

## Declaration of telework to ERGANI and further guidelines on the implementation of support measures

Recent ministerial decision 13564/Δ1.4770, published on 03 April 2020, provided details on the implementation of the measures of telework, safe operation staff and intragroup transfer of employees introduced by recent legislation for the support of employers during the Coronavirus crisis. More specifically:

### A. Declaration of remote work to ERGANI

Employers who have already implemented a system of remote work or intend to do so by 10 April 2020 are obliged to file a special declaration via the ERGANI platform by the 10th of the month following the implementation of the measure. Accordingly, employers who placed their employees on remote working **during March** are obliged to file the above declaration to ERGANI **by 10 April**, while as regards employees placed on remote working **by 10 April** said declaration must be filed **by 10 May**.

### B. Combination of suspension with telework for the coverage of temporary needs

Employers belonging to the specific impacted categories announced by the Ministry of Finance, who make use of the measure of suspension of employment, may agree with part (**not in excess of 10%**) of their suspended employees to provide telework in order to cover temporary needs of the business. Such telework must be notified through the ERGANI platform **prior to its commencement**.

### C. Safe operation staff

Employers **belonging to the specific impacted categories announced by the Ministry of Finance** may impose a system of work based on a “safe operation staff”, as follows:

- each employee may work for a minimum of 2 weeks per month, either continuously or in parts; and
- the above organisation of work must cover at least 50% of the personnel.

Employers who follow the above system of work, **whether in combination with the measure of suspension or not**, are obliged to file a special declaration via the ERGANI platform within the first ten (10) days of the following month. Accordingly, employers who implement a system of safe operation staff **within April** must file the above declaration to ERGANI **by 10 May**.

## D. Intragroup transfer of employees

Employers on lockdown by order of the authorities or belonging to the specific impacted categories announced by the Ministry of Finance may provisionally transfer personnel to other companies of the same group.

Employers who proceed to such intragroup transfers, whether in combination with the measure of suspension or not, are obliged to file a special declaration via the ERGANI platform within the first ten (10) days of the following month.

## E. Obligation to maintain the same number of employees

During the implementation of the above measures of safe operation staff and intragroup transfers, employers are prohibited from making any dismissals and must maintain the same employees under the same terms of employment, with the exception of those employees who resign or retire. As regards the measure of suspension, whether in combination with the provision of telework or not, the respective prohibitions apply both during the 45-day suspension period and for an equal period thereafter.

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