

EMPLOYMENT BRIEFING: Special Edition – Vol. 6

## Developments in Employment Legislation as Result of Covid-19

This Briefing provides an overview of Circular 14676/253/7.4.2020, Ministerial Decision 14556/448/7.4.2020 and a Draft Bill adopted by the Greek Parliament on 9 April 2020, which clarify the implementation of urgent employment measures arising out of Covid-19

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#### **A. Provisions Related to Branches of Businesses Whose Operation Has Been Suspended by Virtue of a Public Authority Order**

1. Circular 14676/253/7.4.2020 (the Circular) provides that employers or businesses with at least one branch, the operation of which has been

suspended by virtue of a public authority order (based on its business activity code KAD), may submit a first-time solemn declaration related to their branch from 6 April 2020 to 10 April 2020.

2. If they have already submitted a declaration, they can amend it so that they are included in the category of employers or businesses whose operation has been suspended by virtue of a public authority order.
3. In cases where employers submit either the first-time declaration or amendment described above, they are obliged to notify this declaration or amendment to their employees on the same day in writing or electronically. Employees must then submit their own declaration or modification of their previous declaration as applicable.
4. In the case of a declaration or amendment as described above, the employment contracts of all employees of the businesses concerned are suspended from 15 March 2020 to 30 April 2020, unless the Ministry of Finance has permitted the employment of personnel for specific business activities.

#### **B. Corrections, Additions or Revocations of Employers' and Employees' Solemn Declarations**

1. According to the Circular, employers or businesses may amend or revoke their initial solemn

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declarations by way of a correct repetition, which may include the following:

- a. correction to personal details;
  - b. revocation of a declaration which erroneously states an employee is subject to an employment contract suspension;
  - c. addition of employee(s) whose employment contracts are suspended;
  - d. addition or correction of details related to real property business leases; and
  - e. correction or change from business activity code (KAD) of an affected business to business activity code (KAD) of a business the operation of which has been suspended by virtue of a public authority order.
2. Employees are also entitled to make a correct repetition of their previous declarations, which may include the following:
- a. correction to personal details;
  - b. submission of details of main residential leases in cases where their employer has changed their business activity code (KAD) from an affected business to a business the operation of which has been suspended by virtue of a public authority order;
  - c. revocation of the declaration in cases where the employee has voluntarily resigned from the employer who suspended their employment contract, therefore relinquishing their right to financial support.

## C. Revocation of the Suspension of Employment Contracts for Urgent Needs

1. The Circular also provides that the suspension of employment contracts may be revoked for urgent needs that cannot be postponed, in the following cases:
  - a. requisition of businesses by a public authority in order to handle urgent public order needs that cannot be postponed; and
  - b. in other similar cases of urgent need, if the employers or businesses decide to revoke the suspension.

2. In both cases above, the time spent by employees to handle the urgent needs is deemed worktime and extends for the same period the suspension of the employment contracts, up to the completion of 45 days. Employees must be paid in full by their employers for this specific period of work.
3. Prior to the commencement of this urgent work, employers or businesses that will make use of this possibility are obliged to register the revocation of the suspension with ERGANI, explain the reasons why it is required, and specify the period of time the revocation will last.

## D. Time Limits for Submission of Declarations and Corrections, Additions or Revocations

1. Pursuant to the Circular, employers or businesses whose operation has been suspended by virtue of a public authority order may submit their declarations by 10 April 2020 and correct repetitions from 11 April 2020 to 13 April 2020.
2. Employers or businesses that are seriously affected by the pandemic may submit one or more declarations for the suspension of employment contracts by 20 April 2020. The same deadline applies for businesses whose operation has been suspended by virtue of a public authority order, in cases where the Ministry of Finance has permitted them to employ some employees for specific business activities. The deadlines for correct repetitions are as follows:
  - a. from 11 April 2020 to 13 April 2020; and
  - b. from 21 April 2020 to 23 April 2020.
3. Employees whose employment contracts have been suspended must submit a declaration in order to receive the €800 Special Leave Compensation within one of the following time slots:
  - a. from 1 April 2020 to 10 April 2020: correct repetitions must be submitted from 11 April 2020 to 13 April 2020;
  - b. from 11 April 2020 to 20 April 2020: correct repetitions must be submitted from 21 April 2020 to 23 April 2020; and

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- c. from 21 April 2020 to 30 April 2020: correct repetitions must be submitted from 1 May 2020 to 3 May 2020.

The exact day within the above time slots on which each employee must submit their declaration is determined by their Tax Identification Number. The date of payment of the Special Leave Compensation will depend on the date of submission of the above declaration.

## E. Deadlines for Submissions of Remote Work, Security Personnel Tables and Tables of Transport of Personnel

- 1. The Circular provides that employers may submit their remote work declarations for March and April, security personnel tables and tables of personnel transport by 10 May 2020.

## F. Extension of Suspension of Employees' Obligations towards ERGANI concerning Employees' Working Hours

- 1. Pursuant to Ministerial Decision 14556/448/7.4.2020 (the Ministerial Decision), the suspension of the obligation of employers to register any change in employees' working hours or worktime organization, or any overwork or lawful overtime with ERGANI is extended until 30 April 2020.

## G. Extension of Special Purpose Leaves

- 1. The Ministerial Decision also provides that use of Special Purpose Leaves may be extended until 24 April 2020.

## H. Extension of 40% Rent Reductions to Businesses Seriously Affected by the Covid-19 Pandemic

- 1. Pursuant to a Draft Bill, which was adopted by the Greek Parliament on 9 April 2020 and is shortly expected to be published in the Official Government Gazette, the 40% rent reduction for April 2020, previously provided only for businesses whose operation had been suspended by virtue of a public authority order, is extended to businesses seriously affected by the Covid-19 pandemic and their employees. This reduction applies to the following:
  - a. commercial leases for business establishments;
  - b. financial leasing agreements for business purposes of either movable or immovable property (if the lessee is an employee of an affected business); and
  - c. main residential leases of affected businesses' employees, provided that their employment contract has been suspended.

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