



א. רענן ושות' עורכי דין

11/03/2020

Guidelines for working during the Corona epidemic

The Corona epidemic raises many questions and issues in the world of work, especially regarding the powers vested to employers during this unclear period.

Our firm has prepared a guide for you regarding some of the relevant issues, we hope this will help you through this difficult time.

It should be clarified that this letter should not be regarded as a substitute for legal advice and that in light of the frequent change in government decisions and guidelines. This information is relevant as of the time it was written and sent to you.

1. Home isolation:

An employee who stays at home isolation following the Ministry of Health's directive must report to his employer about his isolation via a self-report form posted on the Ministry of Health website, the employee will be entitled to sick days pay for these days in accordance with the sick pay law and as the company practice.

An employee who does not have accrued sick days for part or all of the period will not be entitled for payment for this period.

2. Voluntary isolation:

An employee who chooses to stay at home because of a subjective fear of coming to his workplace will not be entitled for sick day's payment for the isolation period.

3. Isolation due to child supervision:

it is important to note that there is no specific reference under the Ministry of Health's instructions to a case where a parent is required to stay at home with his child, In such a case, we recommend that you apply the sick pay law (child sickness). According to the law, eight of the sick days will be counted as a child sickness- a child up to the age of 16.

4. Work from home:

One of the burning issues today is whether an employer can request an employee who is in isolation to perform his work remotely. It is important to note that there is no specific reference to this issue. If this is not the case of a sick employee, there is no reason not to demand that he will work remotely. In this case, we would recommend paying the employee wages rather than paying sick leave. In general,

and in accordance with the recommendation of the Ministry of Health, it is recommended to allow work from home.

5. Paid leave or unpaid leave Initiated by the employer:

The period imposed on the Israeli economy is a very challenging period that causes a decrease in the volume of business activity, in which case the employers have the following options:

5.1. Paid leave - We note that employees can be taken out for up to 7 days of vacation without a notice, if you want to take the company employees off for 8 days and more, you are required to give a 14-day alert before you do so; It is important to make sure that employees accrued enough vacation days.

5.2. Unpaid leave - In this case, the employee must be summoned and given his consent, an employee who will refuse to take a unpaid vacation, you may terminated his employment in a procedure as provided by law.

It is recommended to look for general organizational alternatives such as temporary reduction (consensus), reduction in office (consensus). It is recommended to seek legal advice before making such a decision.

6. Planned vacation abroad:

What is the situation in the event that an employee who plans to take a vacation abroad, and will have to go into isolation at the employer's expense for two weeks.

Our recommendation is to notify the employees that you do not authorize vacations for travelling abroad, of course, if it is an approved leave and cancellation will cause financial harm to the employee, the answer is inconclusive.

7. Violation of Ministry of Health instructions:

Deciding whether to be in isolation is not a voluntary decision and therefore an employee who decides to come to his workplace despite the Ministry of Health's directives jeopardizes your well-being and the safety of your employees and such conduct should be prohibited.

8. Unemployment benefit for unpaid leave period:

The National Insurance Institute issued an hourly order stating that an employee, who was taken on unpaid leave for thirty days or more due the condition of the company in which he works for, will be entitled to unemployment benefits according to his eligibility for unemployment benefits.

In order to realize this right, he must provide the National Insurance Institute an approval of the period of employment and a declaration of unpaid leave following a national crisis.

An employee who is in Home isolation can "register" online through the National Insurance Institute's website.

Our office is at your service for any additional questions or clarifications.

Orit Raanan adv. O. Raanan & co law firm 03-968099