
What should we do with our employees aiming to prevent the spread of COVID-19? Is home office an option or an obligation?

Employers have the freedom to offer their employees home office or not. Thus, an employer who has the ability to introduce home office work for its employees and decided not to do so, would not be penalized, according to a representative of the Labour Inspectorate.

Under the adopted Emergency Measures and Actions Act, promulgated by a decision of the National Assembly of 13 March 2020, the employee's consent is not required in case the employer decides to use the opportunity for provision his employees of home office.

The employer could now unilaterally adopt an order by virtue of which all or part of the employees are instructed to continue their work on a home office basis. The above mentioned right of the employer is valid only till the state of emergency is declared in the country.

We remind that all employers who continue the normal process of activity with the presence of employees in their usual workplaces should organize the implementation of enhanced anti-epidemic measures in the workplaces, including filters, disinfection and ventilation, personal care instructions, staff hygiene and to prevent access to employees or outsiders with acute infectious diseases.

With respect to other current topics, in relation to the legislation, stipulating the relationships at the state of emergency, you may find information on our website – www.penkov-markov.eu. Of course, you may address us for any additional information and assistance at lawyers@penkov-markov.eu.

The above provides general information related to the adoption of the Emergency Measures and Actions during the State of Emergency Act and it is not exhaustive, whereas it serves only as a guide for interpreting the news as of March 25th 2020.