

Activation of recently introduced notification obligations regarding overwork and overtime in Greece

Greek Ministerial Decision 32143/Δ1.11288/11-06-2018, published in the Government Gazette on 22 June 2018 (the “Ministerial Decision”), activates the obligations of recent Law 4488/2017 regarding overwork and overtime and introduces updated versions of the ERGANI notification forms.

The main changes introduced by the Ministerial Decision:

- Activation of the notification requirement for overwork (“*υπερεργασία*”)
- Updated ERGANI forms for notifications to the Labour Authorities
- Forms E4 (personnel table) and E8 (overtime/overwork) can also be submitted via sms

Activation of the notification requirement for overwork (“*υπερεργασία*”)

The main change introduced by the Ministerial Decision lies in the revised E8 form, which moves from an *ex post* notification system to an *ex ante* notification system, covering not only overtime (“*υπερωρία*”), but also overwork (“*υπερεργασία*”).

Pursuant to the Ministerial Decision, employers must submit the new E8 form for overwork and overtime *at the latest on the date of provision of such extra work* and in any case before its commencement.

Furthermore, the Ministerial Decision establishes a transitional period for overtime conducted in July and August 2018 (which seems to also cover overwork), during which employers may continue to use the previous E8 form and follow the *ex post* notification process provided under the previous legal framework.

Updated ERGANI forms for notifications to the Labour Authorities

The updated forms entered into force as of 22 June 2018 (date of publication of the Ministerial Decision) with the exception of form E8 (notification of overtime and overwork), which entered into force as of 1st July 2018.

Forms E4 (personnel table) and E8 (overtime/overwork) can also be submitted via sms

In an effort to facilitate employers, the Ministerial Decision provides that employers may also submit the E4 (personnel table) and E8 (overtime/overwork) forms *via* sms, as long as they have notified a mobile phone number to the ERGANI platform. Sms submission will be available for the E4 form as of 1st October 2018 and for the E8 form as of 1st July 2018 (although this option is not available yet until the issuance of further guidelines from the Ministry).

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