



# Dernières nouvelles

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August 30<sup>th</sup> 2018

## Ω **COMMENT: Ruling could kill unions**

The most fundamental change has taken place in the landscape of European labour relations in over a century and yet almost everyone is silent.

We contacted the EU's Fundamental Rights Agency in Vienna who were indifferent, whilst the European Trades Union Congress in Brussels and UNI in Geneva are both seemingly unaware that their fundamental rights have been undermined - and no word appears anywhere in the HR press. So what is this revolution no one is speaking about?

The top labour court in Germany, the largest economy in Europe, has just confirmed that it is lawful for a company to pay a strike-break premium to stop employees joining an industrial action. The German Federal Labour Court (BAG) held that offering such a premium was a legitimate means to prevent workers from participating in a union strike and it was not disproportionate, even if it exceeded their daily income. (Judgment of 14 August 2018 - 1 AZR 287/17).

The only problem for BAG was that the court had not read the German constitution which, under Article 9, states that in relation to union rights "Agreements that restrict or seek to impair the right [to safeguard and improve working and economic conditions] shall be

null and void, measures directed to this end shall be unlawful".

Over and above this restriction is Article 28 of the EU Charter of Fundamental Rights (2000) that has been incorporated into the EU Treaty. This states that "Workers and employers, or their respective organisations, have the right to negotiate and conclude collective agreements at the appropriate levels and, in cases of conflicts of interest, to take collective action to defend their interests, including strike action."

Whilst the right to effectively "bribe" individual employees not to participate in a strike would be a highly attractive option for many employers, it does run against the most fundamental principles of European Labour Relations. Ironically such an act would not even be lawful in the USA.

It will take an individual or trades union to apply for this case to be referred to the German Constitutional Court or European Court of Justice - where its findings will no doubt be squashed. In the meantime, we would not recommend that employers, even in Germany, set up funds to beat strike activity. Ironically, the practice of paying a premium would quickly work against employers' interests because it would give employees a useful way to increase their pay levels by constantly seeking a pretext to call a strike so that they could be bought off from taking part in it.

## AFRICA AND MIDDLE EAST

**Ψ EGYPT:** A homegrown version of a data protection law has been drafted and awaits initial approval by the State Council. Partly a way to monitor personal data by the state and partly to protect individuals against direct marketing, the directive, once effective, will be monitored by the sinister 'Information Technology Industry Development Authority'. One of its ominous provisions states that it protects Egyptian nationals wherever they are in the world, although it does not specify how its maximum penalties of LE 1 million (\$55,990) and one year of imprisonment will be imposed outside its territory. Neither does it clearly define what is meant by "data" or set out how the law will be applied to social media. Like many laws in Egypt, it will be enforced arbitrarily and especially become a factor when there are other good reasons to correct or punish anyone who the state sees as a threat.

**Ψ EGYPT:** The issue of sexual harassment has come to the fore recently because of the widespread circulation of a video showing a woman repeatedly being stalked. Existing laws are tough on such conduct, but public support for their enforcement is weak and women making complaints frequently attract heavy ridicule. The government denies that harassment is prevalent, but a number of surveys have found that as many as 90% of women report being harassed at some point in their lives and that the worst incidence is in Cairo.

**Ψ EGYPT:** Although a new system of national health insurance was approved by Parliament last December, it has still not been implemented. It has been heavily criticised for not being affordable for the vast

majority of the population, even though a measure of protection will be given to unemployed workers and their families. The old system only covered government and seasonal workers, and medical standards were very low. It will take 12 years to fully implement the system and the first area to benefit will be Port Said later this year.

**Ω ISRAEL:** A Supreme Court challenge is being made against the "deposit law", which involves the deduction of 20% on the salaries of all African workers in the country. The authorities return the total sum withheld when the individual leaves Israel. On top of this, employers must deduct a further 16% towards a pension fund and themselves pay a special levy for employing non-local workers. In statements drawn up for presentation to the court, claims are made that many employers simply pocket deductions and do not send them to the deposit fund.

**φ LESOTHO:** The government has agreed to a 62% increase in minimum wages paid to garment factory workers. The monthly rate will rise immediately from LSL 1,238 (US\$85) to LSL 2,000 (US\$138). This is the second most important sector in the economy and Lesotho is a major exporter of garments to the USA.

**Ψ OMAN:** The Manpower Minister has issued a decision relating to absconding employees in the private sector. The decision stipulates that companies must now prove that they have paid the last 3 months' salary before filing a complaint against an absconding expatriate employee. Any company that makes more than 5 complaints a month, or more than 10 complaints in a year, will be investigated by the Omani

authorities. Employers will have to report such matters through the Ministry's website, in addition to paying a fee equivalent to the price of a return ticket for the reported employee, as the liability for repatriation may fall on the Ministry. Failing to follow these procedures will result in a fine not exceeding OMR 500 (US\$1,300).

**Ψ OMAN:** Earlier this year, we reported that the Omani government had imposed a 6-month ban on expatriate workers obtaining visas for jobs in 87 industries, including media, engineering, marketing and sales, accounting and finance, IT, insurance, technical fields, administration, and HR. This temporary visa ban has now been extended for another 6 months, starting from the 30<sup>th</sup> of July 2018.

**ζ SOUTH AFRICA:** A recent speech by President Cyril Ramaphosa about the widespread requisition of land owned by white farmers without compensation has led to a Tweet by US President Trump indicating that the move will be challenged by Washington. South Africa's ailing economy would suffer greatly if US sanctions were imposed and there is evidence enough from Zimbabwe and Venezuela that land grabs do little to assist economies. For now, companies operating in the country should keep vigilant – but maybe with bags ready packed.

**Ψ TURKEY/RUSSIA:** The Russian government has agreed to the lifting of visas for Turkish business visitors, truck drivers, and service passport holders. Currently, Russian citizens with ordinary and diplomatic passports are exempt within the Turkish visa system in respect to business and tourist travel for a period of up to 60 days.

**Ψ ZAMBIA/ANGOLA:** Citizens from Angola and Zambia now no longer need visas to travel between each other's countries or to stay for up to 30 days. However, the new visa waiver agreement will not apply to citizens who seek work, residence, study, or who are travelling for medical purposes.

## THE AMERICAS

φ **BOLIVIA:** According to the latest data from the Ministry of Economy and Public Finance, the minimum wage has grown by 368% over the last 12 years to 2,060 bolivianos (US\$300) today.

φ **BRAZIL:** The national monthly minimum wage assumption built into the 2019 proposed budget has been reduced from R\$980 (US\$236.9) to R\$969 (US\$234.3) because of falls in GDP and Price inflation. At the beginning of last year the minimum wage was increased to R\$937.00 per month (US\$287.90).

φ **CANADA:** The central government has announced the establishment of a \$189 million fund to cover up to 5 weeks' employment insurance for seasonal workers. The pilot scheme will apply to an estimated 52,000 workers in seasonal industries across 13 regions and will run up to the 30<sup>th</sup> of May 2020.

**Ψ USA:** The National Labour Relations Board has issued a new guidance document on the drafting of employment policies (GC 18-04). This provides a balancing of interests test that employers can use to classify policy elements are lawful, unlawful, or marginal. Use of the guide will generally allow policies to stand that might once have been classified as unlawful, although US employers might

still need to review the wording of such clauses.

**Ω USA:** The Federal Supreme Court has once again ruled on the issue of mandatory arbitration and class actions. Following the case of Epic Systems Corp v Lewis, the Sixth Circuit has decided in Gaffers v Kelly Services Inc that an employer may require employees to resolve their individual employment disputes through individual arbitration, and that employees can agree, through contractual clauses, to waive their right to participate in class actions – even though this has hitherto been regarded as infringing the Fair Labor Standards Act and National Labor Relations Act.

**Ψ USA (MASSACHUSETTS):** Noncompete agreements concluded on or after the 1<sup>st</sup> October 2018 will be regulated by the recently adopted Massachusetts Noncompetition Agreement Act. The new law sets the maximum noncompete period to one year, during which a minimum of 50% of the employee's highest annual salary over the last 2 years before termination must be paid as garden leave. Noncompete territorial restrictions must be limited to areas where the employee provided services for the last two years, or where they had substantial presence or influence.

**ζ USA:** An agreement has been reached recently between the New Jersey Department of Labor and Workforce Development and the Federal Department of Labor to ensure that independent contractors are properly classified. By misclassifying workers as independent contractors to avoid compliance with New Jersey wage and hour laws, employers will, from now on, stand a much greater chance of facing back-pay

penalties and fines, as well as associated legal costs.

**Ω USA:** Although a state Appeals Court has temporarily blocked a sick pay ordinance in Austin, Texas, a similar ordinance has gone ahead in San Antonio, Texas. Effective from the 1<sup>st</sup> of August 2019, private sector employers will have to provide employees with one hour of earned leave – to be used for an illness or to care for a sick family member – for every 30 hours worked, up to 64 hours, or 8 sick days, of paid leave a year. Small businesses with 15 or fewer employees will have a lower cap of up to 48 hours, or 6 sick days of paid leave a year. For those with 5 employees or fewer, the compliance date is the 1<sup>st</sup> of August 2021. Non-compliant business owners will face a US\$500 fine for each violation. However, this legislation could be overtaken by a State Sick Pay law sometime next year.

**Ω USA:** Walmart faces a class action before the Federal Court in the Central District of California claiming that the company failed to pay for often small amounts of time during security checks, run-overs, meal periods, and rest breaks, and also failed to accurately itemise these elements on pay statements. In many cases the sums were very small, although extended for over a 5-year period. Strictly speaking, the court should dismiss the claim under the “de minimis” principle – followed for so long by courts – that claims for small sums are not admissible. However, a recent Supreme Court ruling against Starbucks has undermined that principle.

**Ψ USA:** California has just sent two Bills to the Governor that seek to prevent non-disclosure agreements being established to

conceal sexual harassment settlements by companies. A total of 16 states have taken this path and six of these have introduced such laws – Arizona, Maryland, New York, Tennessee, Vermont, and Washington. However, one Bill in Rhode Island eventually failed. The Federal government has yet to take any concerted action, although last year Congress drew up a Bill that would prevent the cost of confidentiality-related settlements from being counted as a business expense for tax purposes.

**Ω USA:** Governors from 16 US states have joined forces to back an appeal against a case that applied Title VII of the Human Rights Act to assert anti-discrimination protection in the case of an LGBT worker. They argue that a 6<sup>th</sup> Circuit Court ruling illegally expands the definition of "sex" to include "gender identity" and "transgender status".

**φ USA:** The median weekly earnings of full-time workers were \$876 during Q2 2018. Female workers had median weekly earnings of \$780, which represented 81.3% of the \$959 median for men.

## ASIA AND THE PACIFIC

**Ω AUSTRALIA:** The Federal court has found that a Queensland truck driver should have been paid accrued annual leave when his job was terminated. This is a further challenge to the practice of "permanent casuals" where individuals are hired on a regular and continuous pattern of work but called casuals. The reason this can take place is because the Fair Work Act does not define the role of "casual worker".

**φ AUSTRALIA:** New figures from the Australian Bureau of Statistics (ABS) showed that over the year to Q2 2018, annual wages increased by 2.1%. This is only just above the all-time trough of 1.9%, and barely kept pace with consumer price inflation over the same period. In the private sector, the annual average wage (seasonally adjusted) grew by 2.0%. Tasmania and Victoria had the highest annual wage growth (2.5%), while Western Australia and the Northern Territory both recorded the lowest annual rate (1.5%).

**Ψ AUSTRALIA:** The 'Migration (Skilling Australians Fund [SAF]) Changes Regulations Act' took effect on the 12<sup>th</sup> of August 2018. Employers who wish to nominate skilled overseas workers now need to make a prior contribution to the SAF. The contribution level will be determined by the visa type and turnover of the business. Furthermore, the period for which a job advertisement must be active before an overseas worker can be considered as a job candidate has been increased from 21 days to 28 days.

**φ CHINA:** With effect from the 1<sup>st</sup> of January 2019, only-child employees in Henan province will have the right to no less than an extra 20 days' paid leave per year to look after aging parents under the newly adopted "paid care leave system".

**Ψ CHINA:** Previously, enterprises on the mainland had to apply to city-level authorities for approval to hire employees from Taiwan, Hong Kong, and Macao. Companies may soon be able to escape the necessary application procedures. Under the new rules released by the State Council, residents from these three territories will no longer need

work permits when they are hired by enterprises on the Chinese mainland.

**Ψ JAPAN:** Something to note for Brexit-concerned business executives looking overseas as an alternative is the fact that from September 2018, foreign business owners renting shared office space in Japan will qualify for business manager visas in the country. Currently, the applicant must have their own physical office to qualify for such a visa.

**Ψ JAPAN/PHILIPPINES:** Under a statement released by the Japanese Embassy in Manila, Filipino business travellers will now be eligible for a 10-year visa, allowing them to make multiple-entry, short-term business trips.

φ **MONGOLIA:** From the 1<sup>st</sup> of January 2019, the monthly minimum wage will be increased from MNT 240,000 to MNT 320,000 (US\$129.8), and further increase to MNT 420,000 (US\$170) from 2020. Data released by the National Statistical Office shows that currently a total of 1.1 million people are employed in the country, of whom about 8% receive the minimum wage.

**Ψ MYANMAR:** With effect from the 1<sup>st</sup> of October 2018, citizens from China, Japan, and South Korea will be able to travel to Myanmar without a visa. However, visitors from these countries will be required to carry at least US\$1,000 in cash when entering the country to cover expenses. For visitors from mainland China, Hong Kong, and Macau, an additional sum of US\$50 will also have to be paid for a visa upon arrival. The scheme will be implemented as a one-year trial.

**Ψ NEW ZEALAND/USA:** Citizens from New Zealand who are planning to trade or invest in the US are now eligible for E-1 Treaty Trader and E-2 Treaty Investor business visas under the newly signed Knowledgeable Innovators and Worthy Investors Act. With E-1 and E-2 visas, New Zealand business people will be able to enter the US multiple times over two years without having to apply for a new visa each time they enter the country (with an option to renew on a rolling basis). The Act grants reciprocal treatment to US nationals.

**Ψ NEPAL:** A draft law, the 'Right to Employment Bill', currently before parliament guarantees every citizen at least 100 days work per year at a basic rate of Rs 13,450 (US\$119) per month. If the government cannot meet this obligation it must pay a sustenance allowance for 100 days a year at 50% of the basic work rate.

**Ψ PHILIPPINES:** The Occupational Safety and Health Standards Law (OSHB) has now been signed by the President. Under the law, employers are required to provide the usual guarantees found in such documents in respect to a hazard-free workplace and appropriate safety training. Employers who violate the law will face a penalty of PHP 100,000 (US\$1,872.6) per day until the violation is corrected.

**Ψ PHILIPPINES:** The first stage for introducing a new citizen identification system is now underway. The PhilID simplifies public and private transactions by enabling everyone to have a valid proof of identity. It contains the registrant's biometric information, along with seven demographic data items – full name, sex, date of birth, place of birth, blood type, address, nationality

– and three optional information items – marital status, mobile number, and email address.

ϕ **TAIWAN:** With effect from the 1<sup>st</sup> of January 2019, the monthly minimum wage will be increased by 5% from NT\$22,000 (US\$716) to NT\$23,100 (US\$751.9). The hourly minimum wage will be increased even more – by 7.14% from NT\$140 (US\$4.55) to NT\$150 (US\$4.88).

ψ **TAIWAN:** Citizens of Taiwan will now be able to visit the Marshall Islands without a visa under the newly signed visa-free entry agreement.

## EUROPE

ϕ **BELGIUM:** A major tax audit is underway with its focus on posted workers. This will be to determine if their posting is registered and in line with job posting rules, and if the employee exceeds the threshold where they become liable for taxation in Belgium. Last year 245,000 employees were officially posted to Belgium – up 30% from the previous year.

ψ **BELGIUM:** The change of notice periods during the first year of employment is now fully implemented, although not necessarily adopted by employers. As Belgium does not permit formal trial periods employers have tended to commence employment with a three-month fixed-term agreement (CDD). The new rules now set a notice period for the first three months of a permanent contract at just one week – thus reducing the need for this practice. After three months the notice period now climbs rapidly to 5 weeks after six months employment – so employers must ensure that they have fully assessed the true

potential of an employee well before the three month deadline is reached.

Ω **BELGIUM:** A court in Brussels is the first to prosecute someone under a law introduced back in 2014. The ban on sexism in a public place relates to any act that demonstrates contempt because of a person's gender or treats them as a sex object. The victim in this case was a policewoman who was told by a man she stopped for a traffic offence that a woman should not be performing her job. The man was fined €3,000 (\$3,700).

ϕ **CZECH REPUBLIC:** It has been proposed by the Labour and Social Affairs Ministry that in future the national minimum wage be set at 50% of the average national wage for the previous year. The current rate of 12,000 crowns (US\$540) a month has been in effect since the 1<sup>st</sup> of January 2018.

ψ **CZECH REPUBLIC:** Vietnamese citizens now can no longer apply for visas for long-term residential purposes or engage in business activities in the Czech Republic. This is largely due to security concerns about organised crime, as well as the fact that the Czech consulate in Hanoi is overwhelmed by a mountain of applications.

ψ **ESTONIA:** A draft law to implement GDPR (the General Data Protection Regulations) sent by the Estonian Ministry of Justice to Parliament in April 2018 has been withdrawn after a wave of criticism by the public and journalists. Where the GDPR requires "public interest" or "substantial public interest" for a journalist to publish information about an individual, the draft had instead required "predominant public interest", which would make writing about public figures and

justifying it more difficult for journalists. A new draft law is expected to be sent to Parliament during the Autumn.

**ζ EU/UK:** The European Union has finally signalled to the UK government that it is prepared to negotiate beyond the October 30<sup>th</sup> deadline – until January and beyond if need be. This was exactly what FedEE proposed in its letters to the EU's chief negotiator Michael Barnier and the UK Cabinet Office three weeks ago. At the time the proposal seemed to fall on deaf ears, but the example of collective pay bargaining where the parties keep talking even beyond deadlines in order to reach a sound deal has finally been adopted. We do not have a white steed, but there are perhaps a few echoes of 'high plains drifter'.

**Δ EU:** Data just published by Eurostat shows that in 2017, the proportion of temporary employees to all employees in the EU was 13%, with the highest shares of temporary employees recorded in Poland and Spain (both 26%), and the lowest in Romania (1%) and Lithuania (2%). The share of people working part-time in the EU stood at 19%. Part-time employment was much more common amongst women (31%) than men (8%). The highest proportions of part-time workers were found in the Netherlands (47%), Austria (28%), and Germany (27%), and the lowest in Bulgaria (2%), Hungary (4%), and Croatia (5%).

**φ EUROPE:** The latest updated wage figures from European countries may be viewed [here](#).

**β EUROPEAN UNION:** One consequence of Brexit that few had taken into account was the continued ownership of the "EU" domain

name for websites and emails if the registered user was based in the UK. European Registry for Internet Domains (EURid) has decided that UK registered owners will cease domain property rights on the 30<sup>th</sup> of March if there is a no-deal Brexit and the 1<sup>st</sup> of January 2021 if there is a deal.

**ψ EU/JAPAN:** The European Union has reached agreement with the Japanese government on the free movement of personal data. In the past, the EU has unilaterally categorised countries as "adequate" for such traffic, but this is the first time that a reciprocal agreement has been reached. It now means that, once the agreement has been formally ratified by both parties (probably by year end), personal data can be transferred in both directions without hindrance under each country's data protection rules. Last year Japan revamped its data protection framework through the Act on the Protection of Personal Information (APPI).

**ψ FRANCE/SPAIN:** The French National Assembly has passed a Bill significantly tightening up the rules on handling asylum seekers. Although the illegal immigration pressures on the EU's southern countries has reduced since 2015, there has been a swing from Greece and Italy to Spain, largely because the Spanish government recently allowed a boat containing rescued illegals to enter one of their ports. Spain also has two north African enclaves that are regularly besieged, with the last attempt involving the use of battery acid and caustic soda against the border police.

**ψ IRELAND:** Starting from the 3<sup>rd</sup> of September 2018, the Irish Naturalisation and Immigration Service (INIS) will cease the



online appointments service for applications for re-entry visas, with the exception of emergency re-entry visa online appointments. All applications for re-entry visas will then be accepted through the registered postal system only.

**Ψ MALTA:** A number of employment law reforms have come into force. Employers now have to pay agency workers in line with rates paid to regular employees. Employees are now also entitled to an itemised payslip. A further reform limiting employers from setting annual leave to 12 specified days a year and permitting carryover of unused leave to the following year was suspended following objections by employers.

**ζ NETHERLANDS:** The Dutch Data Protection Authority (AP) has swung rapidly into action following implementation of the GDPR in May 2018. Their focus is on companies employing over 250 people, for which Dutch law adopts a strict requirement that a company maintains a thorough internal record of their processing activities. This record must contain an overview of processing activities, including the categories of data subjects and personal data, the purposes of processing, time limits for the different categories of personal data, applicable security measures, and data transfer practices in respect to other company locations and third parties. Data protection authorities around Europe will be looking for high-profile companies to prosecute under GDPR, although the momentum will probably fall once they have made a few “kills”. Remember, such considerations do not override other obligations under employment, commercial, and human rights laws – even though such

authorities behave in a draconian way and act as if they do.

**Ω UNITED KINGDOM:** The Court of Appeal has overturned a decision by the Employment Appeals Tribunal (EAT) relating to payment when a worker is required to sleep on the job in a “stand-by” capacity. The worker concerned received a flat-rate payment, plus one hour’s pay for a night shift. However, they argued they were entitled to the minimum wage for every hour they were present on the premises. What the EAT had not read, however, was the 2015 minimum wage regulation itself that stated the wage was only to be paid “when the worker is awake for the purposes of working, even if a worker by arrangement sleeps at or near a place of work and the employer provides suitable facilities for sleeping”. The Court of Appeal therefore found that entitlement to pay at the minimum wage was only due when the worker was awake and actually working (*Royal Mencap Society v Tomlinson-Blake*). This case could still be submitted for a final decision by the Supreme Court.

**Ω UNITED KINGDOM:** Dismissal of a disabled employee on the basis of their inability to work on a full-time basis amounts to discrimination, according to the EAT. The Tribunal acknowledged that the employer had a legitimate aim to ensure the employee’s attendance. However, it concluded that the dismissal constituted punishment and was disproportionate. (*Dr J Ali v. Drs Torrosian*)

**Ω GLOBAL:** Recently, Deutsche Bank Americas Holding Corporation agreed to pay \$21.9 million to settle allegations of fiduciary breaches. Thousands of its employees

accused Deutsche Bank of steering their retirement savings into expensive and poorly performing proprietary funds. If the proposed settlement is approved by the court, it would be the largest settlement reached by a financial company facing similar claims.

**Ψ GLOBAL:** Each year the World Bank carries out studies of regulatory quality and rule of law in virtually all countries around the world. The latest data is for 2016 and we have undertaken comparisons with the year 2000. This indicates that the best regulatory quality is in the Netherlands, although slightly down on its own record in 2000. Rule of law, on the other hand, is highest in Singapore

and was significantly up on 16 years earlier. At the bottom of the regulatory pile comes, unsurprisingly, Eritrea, and rule of law is weakest in Venezuela, although it was very modest at best in earlier times.

## News subject key

ζ Political context / background

β Business / Economics

Δ HR-related / practices

Ψ Laws / Codes / Immigration

Ω Court cases / structures

φ Remuneration / Tax / Labour relations

## Dates for your diary:

**September 1<sup>st</sup> 2018:** **Austria's** new working time rules take effect.

**October 1<sup>st</sup> 2018:** **Australia's** HGV chain of responsibility laws implemented.

**November 1<sup>st</sup> 2018:** Class-actions lawful in **Germany**.

**November 12<sup>th</sup>-14<sup>th</sup> 2018:** FedEE HR Counsel Meetings in London, **UK**.

**November 11<sup>th</sup> 2018:** **EU** temporary border controls removed.

**January 1<sup>st</sup> 2019:** **Malaysia's** new redundancy fund due to come into force.

**January 31<sup>st</sup> 2019:** **UK** Changed actual Brexit deadline to agree a deal.

**January 1<sup>st</sup> 2020:** **Washington State (USA)** Paid family leave law will take effect.

## δ Travel Warnings

**BAHRAIN/QATAR:** The Bahraini Ministry of Interior has announced the suspension of the issuance of entry visas for Qatari nationals, excluding students in the Kingdom and those who currently have valid visas.

**BANGLADESH:** The Bangladesh Nationalist Party (BNP) has announced a major public rally in the capital city Dhaka on September the 1<sup>st</sup>. Avoid the city on this date.

**BRAZIL:** General elections are due to take place in October 2018. You should avoid areas where demonstrations are taking place, as these may turn violent.

**BURKINA FASO:** A constitutional referendum is scheduled during March 2019 and could be associated with public violence.

**BURUNDI:** Please reconsider travel to Burundi due to crime and armed conflict.

**CUBA:** Attacks have occurred on U.S. diplomatic residences. Please exercise increased caution, especially if you are a US citizen.

**EGYPT:** Security forces have killed 5 militants in the Akhmim district in Sohag province, 390 kilometers south of the capital Cairo. The country has been under a state of emergency since April of last year.

**EUROPE:** Scandinavian Airlines has cut 1,500 flights for the winter season.

**INDIA:** Heavy rain hit Gurgaon - a satellite city of Delhi - on the 28<sup>th</sup> of August, leading to disruption of traffic across the city. Also take note that the death toll has risen to five as political violence continues in West Bengal's Malda district. The Cochin International Airport has resumed its operations after a gap of over two weeks due to flooding.

**ITALY:** Since the 14<sup>th</sup> of August there have been a number of localised earthquakes in the Molise region of Italy, near the town of Montecilfone. It could be leading to a much larger quake.

**KUWAIT:** Old Kuwaiti passports became invalid as of July the 1<sup>st</sup> 2018. Kuwaiti nationals must hold new e-passports before leaving the GCC zone to avoid travel difficulties.

**LAOS:** Visitors are advised to avoid all travel to Xaisomboun Province due to the tense security situation and random shooting incidents. Moreover, the monsoon season in Laos runs until October and you should be aware of elevated risks of flooding and landslides.

**LIBYA:** Clashes between government forces and militias since the 26<sup>th</sup> of August have killed five people and injured dozens.

**MALI:** Do not travel to this country due to very high levels of crime and the strong threat of terrorism.

**MYANMAR:** As many as 85 villages have been flooded in Myanmar after a dam failed. More than 63,000 people have been affected and a large section of highway has been submerged. Please check travel plans.

**NETHERLANDS:** A planned strike by security staff at Schiphol airport on September the 4<sup>th</sup> has been called off.

**PAKISTAN:** The government has stopped the VIP protocol provided by the Federal Investigation Agency (FIA) at airports across the country. We strongly recommend that private

security arrangements are made for any personnel visiting the country as abductions are a constant threat and the threat of violence on foreign visitors who are not of Pakistani origin is high.

**PHILIPPINES:** Mactan-Cebu International Airport will soon be renamed Lapu-Lapu airport. Philippine Airlines (PAL) will either delay or cancel several flights from September the 1<sup>st</sup> to the 21<sup>st</sup> because of runway repairs.

**SPAIN:** Travel disruptions and long queues at security checkpoints are likely until the 3<sup>rd</sup> of September 2018 as security personnel at Madrid-Barajas international airport are set to launch industrial action, between 5:00 am and 2:00 pm.

**TANZANIA:** The government has intensified screening of all travellers entering the country through several entry points, including borders and airports as Ebola continues to spread in the neighbouring Democratic Republic of Congo (DRC).

**UK:** Members of the Rail, Maritime and Transport union (RMT) will launch yet further industrial action for 72 hours from 00:01 on Friday the 31st August until 23:59 on Sunday the 2nd September. Dozens of ScotRail trains have been forced to cancel due to an unsafe building in the city of Ayr, Scotland. It is unclear how long the rail disruption is expected to continue for.

**USA:** A statewide State of Emergency has been issued on the 29<sup>th</sup> of August in Wisconsin due to an ongoing weather pattern.

**USA/NIGERIA:** All consular appointments at the US Embassy in the capital city Abuja have temporarily ceased for both visa and for American citizen services until further notice.

**VENEZUELA:** As of August 20, 2018, Venezuela reported 3,545 confirmed cases of measles, including 62 deaths. Additionally, 10 other countries in South America have reported a total of 1,459 cases, with 6 deaths.

## FedEE News

**FEDEE WEBSITE:** Our new look public pages and modified pages in our members' area have now gone live at <https://www.fedee.com>. The new entry portal for our members' area is: <https://members.fedee.com/wp-login.php>.

**HR COUNSEL COURSE:** We are now open to enrolments for the 15<sup>th</sup> of October intake to the Advanced Diploma Course in Multijurisdictional Employment Law – leading to the designation “HR Counsel ®”. The coverage of the course has been increased from seven to ten core jurisdictions by the addition of China, Italy and UAE and conversion of the course into a purely distance learning format (but still with a personal tutor) has helped add flexibility and significantly cut costs. For further details, please consult our [latest prospectus](#).

**THE INSTITUTE FOR EMPLOYMENT STANDARDS (I-ESta):** The institute has been launched and may eventually be spun off by FedEE as a professional body in its own right. For further details please visit our [announcement page](#).

**NO DEAL BREXIT:** We are currently undertaking research into the consequences of the UK leaving the European Union without an agreement on March 30<sup>th</sup> 2019. A survey is being undertaken amongst HR professionals in the UK and Ireland and we hope that you will agree to take part in it.

**NEWSWIRE LINKS:** If you wish to explore newswire links please first log-in to the members' area of our website at <https://members.fedee.com/wp-login.php>. The main tables are all available in our knowledgebase.

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