a 5% discount, while SMEs will benefit from a 10% discount.

Also, both natural persons and legal entities can request the payment suspension of the bank instalments, interest, and commission for up to nine months, but no longer than 31 December 2020.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

a) Technical unemployment indemnity

As mentioned in question 2 previously, the procedure to be followed has been significantly simplified. To benefit from this state aid, employers must submit the following documents in the current month for payment of the previous month's indemnity:

- Request;
- Affidavit issued by the company's legal representative declaring that the company incurs a temporary reduction or discontinuance of the activity;
- List of employees receiving compensation;

The documents shall be filed electronically with the agency for unemployment competent in the county where the company has its registered office, using the platform provided by the Government at <https://aici.gov.ro/>. The Romanian authorities have adopted the template for these documents, which are available on this platform. The indemnity payment will be made from the unemployment insurance budget within a maximum of 15 days from the submission of the documentation. The employers will make the payment of the indemnity to the employees within a maximum of three days from the date they received the amounts from the unemployment insurance budget. However, the amount of the unemployment allowance can also be paid in advance by the employer.

b) Paid days-off when day-cares and educational units are closed

- The request for reimbursement is submitted online at the county agency for employment where the headquarters of the employer is; the application must be filled in accordingly with the data required, including the bank account, e-mail

address, and the total amount to be reimbursed.

- The list of employees who have been granted the days off, as well as the indemnity provided, with copies of the payroll documentation attesting that the compensation has been granted;
- Affidavit issued by the company's legal representative declaring that the list of employees contains only eligible employees for the granting of paid days off;
- The proof of payment for the social contributions and taxes for the month in which the compensation has been paid;

The request shall be sent electronically to the county agency for employment, and the reimbursement shall be made in 60 days from the date of registration of the request.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes. Generally, reduction of working time (and accordingly proportional reduction of salary) is subject to the employee's consent, since change of any substantial conditions of employment is possible only by mutual agreement of the employer and employee. As an alternative to agreement on part-time an employer and employee may also reach an agreement on (unpaid) vacation.

In exceptional cases, in situations where due to changes in working conditions (organizational or technological), there is a threat of dismissal of a large number of company employees, the employer may switch to the "reduced working hours regime".

Further it is important to mention that occurrence of extraordinary circumstances that impede the continuation of labor relations (military operations, catastrophe, natural disaster, **epidemic**, etc.), provided such circumstances are recognized by decision of the Government of the Russian Federation or state authority of the relevant constituent entity of the Russian Federation is deemed to be an employment termination ground which is beyond the control of the parties.

The "reduced working hours regime" is an exceptional measure. Such a reduction could be introduced for no longer than 6 months; the respective decision should be adopted after consultations with the employees' representative body (labor union organization) (if any); the employment service should be notified thereof.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

As of today there are no special government programs.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Please see response to Q2.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Please see response to Q2.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

No. However, the Infectious Diseases (Workplace Measures to Prevent Spread of Covid-19) Regulations 2020 (the "Covid-19 Prevention Regulations"), came into force on 1 April 2020. It requires, among other things, employers, principals (including persons who engage contractors or subcontractors) to implement certain Covid-19 prevention measures between 2 April 2020 and 30 April 2020 (both dates inclusive) (the "Control Period") in respect of their workers, such as requiring employees to work from home where feasible, or implementing for split team arrangements. For roles requiring workers to be physically present on company sites, employers should ensure wider physical spacing of at least 1m between work stations and seats in meeting rooms, pantries, rest areas and other congregation points.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

While the Singapore government has set aside at least S\$4bn to support businesses during this period, it has not yet announced details on specific programmes to help businesses that have closed totally or partially for a certain time period.

On 26 March 2020, the Singapore government announced an additional \$48 bn relief package to support businesses generally through the following measures:

- **Enhanced Jobs Support Scheme:** The Singapore government will help employers by paying 25% (businesses in the aviation and tourism sector as well as food services sector will receive higher support of 75% and 50% respectively) on the first S\$4,600 of monthly salaries of local employees on the employer's Central Provident Fund (CPF) payroll till end-2020;
- **Enhanced Wage Credit Scheme:** The Singapore government will increase the amount that they co-fund for wage increases in 2019 and 2020, from 15% and 10% respectively to 20% and 15% respectively for Singapore Citizen employees who were paid CPF contributions for at least 3 calendar months in the year;
- **Deferred Income Tax Payments:** All corporate income tax payments are automatically deferred for 3 months;
- **Freeze on all Government Fees and Charges** for one year, from 1 April 2020 to 31 March 2021;
- **Enhanced Property Tax Rebate for Non-Residential Properties:** Certain non-residential properties such as hotels, convention centres, and offices, will enjoy property tax rebates of between 30% and 100%;
- **Enhanced Rental Waivers:** Stallholders of hawker centres and markets will be granted three months' rental waiver, while commercial and other non-residential

tenants of government properties will be granted up to 2 months' rental waiver;

- **Enterprise Financing Scheme (EFS):** The Government has raised the maximum loan quantum for the (1) EFS-SME Working Capital Loan, which provides loans to Singapore-based small and medium enterprises for financing their operational cash flow needs from S\$600,000 to S\$1,000,000 per borrower, and (2) EFS-Trade Loan, which provides loans to Singapore-based enterprises for trade financing needs from S\$5,000,000 to S\$10,000,000 per borrower group;
- **Loan Insurance Scheme:** The Government will increase its subsidy on insurance premiums for loan defaults from 50% to 80%;
- **Temporary Bridging Loan Programme:** Provides loans as additional cash flow support for eligible enterprises from all sectors for one year, up to a maximum loan quantum of S\$5,000,000; and
- **Sector Specific Support Programmes:** There are support packages specific to the aviation, tourism, land transport, cruise ship and regional ferry operators, and arts sectors.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

LOA/SHN Support Programme

Government support, known as the LOA/SHN Support Programme, is available for employers whose workers have been affected by quarantine measures (such as a SHN or mandatory leave of absence ("LOA")) in Singapore. Workers returning to Singapore with travel history in the last 14 days to the following countries will be subject to a 14-day SHN or LOA:

(1) Mainland China (excluding Hubei province) from 6pm on 31 January 2020 (for workers in the healthcare, education and eldercare sectors, the worker must be placed on an LOA/SHN after returning from China on or after 14 January 2020);

(2) Daegu city or Cheongdo county (Republic of Korea) from 11:59pm on 26 February 2020;

(3) Iran, northern Italy, the Republic of Korea from 11:59pm, 4 March 2020;

(4) Italy, France, Spain and Germany from 11:59pm, 15 March 2020;

(5) Japan, Switzerland, the UK, or any ASEAN country from 11:59pm on 16 March 2020.

From 11:59pm on 20 March 2020, all travellers entering Singapore will be subject to a 14-day SHN.

Eligibility

For an employer to qualify for the LOA/SHN Support Programme, the affected worker must:

(1) be a Singapore citizen, permanent resident, or work pass holder; and

(2) be placed on an LOA or SHN upon returning from certain overseas destinations.

However, the employer will not be eligible for the LOA/SHN Support Programme if:

(1) the worker is able to perform work remotely;

(2) the worker was no longer in employment with the employer at the relevant travel advisory dates, or for the full duration of the LOA/SHN;

(3) the employer did not pay the worker during the LOA/SHN period, or required him to use his original paid or sick leave entitlement;

(4) the worker did not comply with all the LOA/SHN requirements;

(5) in cases involving foreign workers, the employer did not obtain entry approval from Ministry of Manpower (MOM) for the foreign worker to enter Singapore; or

(6) the affected worker travelled to:

a. Mainland China after 28 January 2020;

b. South Korea (Daegu city or Cheongdo county) after 26 February 2020;

c. South Korea, Iran, or northern Italy after 4 March 2020;

d. Italy, France, Spain or Germany after 15 March 2020;

e. ASEAN countries, Japan, the UK or Switzerland after 16 March 2020; or

f. Any country after 20 March 2020.

Employers whose employees were not subject to a mandatory SHN, but were placed on a company-LOA, are also eligible for relief under the LOA/SHN Support Program, provided the following conditions are met:

(1) The employee returned to Singapore between 14 March and 20 March 2020;

(2) Must not have commenced travel to:

a. Mainland China after 31 January 2020;

b. South Korea (Daegu city or Cheongdo county) after 26 February 2020;

c. South Korea, Iran or northern Italy after 4 March 2020;

d. Italy, France, Spain or Germany after 15 March 2020;

e. ASEAN countries, Japan, the United Kingdom or Switzerland after 16 March 2020.

(3) The employee is must be unable to perform work remotely during the company-LOA or self-imposed LOA period; and

(4) The employee must have served at least seven days of company-LOA or self-imposed LOA.

Employers that choose to implement company-LOA for Malaysian workers will be eligible for LOA support, provided that they do not also tap on the temporary housing support for employers affected by Malaysia's Movement Control Order for the same Malaysian workers.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Benefits

Under the LOA/SHN Support Programme, employers will receive S\$100 daily per affected worker for the required duration of LOA or SHN granted to the worker. Employers who employ foreign workers will also automatically qualify for foreign worker levy waiver for affected foreign workers for the LOA or SHN period.

For workers that served fewer than 14 days of company-LOA or self-imposed LOA, the total amount of LOA support that employers can receive will be capped at S\$700.

B. Temporary Housing Support (THS) for employers affected by Malaysia's Movement Control Order
With the implementation of a Movement Control Order which bans Malaysia citizens from going overseas and non-Malaysia citizens from entering Malaysia between 18 March 2020 and 31 March 2020, the MOM has introduced THS to help employers defray the additional costs of housing affected workers in short-term housing.

Under the THS, employers will receive S\$50 per affected worker per night, capped at 14 nights, to cover the extra housing costs incurred.

Employers should note that the THS will not be extended beyond 31 March 2020.

Criteria

The affected worker(s) must:

- (1) Be Singapore Citizens (SC), Permanent Residents (PR) or work pass holders who are Malaysia citizens;
- (2) Reside in Malaysia and commute frequently to Singapore; and
- (3) Be housed in Singapore in proper accommodation, such as hotels, dormitories or rented accommodation (HDB flats and private residential property), latest by 25 March 2020.

C. Three-month Extension of Levy Payment Timeline for SMEs
MOM announced on 24 March 2020 that it will provide SMEs (defined as companies incorporated in Singapore employing not more than 200 workers) with an additional three months to make foreign worker levy payments.

The current arrangement is that the foreign worker levy incurred in the any month is due for payment by the 14th of the following month. Employers who fail to make payment on the due date will have their new and renewal work pass applications rejected. Two consecutive months of late or non-payment of levies will result in all existing work passes being revoked.

D. Levy Waiver For Up To 90 Days For Foreign Workers On Overseas Leave:
Previously, MOM allowed for a levy waiver for up to 60 days for foreign workers who take overseas home leave for at least 7 consecutive days. MOM announced on 24 March 2020 that it will extend the levy waiver period to up to 90 days with immediate effect for foreign workers who are currently on overseas leave. This extended period of levy waiver will also apply to employers who send their foreign workers home from now till end 2020.

E. Man-Year Entitlement (MYE) Refund For Construction Firms:
Currently, any unused Man-Year Entitlements ("MYE") are forfeited. The MOM announced on 24 March 2020 that from 1 April 2020 onwards, any unutilised MYEs will be refunded. Affected firms can apply to the Building Construction Authority ("BCA") of Singapore for the MYE refund. BCA will provide more details on the application process.

On 26 March 2020, the following packages to support workers through their employers were announced:

F. Enhanced Jobs Support Scheme:

The Singapore government will help employers by paying 25% (businesses in the aviation and tourism sector as well as food services sector will receive higher support of 75% and 50% respectively) on the first S\$4,600 of monthly salaries of local employees on the employer's CPF payroll till end-2020.

Criteria

All employers who have made CPF contributions for their resident (Singapore Citizen and Permanent Resident) employees will qualify for the pay-out.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

This is with the exception of certain employers, such as unregistered local/foreign entities, representative offices of foreign companies, financial representative offices, international organizations, and entities that pay CPF but are not registered in Singapore.

Note that wages paid to business owners (including sole proprietors of a sole proprietorship or partners of a partnership) or employers trading in their own personal capacity (such as hawkers with no Unique Entity Number) will not be eligible for the pay-out;

G. Enhanced Wage Credit Scheme (WCS)

The Singapore government will increase the amount that they co-fund for wage increases in 2019 and 2020, from 15% and 10% respectively to 20% and 15% respectively for Singapore Citizen employees who were paid CPF contributions for at least three calendar months of the year.

Criteria

Employers will be eligible for the WCS if they gave wage increases in a Qualifying Year (i.e. any year from 2013 to 2020) to Singapore Citizen employees who:

- (1) Received CPF contributions from a single employer for at least three calendar months (which need not be continuous) in the year preceding the Qualifying Year;
- (2) Have been on the employer's payroll for at least three calendar months (which need not be continuous) in the Qualifying Year (i.e. employer must have paid employee CPF contributions for at least three calendar months (which need not be continuous) in the Qualifying Year);
- (3) Have at least S\$50 gross monthly wage increase (up to S\$5,000); and
- (4) Must not also be the business owner of the same entity (i.e. sole proprietor of the sole proprietorship, or a partner of the partnership, or both a shareholder and director of a company);

However, local government agencies, international organisations and businesses not registered in Singapore do not qualify for WCS.

An employer is not eligible for a pay-out under any of the circumstances below:

- (1) The employer is an entity that has no substantial trade or business;
- (2) The employer had given, in the Inland Revenue Authority of Singapore's (IRAS) opinion, false or misleading information to IRAS in order to obtain a pay-out or a higher amount of pay-out;
- (3) The employer (either singly or with another person) had used, in IRAS' opinion, one or more artificial, contrived or fraudulent steps in order to obtain a pay-out or a higher amount of pay-out; or
- (4) The employer was convicted in the qualifying or preceding year for making CPF contributions to Singaporeans who were not actively employed by the firm.

An employer is not eligible for a pay-out for a wage increase given to a particular employee who:

- (1) Did not carry out any substantive work for the employer;
- (2) Effectively controls the employer (i.e. controls decision making power and management of the business or company);
- (3) If the total wages paid by an employer for a period is not commensurate with the volume or nature of activity carried out by the employer in that period, then the employer is only eligible for an amount of pay-out that, in IRAS' opinion, corresponds to the increase in the total wages that is commensurate with such volume or nature of activity;
- (4) If the total wages paid by an employer to a particular employee for a period is not commensurate with the volume or nature of work carried out by the employee in that period for the employer, then the employer is only eligible, in respect of that employee, for an amount of pay-out that, in IRAS' opinion, corresponds to the increase in the total wages paid to that employee for that period that is commensurate with such volume or nature of work; or
- (5) If an employer fails to give to IRAS, by the time specified by IRAS, any information requested by IRAS for the purpose of determining the employer's eligibility for a pay-out or the amount of pay-out the employer is eligible for, with respect to one or more employees, then the employer will not be given the pay-out for these employees.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

LOA/SHN Support Programme

Employers can apply for the LOA/SHN Support Program after their worker completes their LOA/SHN, but must do so within 90 days from the last day of the worker's LOA or SHN via this URL (correct as of 23 March 2020): <https://form.gov.sg/#!/5e71f96f5ec7a000119f8595>

Employers will have to submit the following documents:

(1) Proof of employment for affected worker(s):

- a. Itemised pay slip(s) for salary payment during LOA or SHN period;
- b. CPF Form 90 for December 2019 and January 2020 (only for locals); and

(2) Proof of affected workers' travel to the affected areas:

- a. For workers not from the affected countries: Scan of passport photo ID page, and entry and departure stamps from the affected country.
- b. For workers from the affected countries: Air tickets and/or boarding passes for travel between Singapore and the affected country (including transit stops).

Employers claiming support for a non-mandatory LOA (such as a company-LOA) must notify MOM that they will be placing workers who meet the eligibility criteria on company-LOA by 11:59pm, 26 March 2020 via this link: <https://form.gov.sg/#!/5e75b6ecdc1aec0011461946>

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

THS Program

Employers can apply for the THS after the worker has completed their stay in the temporary housing. Applications will only be open from 1 April to 30 June 2020.

Employers will have to submit the following documents:

(1) Proof of employment for affected worker(s):

- a. Itemised pay slip(s) for salary payment for March 2020; and
- b. CPF Form 90 for January and February 2020 (only for Singapore Citizens and Permanent Residents).

(2) Proof of affected workers' residential address in Malaysia (for Singapore Citizens and Permanent Residents):

- a. Scan of Identity Card, front and back; and
- b. Supporting documents indicating residential address in Malaysia.

(3) Proof of stay in proper accommodation for affected workers in Singapore:

- a. Copy of bill / receipt must show that affected workers were in proper accommodation latest by 25 March 2020, name of worker(s) and address of temporary housing.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Enhanced Jobs Support Scheme (JSS)

Application is not required. The IRAS will notify eligible employers by post of the JSS pay-out payable to them. Employers eligible for the additional tiers of support will be informed closer to the date of the first pay-out.

Enhanced Wage Credit Scheme (WCS)

Employers may submit an online request for the WCS via my Tax Portal from the last week of March until 31 October of the pay-out year (which is the year immediately after the Qualifying Year).

Qualifying employers benefitting from the enhancements to the WCS for wage increases in 2019 will be notified by end of June 2020, and will receive a supplementary pay-out thereafter. In view of the supplementary pay-out, employers can consider to submit their requests only after receiving the supplementary pay-out in June 2020. Each request with qualifying employee records exceeding 100 will be subjected to a fee.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes.

Please take into account that as per established in the recently published 8/2020 of 17 March 2020 related to urgent extraordinary measures to address the economic and social impact of Covid-19, a company can adopt measures consisting of:

- (i) a temporary reduction of working hours, or
- (ii) (ii) the temporary suspension of employment contracts (in Spanish, the so-called "ERTE").

These situations could be complemented with unemployment benefit. The Law does not establish a time limit. However, it must be consistent and justified with the cause that motivates it.

In this regard, the ERTE may be based on: (i) force majeure; or, (ii) objective causes: economic, technical, organizational and production grounds.

It is important to point out that the employment measures adopted as a consequence of the aforementioned Royal-Decree will be subject to the condition that the Company maintains the workforce employed during the next 6 months since the reinstatement of the ordinary activity.

Please see response to Q3 for more information regarding state aids.

Please note that the Company shall follow different procedures depending on which kind of ERTE intends to apply. In order to apply the ERTE based on force majeure, the Company shall send to the Labour Authority a communication enclosing: (i) the intention of carrying out the procedure; and, (ii) the grounds and documentation that evidence the necessity of the measure. Once the Labour Authority has adopted a resolution, the Company must decide and inform the Employees' Representatives. No negotiation is required with the Employee's Representatives.

On the other hand, when the Company intends to implement an ERTE based on economic, technical, organizational or production grounds it should be negotiated with the employees' representatives along a consultation period which can be extended for a maximum of seven days (before the Royal Decree, it was 15 days).

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

Please refer to answers provided for Q1 and Q3.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Please take into account that the following state aid and support measures have been approved by the Government:

(i) For employees: the government have approved that in case of suspension of contracts or reduction of working time hours due to the Covid-19, in order to access to unemployment benefits, the requirements that are normally required will not be enforceable (i.e.: a minimum period of prior contribution to the situation of unemployment).

(ii) For employers: in case of suspension of contracts or reduction of working hours due to force majeure, it has been approved that companies with less than 50 employees will be exempted from paying Social Security contributions; on the other hand, companies with more than 50 employees, will be exempted to pay the 75% of the Social Security contributions for their employees.

This will take effect at the request of the company that wants to benefit from it.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

As stated before, in case of suspension or reduction of working hours due to force majeure, companies can be exempted from paying the Social Security contributions. At this regard, the regulation approved by the Government establishes that the Company that wants to apply this benefit, will have to request it to the Social Security administration, identifying the employees and the intended period of suspension/reduction of contributions.

For the purpose of monitoring the abovementioned exemption, it is sufficient to verify that the National Public Service of Employment (SEPE) recognises the unemployment benefit of the employees for the period at stake.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes.

The introduction of a system enabling short-time work with governmental support has however been proposed by the Government and will enter into force on 7 April 2020, with retroactive effect as of 16 March 2020. A certain procedure must be followed, which depends on if there is a collective bargaining agreement in force or not. Reduction of workforce is either on 20%, 40% or 60%; and the costs are divided between the state, the employer and the employee.

On 14 April 2020, the Swedish government announced a new level of short-time work enabling employers to partially release employees from work up to 80 percent; while the employees receive 88 percent of their monthly salary. Similar to the levels described above, the costs are divided between the employer, employee and the state however the actual cost split will be confirmed within the coming weeks. This new level of short-time work will be available as of 1 May up until 31 July 2020.

An introduction of short-time work requires prior trade union consultations with the trade unions parties to the relevant collective bargaining agreement (CBA) . If no CBA applies, individual agreements must be entered with at least 70% of the workforce.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

Yes, as referred to in Q1. The cost is shared between the government, the employer and the employees - and the proposal means that the employer's salary costs may be reduced by half while the employee receives more than 90% of their salary.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Companies that can prove difficulties in coping with the financial challenges that arise in the wake of Covid-19 can apply for the state aid. However, the financial difficulties must have been caused by a relationship outside the employer's control and specifically negatively impacting the company's business operations. All employers, with the exception of certain governmental entities, may receive support in the event of short-time work if the requirements for the support are fulfilled.

In order to qualify for preliminary support, the employee's working hours must be reduced by 20, 40 or 60 percent of the regular working hours. This governmental aid is not sector specific as such however the rules differ slightly depending on whether there is a central CBA in place or not. In order for employers who are bound by a central collective bargaining agreement re short term work to be eligible for the support, they also have to enter into a local CBA in which the detailed conditions for the application of short-term work have been established.

Employers who are not bound by central collective bargaining agreements re short term work can apply for support provided that there is a written agreement between the employer and each of the employees affected by the short-term work. Additionally, at least 70% of the employees at the operating unit are required to participate in the short-term work during the period covered by the support.

State aid is capped at monthly salaries up to SEK 44,000. Any exceeding amounts are borne by the employer.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

(i) For employers who are bound by collective bargaining agreements: Check if you are covered by collective bargaining agreements on short-term work.

For employers who are not bound by collective bargaining agreements: Draft and enter into written agreements with at least 70% of the employees at the relevant operating unit.

(ii) Submit the application for support to the Swedish Agency for Economic and Regional Growth (Sw. Tillväxtverket). The Swedish Agency for Economic and Regional Growth examines the application against the conditions laid down for the support. If necessary, the agency may request information supplementing the application. The application can be submitted at the same time as steps according to step 1 are taken.

(iii) Support is provided after approval by the Swedish Agency for Economic and Regional Growth (Sw. Tillväxtverket)

(iv) An employer who has received preliminary support is required to make a reconciliation, which involves a comparison and assessment of whether the average working hours and salary reductions applied are in accordance with the specified levels in the law and the agreements concluded. An obligation to repay may arise if the employer has received too much preliminary support.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes.

- ▶ More than 40 billion Swiss Francs for financial support in the sense of immediate economic help, short-time work and other compensations.
 - ▶ Short-time work compensation
 - ▶ Short-time work is an instrument to compensate for temporary work loss that aims at keeping jobs. The compensation usually amounts to 80% of the relevant earnings (in principle calculated on the basis of the latest monthly income).
 - ▶ Due to the extraordinary situation, the application process for short-time work has been simplified.
 - ▶ Most restrictions to the eligibility of short-time work compensation have been withdrawn.
- (i) Short-time work compensation can now also be paid to employees with fixed-term contracts and persons working for a temporary work organization.
- (ii) Short-time work compensation will also be available for persons in an apprenticeship.
- (iii) Short-time work compensation can now also be paid to employees who are similar to employers. For example, shareholders of a GmbH who are also employees; persons who work in the spouse's business. These persons will be able to claim a lump sum of up to CHF 3,320 / per month for a full-time position.
- ▶ The waiting period will be abolished. A claim can thus be asserted from the first day.
 - ▶ Employees will no longer have to reduce their overtime in order to receive an unrestricted compensation of 80% of the relevant earnings. .
 - ▶ In principle, the employer must advance the compensation at the usual payday to its employees (before receiving the compensation by the competent cantonal unemployment insurance fund). This obligation no longer applies. Furthermore, the employer can request an interest-free postponement of the payment of some social security contributions (AHV/IV/EO/ALV) at the competent cantonal AHV compensation fund.
 - ▶ Compensation for the loss of earnings.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

- The Federal Council has also implemented further measures in the area of loss of earnings compensation, to which both employees and self-employed individuals are entitled.
- The system will be running from the beginning to mid April 2020.
- The measure will apply retroactively from 17 March 2020.
- Entitlement begins on the 4th day on which all eligibility criteria are met, i.e. on 19 March 2020 at the earliest, as all schools in Switzerland have officially been closed since 16 March 2020.
- The number of daily allowances for self-employed persons in quarantine or with care duties is limited to 10 and 30 respectively.
- These measures are limited to six months.
- This compensation is subsidiary in nature. Anyone who can draw benefits from another social or private insurance scheme or short-time work or who continues to receive the salary is not entitled to it.
- Further financial support measures
- Special support measures have been announced for companies and/or self-employed individuals that work in the field of culture, tourism and sport. Further measures in different fields are currently discussed and might be announced shortly.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

20 billion Emergency aid for Businesses through loans

- The Federal Council set up a guarantee program worth CHF 20bn.
- This is intended to provide companies with a quick and uncomplicated way of obtaining credit of up to 10% of turnover for a maximum of CHF 20mn.
- Amounts of up to CHF0.5mn will be paid out immediately by the banks and 100% guaranteed by the federal government.
- Amounts of between CHF 0.5mn and CHF 20mn will also be paid out immediately by the banks. These amounts will be guaranteed by the federal government at 85% and by the banks at 15%. This will encourage the banks to carry out a short bank review.
- For amounts in excess of CHF 20mn, a case-by-case decision must be made.
- Loans can be requested from the bank with which a customer relationship already exists.
- The loans are to be interest-bearing only at a low interest rate.

Deferral of payment of social security payments

- The companies concerned may be granted a temporary, interest-free deferral of payment of social security

(AHV/IV/EO/ALV).

- Companies also have the option of having the amount of the regular contributions to the AHV/IV/EO/ALV to be adjusted if the sum of their wages has fallen significantly.
- The same applies to self-employed workers whose turnover has collapsed.
- The cantonal AHV compensation fund is responsible.
- Liquidity buffer in the tax area and for federal suppliers
- Businesses will be able to extend payment periods without having to pay interest on arrears.
- Therefore, the interest rate for VAT, customs duties, special consumption taxes and incentive taxes has been reduced to 0.0 percent in the period from 21 March 2020 to 31 December 2020.
- The same rules apply to direct federal taxes from 1 March 2020 until 31 December 2020.
- Administrative units are instructed to pay out invoices as quickly as possible without making use of the payment deadlines.
- Legal standstill according to Bundesgesetz über Schuldbetreibung und Konkurs (SchKG)
- From 19 March 2020 until 4 April 2020, debts may not be enforced in the whole of Switzerland.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Short-time work compensation:

If working hours must be reduced or operations must be shut down completely, employees are generally entitled to compensation for short-time work if (a) they are liable for unemployment insurance contributions, (b) the work loss is based on economic reasons, inevitable and amounts to at least 10% of working hours normally performed by the employees, (c) the employment relationship has not been terminated yet, and (d) the work loss is likely to be of temporary nature and it can be expected that short-time work will maintain jobs.

Short-time work is subject to the consent of the concerned employees.

Compensation for the loss of earnings:

Compensation for the loss of earnings can be applied for by employees and self-employed individuals if the loss of earnings is based on one of the following reasons:

1) Compensation can be applied for if an employee or a self-employed individual must take care of their children up to the age of 12 as a result of school closings and the absence of external childcare and therefore suffers from a loss of earnings. The compensation is not paid during school holidays. Concerning self-employed individuals, the compensation is limited to 30 days.

2) Compensation can also be applied for if an employee or a self-employed individual must stay in quarantine and therefore suffers from a loss of earnings. To prove this, a medical certificate is required, and the compensation is limited to 10 days for both, employees and self-employed individuals.

3) In order to limit the spread of the coronavirus, the Federal Council has, among other things, closed certain publicly accessible facilities such as shops and restaurants as well as banned public and private events. If a self-employed individual suffers from a loss of earnings as a result of one of these measures, they are entitled to compensation for the loss of earnings.

The compensation is subsidiary to other compensations (such as short-time work compensation) and to benefits from social and private insurances.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Short-time work compensation:

If an employer intends to claim short-time work compensation for its employees, it must in principle notify the cantonal unemployment insurance fund ten days before the start of short-time work using the official pre-application form (that has lately been simplified). The deadline that must have been considered when pre-applying has been withdrawn by the Federal Council. Within three months after the end of each accounting period the employer asserts the entire claim for compensation of its employees using the official request form (that has lately been simplified). When requesting the compensation within the mentioned deadline, the employer has to prove its information by means of a working time record for each affected employee and an evidence of the respective monthly income. An accounting period is usually one month.

Responsible is the canton in which the employer has its registered office.

Compensation for the loss of earnings:

Compensation for the loss of earnings must be applied for by the employee to the competent cantonal AHV compensation fund using the official form (which can be downloaded from the website www.ahv-iv.ch). If the employee benefits from continued remuneration, this must be specified when applying. In this case not the employee receives the compensation (because of its subsidiary) but the employer.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

Yes.

- Depending on the specifics of the case (such as Covid-19 that is accepted as pandemic by the WHO) the employer may take decision at its own discretion to determine as excused leave during which full salary payment has to be done. In case of a pandemic, excuse leave can only be used at the employer's initiative.
- **Collective Paid Leave.** According to the Labor Law, employers can send all or part of their workers on leave for the period between the beginning of April and the end of October. Therefore, the employer can make the crowded workplace more risk-free by using annual paid leave for some of the employees as of April.
- **Annual Paid Leave.** (Annual leave outside the period between the beginning of April and the end of October) Employees can be encouraged to use their annual leave during these periods, taking into account the extent of the outbreak. Even though it is accepted that within the scope employer's management right, without workers' requests to use annual leave periods, it will not be possible for the employer to unilaterally leave out the employees for annual leave. In the Annual Paid Leave Regulation, it is regulated that the leave request should be made by the employee.
- **Unpaid leave.** All other unpaid leaves except for unpaid leaves granted to the worker in Articles 56 (4 days unpaid transportation leave granted to the worker who will spend annual leave in another city upon request) and 74 (Unpaid maternity leave that can be used up to 6 months if the female worker who is on leave due to birth requests at the end of the report) of the Labor Law no.4857 should be used with the consent of the parties.

Therefore, it is one of the options that can be applied in case of necessity and under mutual agreement for workers that do not have paid annual leave right any more.

- Remote working. Working remote that is regulated in paragraph 4 within Article 14 of the Labor Law (Additional clause: 6.5.2016-6715 / 2 Art.) is a relationship established in writing and based on the principle of fulfilling the work of the worker at home or outside the workplace with technological communication tools within the scope of the work organization created by the employer. Since there will be changes in the working principles, it is possible only with mutual will. Hence it is for the advantage of the employee. Through including additional provisions for working remotely into the existing contracts, it will be possible to work from home like this.
- Compensatory work. Pursuant to the Article 63 of the Labor Law no.4857, situations where compensatory work may be done can be grouped under three headings:
 - Business interruption for mandatory reasons, Workplace holidays before or after national and public holidays or working significantly below normal working hours at workplace for similar reasons, full holiday, Cases in which the worker is given permission upon his request. In these cases, the employer can make compensatory work for periods not worked within two months. Compensatory work cannot be more than three hours a day, provided that they do not exceed the maximum working time per day.
 - Short-time working allowance may be resorted. Short-time working allowance is another tool that can be used to eliminate the financial problems that may arise if the size of the epidemic increases, for employees' getting part of their wages. In the Law no.4447; it is indicated that "In cases where the weekly working hours in the workplace are temporarily reduced or the work is stopped completely or partially temporarily due to general economic, sectoral or regional crisis and compelling reasons, short-time working may be conducted in the workplace provided that it does not exceed three months.
 - Short-time working application shall be made by the employer. The employer should give written notice to the government's employment office network (İŞKUR), with units located in provinces and districts

and (if there is a signed collective agreement) to the labor union as a party to the agreement. Due to Covid-19 situation, the applications shall be made via e-mail to İŞKUR's Provincial Directorates as of 23 March 2020. In Short-time working if the existence of compelling reasons arising from the periodic situations due to general economic, sectoral or regional crisis and external effects is claimed by the confederations of workers and employers unions or if there is a strong sign in this direction, the issue is evaluated and decided by the Board of Directors of İŞKUR. The duration of the short-time working allowance is as short as the working period, provided that it does not exceed three months and short-term employment payments are deducted from the unemployment allowance.

- Also for the usage of unpaid leave approvals of the employees should be sought, it is also important to inform the unions as well in terms of collective employment agreements. The employer notifies the employee in writing that he wants to leave out the employee for unpaid leave, and if the employee accepts this proposal in writing within six working days, the employment contract is suspended. If the employee does not accept, the change in working conditions will not bind the employee. If the employer has a valid reason for his will to leave out the employees for unpaid leave, the employer may choose to terminate the employment contract by explaining his reason in writing and complying with the notice period. In this case, the employee covered by the job security provisions, can file a lawsuit for invalid termination. This termination is named as "amendment termination."

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

Yes, in case of Short-time working , there are some compensation from the governmental authorities (ISKUR). however does not correspond to any governmental aid.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

In order for the worker to be entitled to short-time work allowance, he/she must fulfill the conditions for entitlement to unemployment insurance, excluding the termination of the employment contract. The employee shall be entitled to unemployment benefits in terms of working time and number of unemployment insurance premium payment days at the beginning of short time working which is being working under employment agreements for the last 120 days before the beginning of short-time working and having paid unemployment insurance premium for at least 600 days in the last three years. Daily short-time working allowance is the 60% of the average daily gross earnings calculated by taking into consideration the insured's earnings based on premium for the last twelve months.

The amount of short-time working allowance calculated in this way cannot exceed 150% of the gross amount of the monthly minimum wage for workers older than 16, as per Article 39 of Law no.4857. Transactions regarding the transfer of insurance premiums and health services for those benefiting from short-time working allowance are carried out within the framework of the principles set forth in Law no.5510. Payments made as short-time work allowance are deducted from the initial unemployment benefit period. In case of short-term work due to compelling reasons, short-working allowance payments start after a one week period indicated in the clause (III) of Article 24 within the Law no.4857 and Article 40 of the same Law.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Employer's short-time application request is evaluated by ISKUR in terms of cause and form. The suitability determination of the application is made by the labor inspectors of the Ministry of Family, Labor and Social Services. Such inspection is expected to be made on file without actual physical inspection.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

No. Whilst there are no regulations in place regarding workforce planning, there are options for employers to consider around this issue:

- Consulting with employees and trade unions or other representative bodies to try to agree a temporary reduction in pay and benefits for the duration of the crisis. Under normal circumstances, employees and their representatives would be unlikely to agree to such measures. However, an employer may be able to offer an incentive to reach agreement (such as guaranteed minimum pay or a one off payment) or, if the alternative is closure and/or job losses, there may be an appetite from employees/their representatives to reach an agreement.
- Considering lay-off/short-term working, if the employer has the contractual right to take that approach. Laying off employees means that the employer provides employees with no work (and no pay) for a period while retaining them as employees; short-time working means providing employees with less work (and less pay) for a period while retaining them as employees. If the employer does not have the contractual right to lay-off then it may either take the risk in doing so in breach of contract or try to obtain consent to do so. Lay-off may need to be considered where there is a downturn in work due to the effect of Covid-19 on suppliers and customers meaning that fewer employees are required on a temporary basis and/or a temporary closure of the workplace due to insufficient employees being able to work. Short-time working may need to be considered where there is a downturn in work due to the effect of Covid-19 on suppliers and customers meaning that the business does not need all employees to work their contracted hours. Employees who are already unable to work, for example due to sickness or medically advised self-isolation, cannot be laid-off.
- Seek volunteers to take unpaid leave.
- Give notice to workers to take holiday. Employers are entitled to give notice to workers to take statutory annual leave, provided there is no contrary contractual right.

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

The UK government has announced several measures to help employers who are struggling with the economic consequences of Covid-19 including:

- a Coronavirus Job Retention Scheme (CJRS) where all employers, regardless of size or sector, can claim a grant from HMRC to cover 80% of the wages of employees who are not working but kept on the payroll, up to £2,500 per calendar month for each employee;
- deferring VAT payments;
- a Statutory Sick Pay relief package for small and medium sized businesses (SMEs);
- a 12-month business rates holiday for all retail, hospitality, leisure and nursery businesses in England;
- small business grant funding of £10,000 for all business in receipt of small business rate relief or rural rate relief;
- grant funding of £25,000 for retail, hospitality and leisure businesses with property with a rateable value between £15,000 and £51,000;
- the Coronavirus Business Interruption Loan Scheme (CBILS) offering loans of up to £5 million for SMEs through the British Business Bank;
- the Coronavirus Large Business Interruption Loan Scheme (CLBILS) offering loans of up to £25 million for companies with turnover of between £45 million and £500 million;
- a new lending facility from the Bank of England to help support liquidity among larger firms, helping them bridge coronavirus disruption to their cash flows through loans;
- the HMRC Time To Pay Scheme.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

The necessary prerequisites are:

- The CJRS is open to all UK employers that had created and started a PAYE payroll scheme on 28 February 2020;
- All UK VAT registered businesses that have a VAT payment due between 20 March 2020 and 30 June 2020 have the option to (i) defer the payment until a later date; or (ii) pay the VAT due as normal.
- The statutory sick pay relief is available to UK based employers with fewer than 250 employees as at 28 February 2020;
- The business rates holiday is available to businesses in England in the retail, hospitality and/or leisure sector. Properties that will benefit from the relief will be occupied properties that are wholly or mainly being used (i) as shops, restaurants, cafes, drinking establishments, cinemas and live music venues; (ii) for assembly and leisure; or (iii) for hospitality, as hotels, guest & boarding premises or self-catering accommodation;
- The eligibility criteria for the cash grants for the retail, hospitality and leisure sectors are the same as for the rates holiday but the business also has to have a rateable value of under £51,000;
- The eligibility criteria for nurseries for the business rates holiday are: (i) the business is based in England; (ii)
- The properties that will benefit from the relief will be hereditaments occupied by providers on Ofsted's Early Years Register or wholly or mainly used for the provision of the Early Years Foundation Stage;
- To qualify for the small business grant funding the business must be based in England, occupy property and be receiving small business rate relief or rural rate relief as of 11 March 2020;
- To be eligible for the CBILS the business must be (i) UK-based in its business activity; (ii) have an annual turnover of no more than £45 million; (iii) have a borrowing proposal which the lender would consider viable, were it not for the current pandemic; and (iv) self-certify that it has been adversely impacted by Covid-19;
- The eligibility criteria for the CLBILS is largely the same as the CBILS other than in respect of annual turnover and that the business must not have been able to secure regular commercial financing;
- All non-financial companies that meet the criteria set out on the Bank of England's website are eligible for the Bank's corporate financing facility;
- A business will be eligible for the Time to Pay scheme if it pays tax to the UK government and has outstanding tax liabilities.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

The application procedure varies depending on the support that is being sought. To obtain a grant under the CJRS an employer will have to submit information to HMRC about furloughed employees and their earnings, through a new online portal. Further information on the portal has yet to be made available. Details for the various schemes are available from the Public Health England and BEIS: Guidance, Covid-19: support for businesses website: <https://www.gov.uk/government/publications/guidance-to-employers-and-businesses-about-covid-19/covid-19-support-for-businesses>.

(1) Are there any regulations in place providing an employer with possibility for flexible workforce planning such as part-time work/temporary leave which are triggered in a situation similar to a pandemic outbreak as Covid-19?

- Yes.
- Under Vietnamese law, employers are able to decide whether employees should temporarily leave work due to the spread of an epidemic (i.e., Covid-19). During such leave, the salary will be paid subject to each type of leave as well as the employer's decision during their leave period.
- Under Vietnamese law, several regulations provide an employer with the possibility of flexible workforce planning:
- **Annual Leave:**
 - The employer has the right to fix the timetable for annual leave after consulting the employee and must notify the employee in advance about the timetable. In case the employer has not yet decided the timetable for annual leave in the current year, e.g.2020, they can discuss with the employee to take their annual leave in the Covid-19 period – Full salary is paid during this leave.
 - **Home Based Work:**
 - Under agreement between the employer and the employee – Full salary is paid during this leave
 - **Suspension of work:**
 - To be applied in case of dangerous epidemic – Salary as agreed by the employer and employee, but must not be lower than the regional minimum wage stipulated by the Government.
 - **Unpaid Leave:**
 - Under agreement between the employer and the employee – Not applicable.
- democracy regulations of the employer.
- If YES on question 1, please describe which contacts that may need to be initiated with trade unions and/or works councils. Must a special process be followed?**
- No, there is no special procedure involved in as taking the above leave. This is just an agreement between employer and employee which does not need to be initiated with Trade Union. However, the Trade Union can discuss, communicate and negotiate on labor and employment issues in the company, such as participating in negotiation and supervising the implementation of collective labor agreement, salary scales and tables, labor norms, salary and bonus payment regulations, internal labor regulations and

(2) Are there any governmental programs if a company needs to close totally or partially for a certain time period?

Yes, detailed further in Q3 and Q4.

(3) If state aid and/or other extra-ordinary governmental support is available, please describe the necessary prerequisites to qualify for such state aid.

Regarding suspension of social insurance payment, the Ministry of Labor, Invalids and Social Affairs (MOLISA) has issued Official Letter No. 797/BLDTBXH-BHXXH, dated 17 March 2020, on guideline regulations allowing organizations which are seriously damaged by Covid-19 outbreak to suspend the payment to the retirement and survivorship allowance fund without being charged interest until June or December 2020 (depending on the practical situation of the disease outbreak).

Please also note that according to the Official Letter No. 860/BHXXH-BT of the Social Insurance Agency, this suspension of social insurance payments is only applicable for enterprises which specialize in transport services, tourism, accommodation, restaurants and other industries facing serious difficulties caused by the Covid-19 epidemic. Such serious difficulties directly lead to the failure to give work to at least 50% of the total number of employees working before the business suspension or suffer damages of greater than 50% of total assets' value (excluding land value).

Regarding bank support: The State Bank of Vietnam ("SBV") issued Circular No. 01/2020/TT-NHNN, dated 12 Mar 2020, directing the credit institutions, the foreign bank branches to restructure the repayment periods, waive and reduce interest and fees, and maintain the debt classification to support those enterprise affected by Covid-19 epidemic. Moreover, SBV has instructed commercial banks not to raise interest rates because of the Covid-19 outbreak.

(4) If state aid and/or other extra-ordinary governmental support is available, please describe the application procedure for such state aid (e.g. how and when is the application filed with the government etc; what shall such application include).

Regarding suspension of social insurance payment: Where a business has suffered damage due to Covid-19, enterprises are encouraged to submit an application dossier for suspension of social insurance payments. Under Vietnamese law, this application dossier includes the following documents:

- Letter of request for such suspension.
- Evidentiary documents (list of employees before and at suspension period, list of employees who have to temporarily leave or report on the inventory of assets).

The approval procedure is expected to take approximately 10 working days from the date of filing the full set of application documents.

Regarding bank support: Internal regulations providing specific guidance on debt rescheduling and the suspension or reduction of interest rates will be issued by credit institutions and foreign bank branches. The State Bank of Vietnam just provides general principles and regulations for the credit institutions and foreign bank branches' implementation. The detailed procedures and applications dossiers will be issued by each credit institution or foreign bank branch due to differences in (i) classification of client groups; (ii) lending procedures; (iii) credit procedures; (iv) interest rates; and (v) scale among institutions.

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