



Coronavirus (Covid19)

As you know, the Coronavirus (Covid19) is now present in several European countries. This weekend, a first case was detected in Luxembourg.

The symptoms described are mainly an acute respiratory infection (fever, coughing, difficulty breathing), but respiratory difficulties and pulmonary complications such as pneumonia are also mentioned. It should be noted that the symptoms of the disease can appear up to 14 days after contact with a sick person.

Some **preventive measures and recommendations** to pass on to your employees as well as the **rights of the employer** in this respect are set out below.

I. Preventive measures

Whether or not your employees are in contact with many clients/colleagues, you are requested to pass on these recommendations to them:

- Wash your hands regularly with soap and water for at least two minutes and dry them properly.
- Use disposable tissues and throw them in a closed bin.
- If you don't have a tissue handy, sneeze or cough into the crease of your elbow.
- If you are ill, inform your manager, stay home and contact your doctor.

For employees returning from a high-risk area (currently: China, South Korea, Japan, Singapore, Iran, and Italy), we advise you to give them the contact details of a priority contact person in your company. It should be noted that the risk areas are likely to change.

It is also recommended that you cancel your employees' business trips to one of the risk areas.

II. Extraordinary measure – working from home

As this is an exceptional situation, it is advisable to follow regularly the government's recommendations on extraordinary measures to be taken.



Insofar as possible, and for the sake of prevention, employers may ask their employees to take their **laptops systematically with them to their homes**. In this way, employees would be able to work from home should it become necessary.

Telework could therefore be offered as an alternative to your employees for a certain period of time if this working arrangement is compatible with the duties of the employee concerned. Both parties will have to agree to such an arrangement. It should be noted, however, that telework is likely to trigger certain effects in terms of social security affiliation (take into account the limit of 25% of the total work time during the last 12 months in the residence country as mentioned in Regulation (EC) No. 883/2004) and taxation (take into account the tolerance threshold laid down by the tax treaty applicable between Luxembourg and the neighbouring country concerned) in case of cross-border employees.

III. Rights of the employer

The employer is authorized to ask one of his employees to stay at home and not to come to work if he or she returns from a risk area, even if there are no symptoms. In this case, the resulting absence will be qualified as an **exemption from work** and cannot be charged to your employee's annual recreational leave. This absence will therefore be qualified as **justified**. The employer will therefore be required to pay his employee during this period. Employers are advised to inform the employee of this exemption **in writing**.

Conversely, if one of your employees is **placed in quarantine** (containment measure for a person who is in good health, but who has had proven close contact with a sick and contagious person), he or she may benefit from a **work stoppage** that is equivalent to a sickness certificate and which is recognized by the sickness insurance fund. Please note that if the quarantine is decided by a health authority of another European country, the work stoppage established by this country is recognised by Luxembourg. The employer will therefore obtain a reimbursement from the CCSS [social security office]. This measure aimed at preserving public health is decided by the Health Inspectorate and its maximum duration is **14 days** as regards the coronavirus.

Finally, in the event of an **isolation measure** (confinement of a sick and contagious person, decided by the doctor in charge of caring for the patient or by the Health Inspectorate), the patient is entitled to **time off work**, which is equivalent to a sickness certificate issued by the attending physician. The employer will therefore also be reimbursed by the CCSS.

For more information:

https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2020/02-fevrier/29-coronavirus.html



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