

COVID-19: Q&A Matrix for European employers – 17 March 2020

Questions	UK	Belgium	France	Germany	Italy	Netherlands	Spain
What practical steps are employers taking for people management?	Employers have a duty to ensure the health and safety of staff in the workplace and may consider taking the following practical steps: • Communications: ensure staff are aware of the signs and symptoms of coronavirus, what they can do to reduce their risk and the actions being taken at work such as remote working. • Travel: monitor the Government/FCO travel guidance. • Self-isolation or quarantine: again monitor the Government guidance: employees experiencing a high temperature or new persistent cough should self-isolate for 7 days (or, if any members of their household experience these symptoms, he or she should isolate for 14 days). • Remote working: ensure that employees are set up for an extended period of remote working and are	It is the employer's responsibility to monitor, evaluate and take action if necessary. If the employer believes that there is a risk of contamination, it will have to contact the prevention advisor (in principle external person) as soon as possible, who can assist in taking preventive measures. The Employer may consider taking the following practical steps: • Providing clean and hygienic workplaces (such as desks, keyboards) by disinfecting them regularly; • the application of good hand hygiene by employees by providing hand disinfectants in visible places; • Providing good respiratory hygiene in the workplace by using paper handkerchiefs in case of coughing and sneezing; • Informing employees that it is better not to go to the work with symptoms of illness such as cough and/or fever; • Providing homeworking in a	Employers have a duty to ensure the health and safety of staff in the workplace and may consider taking the following practical steps: • Communications: ensure staff are aware of the signs and symptoms of coronavirus, what they can do to reduce their risk and the actions being taken at work. • Travel: monitor the authorities travel guidance and restrict non-essential travel to known-affected areas in line with that guidance. • Self-isolation or quarantine: consider whether employees recently returning from known-affected areas (or who have come into contact with someone diagnosed with coronavirus) should be advised not to come into the office as they may need to work remotely for up to 14 days. • Remote working: ensure that employees are set	• Provide information regarding the Coronavirus in order to ensure that employees are aware of the signs and symptoms of Coronavirus and what they can do in order to reduce risks. • Provide hand sanitizer and encourage staff to be extra-vigilant with washing hands, using and disposing of tissues, etc. and ensure regular anti-bacterial cleaning of surfaces and equipment. • Ensure that staff contact details and emergency contact details are up to date. • Monitor the government travel guidance and restrict non-essential travels to known affected areas in line with that guidance. • Consider whether employees recently returning from known affected areas should be advised not to come into the office	Italian Employees (and Italians in general) are strongly recommended to limit any movements across the entire Italian territory until 3 April 2020, except for: - proven employment needs; - situations of necessity; and - health reasons. A specific statement is required for Italians who need to move around the country for the abovementioned reasons. Recommendations for employers: • Employees should work remotely from home where possible (home working can be set up through a "simplified" procedure up to 31 July 2020). • If employees cannot work from home, Italian Government recommends that employers have employees stay home by using employees' holiday leave, paid leave and other mechanisms allowed under	As an employer, it is advisable to identify and assess the company-specific risks – perhaps in consultation with the works council and the Occupational Health and Safety Service (and/or the company doctor) – and any measures to be taken to prevent contamination or spread. It is in any event recommended to inform all staff in accordance with the guidelines provided by the Dutch National Institute for Public Health and Environmental Protection (RIVM). Please find here the relevant information in English about the international situation. Employers can also seize this opportunity to ask employees whether their emergency contact persons and their contact details provided to HR are complete and up to date. Finally, it is advisable to check whether all employees have the possibility to properly work from home if needed (and if feasible taking into	In general, the ordinary duties of protection established in the occupational risk prevention regulations should be applied. The company's duty to protect implies that it must guarantee the safety and health of its workers, although it is possible that at some point they may be affected by public health measures. Companies must adopt those preventive measures of a collective or individual nature that are indicated by the company's prevention service. Among the measures recommended by the labour authorities are the following: • Organise work in a way that reduces the number of exposed workers, establishing rules to reduce the frequency and type of person-to-person contact. • Adopt specific measures for particularly sensitive workers. • Provide information on hygienic measures and make the

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	aware of any restrictions (for example, not printing sensitive documents at home). • Operations: planning for operational challenges due to higher than expected absences - the FCA has published a statement setting out its expectations. • Prevention measures: provide hand sanitisers and encourage staff to be extra-vigilant with washing hands, using and disposing of tissues etc., and ensure regular anti-bacterial cleaning of surfaces and equipment. • Contact details: ensure staff contact details and emergency contact details are up to date.	number of cases (e.g. during recent visits to the regions where the virus is spreading); • Providing instructions in case someone falls ill with a suspicion of having the coronavirus.	up for an extended period of remote working and are aware of any restrictions (for example, not printing sensitive documents at home). • Prevention measures: provide hand sanitisers and encourage staff to be extra-vigilant with washing hands, using and disposing of tissues etc., and ensure regular anti-bacterial cleaning of surfaces and equipment.	and to work remotely for up to 14 days. • Ensure that employees are set up for an extended period of remote working and are aware of any restrictions, for example not printing confidential documents at home.	collective bargaining agreements. • Non-essential areas of business should be suspended. If neither of the above solutions is feasible: (a) Employers can issue a statement certifying the reasons why the employee is required to travel to any degree. (b) As an alternative to the employer statement, the employee can sign a personal statement justifying his/her need to travel for work. (c) Employers must (i) inform all employees of the instructions provided by the competent authorities (eg the Ministry of Health) and (ii) guarantee hygiene in workplace environments (e.g. by adoption of protocols to avoid contagion and use individual protection gear, sanitising offices, avoiding meetings and business travel where possible, encouraging remote alternative	account their specific job). A final comment, it is recommended to use the app provided by the government and to inform all employees thereof.	necessary hygienic material available. From a practical point of view, employers are adopting contingency plans to ensure business continuity, where possible, through remote working policies. Voluntary quarantine measures are being taken, so that workers who have visited risk areas or been in contact with affected people are being sent home. Business travel and event attendance are being limited. Companies are closing company canteen, gyms and limiting physical meetings.

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					communication methods). Business provisions: • <u>Suspension of restaurants and all retail commercial businesses</u>, except for those that sell food items and basic necessities (e.g. pharmacies) until 25 March. • <u>Banking, financial, and insurance services</u> are guaranteed.		
When should an employee self-isolate? What is the official guidance?	Employers should monitor and follow the UK government guidance on self-isolating. The Government has updated its guidance such that: • if you live alone and have symptoms of coronavirus (a high temperature or a new continuous cough) however mild, should stay self-isolate for 7 days; and • if you live with others and you or one of them have symptoms of coronavirus, then all household members must isolate for 14 days.	Only the authorities can decide to place an employee in quarantine. Employees returning from countries or regions where corona patients have been reported can simply return to work. But vigilance is required. If they show symptoms within 14 days of returning, they should stay at home immediately, call a doctor and report their travel history and symptoms. The doctor will assess the situation and take appropriate measures.	Employers should monitor and follow the government guidance on self-isolating which is evolving.	Persons who have stayed in a risk area designated by the Robert Koch Institute (currently: Italy, Iran, China, South Korea, France, North Rhine Westphalia/Germany) should - regardless of symptoms - avoid unnecessary contact and stay at home if possible and permitted by the employer. If acute respiratory symptoms occur, they should observe the rules for proper coughing and sneezing as well as good hand hygiene and, after making an appointment by telephone with reference to the trip, should consult a doctor. For travelers from regions where COVID-19 cases occur but which are not risk areas, the following applies: If	• It is strongly recommended that individuals with symptoms of respiratory infection and fever (higher than 37.5°C) stay home, limit social interaction as much as possible, and contact their doctor. • Individuals who have been placed on quarantine or have tested positive for the virus are absolutely forbidden from leaving their homes.	Employers should monitor and follow the government guidance on self-isolating. The current guidance recommends that some people are being asked to limit physical contact with others (social distancing). This concerns people who may have become infected with the coronavirus. This means that they are not allowed to go to work or school. However, they may be able to work from home. They are allowed to go outside to do some shopping, for example, but have to make sure that they stay at a distance from others and do not make physical contact. This applies to the	The Social Security has issued a resolution according to which, the periods of preventive isolation will be considered as periods of temporary incapacity derived from illness, which means that the employment contracts remain suspended and the employees are entitled to sick leave benefits. However, it must be noted that the situation of preventive isolation has to be declared by the public medical services. The employer could implement preventive isolation measures, but if the employee is not officially declared to be on sick leave, these measures shall be adopted in agreement with the worker.

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				you develop a fever, cough or shortness of breath within 14 days of returning home, you should - after making an appointment by telephone and giving information about the trip - consult a doctor. You should also avoid unnecessary contact and stay at home if possible.		following two groups of people: • Housemates of patients with novel coronavirus • People who have been in areas with many coronavirus infections and have a cold or fever. These are the following areas: • China (including Hong Kong and Macao) • Singapore • South Korea • Iran • Italy: the northern provinces of Aosta Valley, Piedmont, Lombardy, Trentino South Tyrol, Friuli-Julian-Venice, Veneto, Emilia-Romagna and Liguria. If employees are working/living in Noord Brabant, it is also recommended to provide them with the link here. If someone reports to a general practitioner with symptoms and the GP thinks that the patient may have the novel coronavirus, a protocol is put into	

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						action. The GP asks for a test at RIVM National Institute for Public Health and the Environment and the Erasmus University Medical Center. Both laboratories start testing simultaneously. Meanwhile, the suspect patient is kept in isolation, either at home or at the hospital. That depends on the situation. If the test comes back positive, the patient remains in isolation and the Municipal Public Health Service (GGD) carries out a so-called contact investigation. All people with whom the patient has been in contact during the infectious period must monitor their health during the incubation period. If they develop symptoms of the disease, they must report this to the GGD. The whole process then starts again from the beginning.	
If an employee is not sick but is in quarantine or self-isolation, do you have to pay them?	Where the employee is not sick but advised by a medical professional to self-isolate: With effect from 13 March 2020, a person will be eligible for statutory sick pay and deemed incapable of work if they are isolating themselves from other	If an employee is stranded abroad and is unable to return to Belgium, he/she is entitled to temporary unemployment benefit as a result of force majeure. The same applies to the employee who is placed in quarantine after his/her repatriation to Belgium. Only the authorities can decide to place an	The government has extended its sick leave subsidies (IJSS) to employees in quarantine that are not sick (or those who are taking care of a child in quarantine). Employers may have to complement these subsidies up the employees' full salary	The following scenarios must be distinguished: Employees who are sent home by their employer in order to avoid a further spread of the Coronavirus continue to receive their remuneration unless they unreasonably	Pending the public authorities' adoption of further measures, employee absences can be handled as follows: Employees who contract the virus or who are under mandatory quarantine - These employees are on sick leave as per applicable collective	Starting point is that employees will remain entitled to their wages. However, based on the Dutch Civil Code, the employee is no longer entitled to wages in case the reason for not being able to perform the work (or not in full) relates to	The situation varies depending on whether the employee is officially on temporary sick leave (declared by the public medical services) or not. If the employee is on temporary sick leave, unless the employee's agreement or the company's policy on the matter states otherwise,

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	people to prevent infection with coronavirus disease in accordance with guidance published by Public Health England, NHS Scotland or Public Health Wales and by reason of that isolation is unable to work (new reg 2(1)(c) inserted into Statutory Sick Pay (General) Regulations 1982). If the employee is willing and able to work from home during any period of self-isolation required by the official guidance, they should receive full pay as usual. As a result of COVID-19, the government announced that it will bring forward emergency legislation temporarily making statutory sick pay payable from the first day of sickness absence. In the March 2020 Budget, the government announced that temporary alternatives to the fit note will be introduced in the coming weeks which can be used during the COVID-19 outbreak. The Acas guidance has been updated to say: <i>"The government has made clear that if NHS 111 or a doctor advises an employee or worker to self-isolate, they are entitled to statutory sick pay. If the employer</i>	employee in quarantine. If an employee has returned from an affected area and has not been placed in quarantine, the employer cannot refuse access to the workplace and must pay him/her the entire salary. However, if an employee is hospitalised because he/she suffers from the coronavirus, this will be treated in the same way as sickness. Therefore, the rules regarding incapacity to work will be applicable and the employee will be entitled to guaranteed salary during the first month of sickness.	depending on applicable legal rules or collective bargaining agreements.	refuse to provide any work from home. - Employees who fall ill with the Coronavirus are, also entitled to continued remuneration according to the provisions of the Continued Remuneration Act (<i>Entgeltfortzahlungsgesetz</i>) for the first 6 weeks. If the same sickness continued they received sickness pay from their health insurance. - Employees who did not fall ill but were quarantined, for example as they returned from an affected area, are not entitled to remuneration for the term of quarantine. They, however, receive a compensation in the amount of their net income according to the Act for the Prevention and Controlling of Infectious Diseases (<i>Gesetz zur Verhütung und Bekämpfung von Infektionskrankheiten</i>) for six weeks (and thereafter a lower amount). The compensation is	bargaining agreement rules. Employees who are in self-isolation (simply decide on their own to stay at home without symptoms of respiratory infection and fever) - Where these employees cannot work remotely from home, they are not entitled to receive their remuneration.	circumstances that in all reasonableness should come for the employee's own account (<i>omstandigheden die in redelijkheid voor de werknemer behoren te komen</i>). Although it follows from case law that the threshold in order to meet this requirement and stop the wages in this respect is very high, we find it defensible to stop the employee's wages if they have deliberately travelled to one of the infected zones for which a negative travel advice has been given by the Dutch government and as a direct consequence whereof they can no longer perform their work (from home). However, this assessment should always be made on a case by case basis and considering the specific circumstances of the matter. If employees become ill due to the travelling and cannot perform their work due to illness, the stricter rules around illness will apply, therefore where it will most likely not be possible to stop their wages. Only where it was the employee's deliberate	those affected will receive full pay for the first three days of leave, since this is established by law. From the fourth day and until the 20th day, they will receive 60 % of their regulatory base salary, except - again - if the agreement or company policy provides for some improvement. If the employee is not on temporary sick leave, then the employee is entitled to full pay.

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	<i>offers contractual sick pay, it is good practice to provide this."</i> It also says: <i>"The employer might need to be flexible if they require evidence from the employee or worker. For example, someone might not be able to provide a sick note ('fit note') if they've been told to self-isolate for more than 7 days".</i> Where the employee is not sick but asked by the employer to self-isolate as a precaution: Where an employee is not sick, but the employer requests that they self-isolate as a precaution, the employee should be paid in the usual way (in the same way as a paid suspension).			paid out by the employer who is reimbursed by the competent authority (depending on the federal state). • If employees stay at home for a relatively short period of time in order to care for their child that fell ill with the Coronavirus, it depends on the provisions of the employment contract whether they are entitled to remuneration. This also applies if children must stay at home as the Kindergarten is closed. Regarding the latter scenario, however, stricter requirements than in case of illness apply and parents must explore whether other care options exist. If employees must stay at home for a longer period than one week, they should try to find a mutual solution with their employer that could include taking paid or unpaid leave. • Finally, if employees simply decide on their own to stay at home to reduce their		intention to become sick and get the corona virus by travelling (<i>opzet op de ziekte</i>), the company can stop the payment of wages directly. However, this is very unlikely and in practice never the case. It is in any event highly recommended (if not needed) to inform the employee (in writing) of the possible consequences for their wages before going on the private trip to infected zones for which a negative travel advice has been given.	

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				personal risk to be infected without approval of their employer and without a reasonable suspicion of a concrete infection risk, they would violate their obligations under the employment contract and employment sanctions (reaching from a warning letter to terminations in severe cases) could be imposed on them. They would not be entitled to remuneration.			
Are there any (and if so, what) funding mechanisms being put in place by the Government in relation to pay for employees who are required to stay at home/self-isolate?	In the UK, the Government has announced that it will temporarily allow statutory sick pay (SSP) to be paid from the first day of sickness absence (SSP is not usually paid for the first three days that somebody is sick) for those who are required to self-isolate, as well as others in their household who are required to self-isolate and are unable to work. The Government has also announced that it will refund the cost of providing SSP to small employers (with less than 250 employees) –	The National Security Council has announced reinforcing measures to prevent the spread of the coronavirus. These measures will have a far-reaching impact on businesses and employment. The government has confirmed the initiatives already taken. In the first place, companies that cannot employ their workforce because of the coronavirus can invoke the system of temporary unemployment due to force majeure. This system has since been extended until 30 June		There are no general funding mechanisms being put into place by the government in relation to pay for employees who are required to stay home/self-isolate so far. 1) Rather, the employer must continue to pay the employees salary if the employee is on sick leave (for the first six weeks of the sickness, thereafter the health insurance covers salary payments); if the employee is hindered for a relatively short period of time			

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	limited to two weeks per employee - and will work with employers to develop a repayment mechanism.	2020. The amount of the benefit has been increased to 70% of a capped salary. Companies faced with a substantial drop in production, turnover or orders because of the Covid-19 coronavirus can invoke the system of economic unemployment. If the company has to apply to the Ministry of Labour for recognition as a company in difficulties, it can also apply in the meantime for the system of temporary unemployment on grounds of force majeure. These measures will be further evaluated in the coming days and strengthened where necessary.		(approx. 5 days) to appear at the workplace due to required child care (eg as a result of kindergarden/school closures) provided no other care taker is available; if employer and employee have agreed for the employee to work from his home office. 2) Only if the public health department quarantines employees who are suspected of being infected according to the German Infection Protection Act (<i>Infektionsschutzgesetz</i>) the employer is reimbursed for the employee's salary by the competent authority. 3) Additionally, the government has decided to implement new short-time work regulations which will facilitate the application for a more extensive financial compensation of a preliminary reduction of working hours. The following changes to the short-time regulations were announced by the government on 13 March 2020 and will apply from the beginning of April 2020: It is only required that at least 10% of the company's employees are affected by the reduction of working			

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				hours in order to apply for short-time work. The Federal Employment Agency reimburses the social security contributions in full. Even temporary workers (ie leased employee) should also be able to receive short-time working compensation.			
What if an employee does not want to come to work? Do we have to let them work from home?	Some employees may not want to attend work for fear of catching coronavirus, particularly if they are aware of colleagues having returned from known-affected areas. If so, you should listen to their concerns and consider whether homeworking would be feasible. On 16 March 2020, the government announced that people should start working from home when they possibly can. Under normal circumstances, an employee does not have the right to work from home unless their terms of employment allow for it (eg in their contract or other policy), so any arrangement to work from home would need to be agreed. However, given the government's guidance on 16 March 2020, it is presumed that employers will authorise	If an employee has (possibly) been in contact with carriers of the coronavirus, it may be advisable to allow the employee to work from home for 14 days. The employee should have sufficient resources to be able to do his/her job properly, such as access to a computer, possibility of printing, a workplace, possibility to login to the digital work environment, etc.	Employees considering themselves in danger might request a right of withdrawal (with pay), although this is challengeable. The Works Council ("CSE") can also exercise its alert right. If an employee proposes to work from home, the employer should listen to their concerns and consider whether homeworking would be feasible.	Employees have a legal right to come to work and to perform their services at the workplace. However, the employee has no entitlement to request home office. If he stays away from work without a justified excuse (e.g. own sickness), This represented a violation of employment duties which can followed up by the employer with a warning letter and in case of unexcused continued absence from work lead to the termination of the employment contract. However, employers and employees can make arrangements that the employer will temporarily work from home. Unless home office arrangements are in place, employers can in principle not request that	Maximum use of remote working is recommended by the Italian government – where possible, employees should work remotely from home, even if the company does not have individual remote working agreements in place with its employees. Companies must, in any case, communicate these remote-working arrangements to the Ministry of Labour through the required online procedures.	It will depend on the reasons behind the employee's request to work from home whether the employer can refuse the employee's request. Taking into account the legislation around the employee's right to work from home and flexible hours, employees will generally have, in our view, valid grounds to ask the company to temporarily work from home due to corona, for instance because their kids cannot go to school because of the corona measures (while being entitled to full pay) whereby the company will most likely not have sufficient reasonable arguments to refuse their request to temporarily work from home given the exceptional circumstances around corona. However, it	At the moment (and unless company policy provides otherwise) homeworking or self-isolation requires the consent and agreement of the employer before it can begin. However, according to a guide published by the Ministry of Labour, if the provision of services in the workplace involves a serious and imminent risk of coronavirus infection, the employee could decide to interrupt his/her activity and leave the company's premises. The authorities have not defined what is meant by cases of serious and imminent risk, but it does not appear that such a situation is occurring right now, and in any case, it will be necessary to wait for the Government to adopt special measures in this regard.

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	home working, where this is possible. In roles where working from home is not feasible, it might be possible to agree a period of holiday or unpaid leave, but there is no legal requirement to offer this. If an employee still refuses to come to work, you can take disciplinary action but in the current circumstances, such action might be deemed to be unfair.			employees work from home. If there is the suspicion of a possible infection of an employee with the Coronavirus or the situation evolves in a way that the government advises not to use public transportation or to stay at home, the employer could, as an exception to the rule, request that employees work from home to the extent possible and reasonable. The employer should offer assistance and support to employees in order to ensure that they have the resources required, especially a computer, printer and the possibility to log in to the digital work environment, for working from home.		should in our view always concern a temporarily situation (limited in time) as the arrangement of working from home is not in place to make sure that the employee can take care of their children. Finally, it will depend on all circumstances of the specific matter (such as the employee's ability to work from home) whether the company should accept or can refuse the employee's request. If an employee has (possibly) been in contact with carriers of the coronavirus, it may be advisable not to allow the employee to work at work for 14 days and the advices from the Dutch Authorities (RIVM) should be observed. While, strictly speaking, employees have a legal right to come to work, the employer likely has enough compelling reasons to enforce working from home in the event of a suspicion or possible infection with the coronavirus. As a result, the employee can be denied access to work if he or she does not cooperate voluntarily. It goes	

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						without saying that the employee remains entitled to his or her usual wages. This may be different in the case of illness; once an employee has been infected with the coronavirus, the legal rules regarding illness apply. To be able to work from home, the employee should have sufficient resources to be able to do his or her job properly, such as access to a computer, possibility of printing, a workplace, possibility to login to the digital work environment, etc. Therefore, it may be advisable to assess whether all employees are able to properly work from home.	
Can you require an employee not to attend work?	On 16 March 2020, the UK Prime Minister advised that people should start working from home when they possibly can. This would usually depend on the terms of their contract of employment, but in the current extraordinary circumstances, it is likely that you can require this in order to comply with official Government guidance and to protect the health and safety of the rest of the workforce.	The employer cannot oblige an employee to take holidays, even if the employee returns from a high-risk area. Holidays are always taken by mutual agreement between employer and employee. The employer can ask to work from home, but the employee is not obliged to do so.	Yes, but in that case the employee should still be paid. Therefore, in practice this is rarely use for this reason. Possibility for the employer to reschedule already requested paid holidays. The employer can also implement exceptional remote working: in case of extraordinary circumstances, such as a threat of epidemic, the implementation of homeworking may be considered as an arrangement of the	This depend on the terms of their employment contract. But likely yes if in order to comply with official Government guidance to protect the health and safety of the rest of the workforce. It will also depend on the regulation of the employment contract if the employer can request that the employee to work from home instead. (Please see answer to question above)	The Governmental Decree issued on 8 March 2020 provides for the closure of businesses that, due to structural or organisational reasons, cannot guarantee that employees and customers (i) avoid congregating and (ii) maintain a safe distance from one another (at least one metre). In such cases, employees should work remotely from home where possible. If employees cannot work	Likely yes, in order to comply with official Government guidance and to protect the health and safety of the rest of the workforce.	To require an employee not to attend work the employer has to, either obtain the employee's consent to work from home, or it must suspend its activity. In case of mutual agreement with the employee, the employee is entitled to keep pay. In case of temporary suspension of activity, the company has to accredit the concurrence of objective causes (for example, impossibility of continuing production due to lack of parts that

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			working conditions rendered necessary to allow the continuity of the company's activity and to guarantee the employees' security. Remote working under these circumstances can be implemented unilaterally and there is no need to obtain the employee's consent nor to amend their employment contract. Finally, part-time activities (partial or technical unemployment) have been extended by the government. In the coming days, new legal rules will increase the state subsidies and simplify of formalities.		remotely the employer is entitled to force these employees to use accrued holidays/leave up to 3 April 2020. These are the most straightforward options. New measures involving Italian social safety net schemes (such as the wages guarantee fund, or <i>cassa integrazione</i>) have been issued by the government to aid companies that are forced to suspend normal business activities due to the spread of the virus. Further clarification by the labour authorities on the applicability of these measures is expected in the coming days.		should have come from China) or force majeure linked to the coronavirus, and follow the procedure and formalities provided for in Article 47 of the Workers' Statute and implementing regulations. In this case, the employee is not entitled to keep pay, but the employer has to pay Social Security contributions, and the employee could be entitled to unemployment benefits.
Where employees are off work to care for children following school closures, do you have to pay them?	Where an employee needs to take leave to care for a child (for example due to school or nursery closure), they may need to take emergency dependant leave and you should consult your relevant policies. Emergency dependant leave is likely to be unpaid, so employees would be advised to find alternative childcare arrangements where possible. If this is not possible, it may be possible to agree a flexible working arrangement around childcare or to take paid holiday.	The employer and the employee can agree that the employee works from home. If this is not possible the employee will have to take leave/vacation days.	As an exceptional measure, the government has extended "sick-leave" for employees with children under 16 who cannot work remotely during the period of the school closure. Modalities have yet to be known. Employers may have to complement these subsidies up to the employees' full salary depending on applicable legal rules or collective bargaining agreements.	If employees stay at home for a relatively short period of time in order to care for their child that fell ill with the Coronavirus, it depends on the provisions of the employment contract whether they are entitled to remuneration. This also applies if children must stay at home as the Kindergarten is closed. Regarding the latter scenario, however, stricter requirements than in case of illness apply and parents must explore whether other care options exist. If employees must stay at home for a longer period than one week, they	Over the next few days, the government is expected to issue a new Decree which should include measures for employees with children. In the meantime, employees who need to care for children can work remotely from home or use holiday leave.	Taking into account the Dutch legislation around the employee's right to work from home and flexible hours, employees will generally have in our view valid grounds to ask the company to temporarily work from home for instance because their kids cannot go to school because of the corona measures (while being entitled to full pay) whereby the company will most likely not have sufficient reasonable arguments to refuse their request to temporarily work from home given the	There is currently no legal provision for employees to be absent from work following school closures. Therefore, any measure has to be mutually agreed between company and employees. It must be mentioned that, except for the city of Vitoria, in the north of Spain, no other schools in Spain have been closed yet.

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	The situation might be different if the child or relative had been exposed to or diagnosed with the coronavirus and the employer agrees or requests that the employee also remain in self-isolation given that the UK government's guidance from 16 March 2020 is that an employee should isolate for 14 days if any household member has coronavirus or demonstrates the symptoms of the disease			should try to find a mutual solution with their employer that could include taking paid or unpaid leave.		exceptional circumstances around corona. However, it should in our view always concern a temporarily situation (limited in time) as the arrangement of working from home is not in place to make sure that the employee can take care of their children. Finally, it will depend on all circumstances of the specific matter (such as the employee's ability to work from home) whether the company should accept or can refuse the employee's request to work from home on full pay. If employees cannot work from home, they can ask to take unpaid care leave.	
What steps should employers be taking to restrict international travel (business and personal)?	Employers should have a working group/task force (or nominated person) to monitor the Government/FCO travel guidance (see Guidance for returning travellers here) and to communicate that guidance to their workforce. The Government is currently advising against (i) <u>all</u> travel to certain countries, cities and regions, and (ii) all but essential travel to some countries, cities and regions.	In some (parts of) countries restrictive measures are in place because of the coronavirus. It is best to follow the travel advice of the FPS Foreign Affairs (https://diplomatie.belgium.be/en). This travel advice is constantly updated to enable travellers to make the right decisions. A daily update of risk areas within Europe can be found on the website of the European Centre for Disease Prevention and Control (ECDC).	As an exceptional measure, the government has extended "sick-leave" for employees with children under 16 who cannot work remotely during the period of the school closure. Modalities have yet to be known. Employers may have to complement these subsidies up to the employees' full salary depending on applicable legal rules or collective bargaining agreements.	The company may cancel or postpone business trips or alternatively use video conferencing. However, the employer may in principle not prohibit any private travel.	Employers must encourage remote alternative communication methods where possible (e.g. video/conference calls).	It is recommended to use the app provided by the government and to inform all employees thereof. The app provides from the most recent governmental travel advices and will immediately inform you in case the situation or travel information towards a specific country has changed. Employers should also monitor and follow the Dutch government	The company can, within its management power, restrict the business trips of its employees. However, the company cannot prohibit workers from travelling to risk areas for personal reasons.

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	In many cases, employers are implementing broader travel restrictions than the official guidance requires, such as proposed self-isolation when returning from any known-affected areas (formerly known as category 1 or 2). Taking the official guidance into account, we recommend that you have a policy to cover international business travel and personal travel (i.e. holidays), which is communicated to the workforce. As part of that, you should instruct employees to notify you of any travel plans to restricted locations.					guidance on self-isolating. It is recommended to make a temporarily travel policy – considering the most recent information provided by the government – in which employees will be informed about the company's position. Where the company will have a lot of flexibility towards the (cancellation) of business trips, it will be difficult to find a statutory justification to forbid employees to travel to certain countries for private reasons. The statutory right of employers to give employees instructions does not make it possible to ban employees to travel to infected countries. Of course, the company can (and should) still strongly advise employees not to do so. It is in any event highly recommended (if not needed) to inform the employee (in writing) of the possible consequences for their wages before going on the private trip to infected zones for which a negative travel advice has been given.	

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What if an employee chooses to travel to a known-affected area?	If an employee chooses to travel to a known-affected area, you should consider the arrangements upon their return and whether homeworking is feasible. If it is agreed that they can work from home, you should pay them as usual. If the employee chooses to travel to a known-affected area on holiday and such travel is non-essential, provided you give the employee sufficient warning that they would be unable to attend work on their return and would not be paid, it may be reasonable not to pay them.	In principle the employer has no influence on the personal travel of the employees. For employees who have recently returned from a known-affected area or have been in contact with someone infected with the virus, the employer can ask for the full cooperation of the employees and advise them to consult a doctor. The employer may request the assistance of the prevention advisor-company doctor. The employee's consent will always be required before submitting him/her to a medical examination.	If the employee does not apply the restrictions for a business trip, the employer may take disciplinary action to be assessed on a case by case basis. However, if an employee breaches the restrictions for a personal trip, based on the right to privacy any disciplinary action taken by the employer would not be valid. Offer quarantines for those concerned employees and those who have been close to those infected or currently in quarantine (at the moment, this cannot be required)	Monitor the government travel guidance and restrict non-essential travels to known affected areas in line with that guidance. Consider whether employees recently returning from known affected areas should be advised not to come into the office and to work remotely for up to 14 days.	Employers must take precautions to protect employee health, cancelling business trips and business travels to areas/countries at risk. Employees recently returning in Italy from a known-affected area (i) must notify this circumstance to the medical authorities and (ii) placed in quarantine.	It is worth considering asking all personnel in writing to indicate whether they have booked a (working) trip to China and/or any of the other infected zones for which a negative travel advice has been given by the Government in the coming months, or have recently been to China and/or any of the other infected zones for which a negative travel advice has been given by the Government or (as far as they can tell) have been in contact with someone who has recently been to any of the infected zones or someone who is (possibly) infected with the coronavirus. The statutory right of employers to give employees instructions does not make it possible to ban employees to travel to infected countries. Of course, the company can (and should) still strongly advise employees not to do so. Starting point is that the employee will remain entitled to their wages. However, based on the Dutch Civil Code, the	The company could adopt disciplinary action with those workers who, despite having been warned not to travel to risk areas, disregard the company's recommendations and are infected. However, it should be noted that, in order to sanction an employee, the facts must be serious and evident, and, in any case, the employee may challenge the business decision before the Social Courts.

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						employee is no longer entitled to wages in case the reason for not being able to perform the work (or not in full) relates to circumstances that in all reasonableness should come for the employee's own account <i>(omstandigheden die in redelijkheid voor de werknemer behoren te komen)</i>. Although it follows from case law that the threshold in order to meet this requirement and stop the wages in this respect is very high, we find it defensible to stop the employee's wages if they have deliberately travelled to one of the infected zones for which a negative travel advice has been given by the Dutch government and as a direct consequence whereof they can no longer perform their work (from home). If they come ill due to the travelling and cannot perform their work due to illness, the stricter rules around illness will apply, as a consequence whereof it will most likely not be possible to stop their wages. Only in case it was the employee's deliberate	

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						intention to become sick and get the corona virus by travelling (<i>opzet op de ziekte</i>), the company can stop the payment of wages directly. However, this is very unlikely and in practice never the case. It is in any event highly recommended (if not needed) to inform the employee (in writing) of the possible consequences for their wages before going on the private trip to infected zones for which a negative travel advice has been given.	
What if you suspect someone might have or is confirmed to have coronavirus at work?	If an employee comes to work and you suspect they might have coronavirus, you should ask them to go to a designated isolation room (such as a sick bay or closed office) and to call 111 for NHS advice. If it transpires that the employee has tested positive for coronavirus, the employer should liaise with Public Health England to carry out a risk assessment and what actions are required. Further information to help employers deal with the outbreak of the coronavirus across our international network is available here.	The employer can ask for the full cooperation of the employee and advise him/her to consult a doctor. The employee's consent will always be required before submitting him/her to a medical examination. Further information to help employers deal with the outbreak of the coronavirus across our international network is available here.	If an employee comes to work and you suspect they might have coronavirus, you should ask them to go to a designated isolation room (such as a sick bay or closed office) and call 115 for SAMU advice. Offer quarantines for those concerned employees and those who have been close to those infected or currently in quarantine (at the moment, this cannot be required) Further information to help employers deal with the outbreak of the coronavirus across our international network is available here.	Employers can in general not request that employees are medically tested unless there is the necessity to perform this test or to be otherwise informed of the medical situation of the employee due to the specific nature of the employee's job. Accordingly, an employer cannot sanction an employee who refused to get medically tested. The employer can, however, send the employee home. Further information to help employers deal with the outbreak of the coronavirus across our international network is available here.	We believe that employers can remove, from the workplace, employees with flu-like symptoms or symptoms of respiratory illness (e.g. fever, cough, cold). In such cases, the preferable solution – as specified above – remains that of temporarily placing the employee on paid leave pending further indications from the authorities. Further information to help employers deal with the outbreak of the coronavirus across our international network is available here.	The question arises whether the employer can measure the body temperature of employees to determine whether someone has a fever and is therefore possibly infected with the coronavirus. Based on the General Personal Data Regulation (GDPR), employees cannot be medically tested unless, given the specific nature of the employee's job, there is a necessity to perform this test or to be otherwise informed of the medical situation of the employee – which will generally not be the case. In addition,	Authorities recommend that individuals do not go to medical services without first calling the Coronavirus care number. Therefore, if the company suspects that someone might have coronavirus, The employer could ask the employee to go home and call the medical services' attendance phone. This number varies depending on each region. It should be noted that right now there is no single criterion as to when medical services should grant a sick leave status to workers that present symptoms, so it is also likely that the company will encounter

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						employees cannot be subjected to a medical test on a voluntary basis either, because in employment relationships the consent given would not be deemed voluntary because of the hierarchical relationship between the employee and employer. The employer will therefore have to use other means to find out whether employees may be infected. From a Dutch law perspective another possibility would be to treat this as a “regular” incapacitation for work. This means that the company doctor should be involved, because the company doctor can ask for medical information and will subsequently provide the company with the relevant information on whether the employee can work or not. Moreover, the company doctor can better assess whether the employee can work rather than the employee him/herself (given the examples in the news of employees going to work while sick). This will also resolve the GDPR “issue” since medical information	cases where workers are considered fit to work, despite the employer's suspicions. In such cases, in our opinion the company could adopt, together with its risk prevention service, measures to isolate that employee from other co-workers, to protect the health of his or her co-workers. As mentioned above, if an employee is confirmed as infected, this would result in temporary disability leave. Also, if the medical services declare the preventive isolation of the employee. Further information to help employers deal with the outbreak of the coronavirus across our international network is available here.

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						will no longer be processed and a less “invasive” way of receiving the information is possible. The column “other comments” can then be used to register whether the employee has been in contact with the company doctor and what the company doctor’s assessments and recommendations were, so that the company knows what to do. Further information to help employers deal with the outbreak of the coronavirus across our international network is available here.	