



# HR Legal Alert

23 March 2020

## Weinhold Legal

### Assistance for persons affected by crisis measures in connection with coronavirus SARS CoV-2

#### Antivirus program:

#### Wage compensation support

On 23 March 2020, the Government discussed an extension of its Antivirus employer support program, within which a contribution to reimbursement of certain employer costs incurred after 1 March 2020 will be provided through the Czech Labour Office.

The **Antivirus program** is designed for employers whose business is at risk due to the spread of the disease, subject to demonstrating certain criteria, within six specific scenarios:

**Regime A – compulsory employee quarantine**

**Regime B – businesses ordered to close**

**Regime C - paralysis of business operations due to a lack of employees**

**Regime D - restrictions on the availability of employees**

**Regime E - reduced demand for services and product sales**

Within **Regime F, incentive measure** are to be discussed on this Wednesday, to encourage employers to, despite the circumstances, keep their businesses running.

**The Antivirus program** is currently approved for March and **will be proclaimed on 1 April 2020**. After its publication it will be possible to submit applications to access the funds.

The Ministry of Labour and Social Affairs is preparing a methodology for the use of the Antivirus program. This document should be available by the end of this week.

#### REGIME A - COMPULSORY EMPLOYEE QUARANTINE

- ▶ An employee has been or will be ordered to quarantine (this is an obstacle to work on the part of the employee) related

to the spread of COVID-19, and the employee has been paid wages/salary from the employer for the first 14 days (if applicable, from the 15th day of sick leave). The wages/salary paid by the employer in this instance will be **fully refunded**.

#### REGIME B – BUSINESSES ORDERED TO CLOSE OF

- ▶ In the event that an employer cannot assign work due to the ordered closure of the establishment as a result of government emergency measures (being an obstacle to work on the part of the employer), an employee is entitled to 100% of the employees wages. A contribution equal to **80% of an employee's wages may be drawn** from the Antivirus program.

#### REGIME C - INABILITY TO ALLOCATE WORK TO EMPLOYEES DUE TO THE LACK OF EMPLOYEES

- ▶ Employees who are ready to work, however the employer cannot assign them work because of absence of a significant part (at least 30%) of other employees (e.g. due to the quarantine or childcare), are entitled to compensation of 100%. In this case, it should be possible to **draw a contribution of 80% of the wages paid** from the Antivirus program.

#### REGIME D AND E - REDUCED AVAILABILITY OF EMPLOYEES OR REDUCED DEMAND FOR SERVICES OR PRODUCT SALES

- ▶ Due to forced downtime restrictions employees are entitled to 80% of their wages/salaries in the event of an obstacle to work on the part of the employer (regime D). In the case of the application of 'partial unemployment' due to a decline in demand for services or products (as a result of quarantine measures at the point of sale), employees are entitled to be paid at least 60% of their wages/salaries (regime E). In such cases, it should be possible from the Antivirus program to **draw 50% of the wage compensation paid**.

© 2020 Weinhold Legal All rights reserved.

The information contained in this bulletin is presented to the best of our knowledge and belief at the time of going to press. However, specific information related to the topics covered in this bulletin should be consulted before any decision is made. At the same time, the information contained in this bulletin should not be construed as an exhaustive description of the relevant issues and any possible consequences. Furthermore, it should be noted that there are various legal opinions on some of the issues raised in this bulletin due to the ambiguity of the relevant provisions. It cannot therefore be ruled out that in the future an interpretation other than the one we give us will prevail. For further information, please contact the partner / manager you are usually connected with or Anna Bartůňková at [anna.bartunkova@weinholdlegal.com](mailto:anna.bartunkova@weinholdlegal.com)