

# Dernières nouvelles

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## HR WORLD TODAY

Back in the Spring, we were all viewing the pandemic as something that could, with a little economic suffering, at least be overcome. Now, we are not so sure. Interpreting COVID-19 statistics is less of a straightforward matter as it is difficult to tell whether the sharp rise in infection rates is due to the virus spreading faster, or because of the greater availability of testing kits, greater willingness of individuals to come forwards to be tested, and a greater willingness of governments to let the truth be known.

As we reveal in this issue's Global section, there are a great many risks employers need to take into account and important scientific findings are not always coming readily to the fore. For instance, if COVID-19 spreads through the air rather than via water droplets, its range is going to be far greater than social distancing can prevent, and facemasks, although not useless, will be offering fairly poor protection. Have we all been misled and is UV likely to have been a far more effective way to control the disease (with appropriate human protection)?

Although measures to cope with the economic impact of the pandemic continue to take centre stage, there are numerous secondary issues that the prolonged pandemic is causing HR to confront. One of these is the way that employers can control the homeworking environment to the level possible in an office. For instance, in **South Africa**, the perception

that daytime alcohol consumption may affect long-term exposure to an environment more associated with leisure than work. Another more morbid issue, especially in countries like **Oman** where the proportion of expats is high, is the responsibility of an employer when an employee dies.

There are a number of perennial legal questions, particularly in **Europe**, that have not ever been finally resolved, although individual jurisdictions have been able to fudge or iron over them. One of the biggest is holiday carryover. Perhaps the recent reference to the European Court of Justice from a **German** Court will bring the clarity we all need? However, it could be over a year before we gain even the advice to the Court from an Advocate-General. Germany is also at the point of possibly giving birth to a right that few employers will welcome – an annual quota of homeworking days on-demand.

By far the biggest development we report in this issue is the way that the Supreme Court in **Japan** has undermined decades of legislation seeking to improve the equality rights of working women. This has revealed just how heavily ingrained mechanisms are in Japan that allow men to maintain often huge pay differentials, whilst claiming that the differences are wholly reasoned and justifiable.

The global momentum towards improvements in family-friendly leave remains as strong as ever, whether it be lifting standards from very

minimal levels in **Armenia**, to building on already generous schemes, as in **Iceland**. The **USA** remains the only OECD country without a national statutory paid maternity, paternity or parental leave, but it is also the home of some of the most generous company schemes in the World. Thus, the referendum vote for 2 weeks' paid parental leave in **Switzerland** contrasts strongly with the increasingly generous schemes offered by Netflix and Goldman Sachs.

One trend that has slowed to the point of a standstill this year has been statutory wage gap reporting and other pay equality measures. However, we do report **Colorado's** attempts to introduce pay transparency and also the tighter "de minimis" rules in **California** that are likely to bring closer scrutiny of pay in public contracts.

All eyes in the next two months will be for signs of a last-minute "U turn" on Brexit. This, we believe, is highly unlikely and because the **UK** has taken **European Union** (EU) negotiators to the line with their fruitless and often fatuous negotiations, one thing we can be sure about is an immediate retaliatory application of continental customs and border restrictions from midnight on 1<sup>st</sup> January next year. The EU is the UK's biggest trading partner, accounting for 43% of UK exports. It also relies on EU imports (51% of its total) to keep its economy afloat.

## AFRICA AND MIDDLE EAST

**AFRICA:** An increasing number of countries across Africa are introducing legislation that, although not overtly aimed at employers, limits the confidentiality of employers to communicate with employees via social media. The first step in this process is to force social media user groups with more than a handful of connections to register with communications

authorities as "internet broadcasters". Once this recategorisation has been undertaken, regulators are free to view and investigate the content of individual communications because they constitute "broadcasts", thus bypassing any applicable privacy rights. It also allows – as in the case of **Uganda** – for the tax authorities to tax the broadcasters and governments to classify particular content as "fake news". More seriously still, countries such as **Ethiopia**, **Lesotho**, **Togo** and **Zimbabwe** are prepared to close down social media groups and arrest anyone making a statement that might be at all critical of the 'establishment' or particular politicians. It should also be noted that commercial secrecy could be infringed for personal or third-party gain once networks can be broached by corrupt state interests.

**ARMENIA:** It seems hard to comprehend a modern society outside the USA where women do not possess any right to at least a minimal level of paid maternity leave. But, as things stand, many new mothers in Armenia may be dismissed, or their terms and conditions changed after one month of their leave of absence to give birth. This is set to change from 1<sup>st</sup> January 2021 when, until one year after the birth, a mother's terms and conditions will be largely protected. Only the job title and classification will be allowed to change, but she will not necessarily receive paid maternity leave. Men will also be able to benefit – for the first time – from paternity leave taken within the first month of the birth. This will be for 5 days and the pay received will be at their normal rate of salary.

**KUWAIT:** A number of draconian penalties are set to be imposed for breaking COVID-19 guidelines. These include 10 years' imprisonment, or at least a fine of 30,000 dinars (US\$98,000), for any act that is considered to intentionally transmit the virus to

others. More minor infringements of not respecting measures such as a night-time curfew will be 3 months' imprisonment, or no more than a 5,000 dinars (US\$16,300) fine.

**NIGERIA:** A Bill before the House of Representatives could, if passed, not only flood the country with non-toxicant cannabis resin, but potentially the rest of the World. One of the sponsors of the Bill has admitted, "once the Bill becomes law, Nigeria has a lot to gain economically". As we point out below concerning **South Africa**, there is little an employer can do to control substance abuse in an employee's own private home when they are operating as a home worker. The scope therefore for incapacity during working hours in the future will be greatly multiplied.

**OMAN:** Employers in Oman who are sponsors of a foreign worker have the direct responsibility to dispose of the body if they die whilst in the Sultanate. This includes notifying the police, obtaining a notification from the local hospital where the death is registered, obtaining a letter from the next of kin concerning chosen funeral arrangements, and preparing a letter to the deceased's embassy requesting "no objection" to air lifting or local burial/cremation – as requested by the next of kin, preparing copies of all parties' identification cards and paying for all costs involved, including a post mortem if required.

**QATAR:** Labour Law 18/20 now obliges employers providing accommodation to meet certain strict standards; allows both employers and employees to terminate employment, with (one or two months) notice, both during a probation period and thereafter; introduces a requirement to give notice to the Ministry of Administrative Development before declaring a redundancy; and reduces maximum post-compete clauses to one year.

**SAUDI ARABIA:** In our last issue, we reported the Saudization taking place amongst engineering jobs. However, effective from 27<sup>th</sup> June 2021, companies in the private sector with five or more workers will also need to comply with Saudization in other occupations. This will cover jobs in communications and information technology engineering, development of applications, programming and analysis, and in the technical support and telecommunications technical fields. 25% of these positions must be reserved for Saudi nationals. The minimum monthly salary for technical jobs is SR5,000 (US\$1,333) and specialised professions SR7,000 (US\$1,867). As huge shortages already exist in these occupations, in many cases nationals without formal qualifications will have to be hired and non-genuine jobs created.

**SOUTH AFRICA:** It remains potentially very dangerous to send personnel from another African state to South Africa. This is because xenophobia is being generated by a common belief that foreigners are threatening local jobs. When violence occurs, it is often in full view of the police, who do not intervene or apprehend the attackers. In spite of last year's National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance (NAP), workers such as truck drivers and skilled contractors on building sites are regularly being exposed to life-threatening injuries, so employers should avoid posting foreign workers to the country unless their safety can be guaranteed.

**SOUTH AFRICA:** An interesting issue thrown up by the increase in homeworking during the pandemic is how far can and may an employer enforce workplace laws in a private individual's home? For instance, in South Africa, the General Regulations published in association with the Occupational Health and Safety Act state that "*no person at a*

*workplace shall be under the influence of or have in his or her possession or partake of or offer any other person intoxicating liquor or drugs".* Clearly, there is no certain way an employer can determine if a homeworker has been drinking alcohol, or is under the influence of narcotics. It may be evident from speech or conduct, but it cannot be readily proven. It is therefore important to bring this possibility out into the open and seek to dissuade employees from any practices that could affect their job performance or health.

**SOUTH AFRICA:** A Draft Tax Administration Laws Amendment Bill currently being steered through the legislature by the South African Revenue Service (SARS) has potentially profound implications for taxpayers. Under current tax legislation, an "unlawful act" is so classified only if someone wilfully and without just cause seeks to evade tax rules. Under an amendment in the Bill, the necessity for "wilful conduct" is removed. Therefore, there is no need for someone to be aware of an action's unlawfulness for them to commit an offence. It will also, for the first time, criminalise negligent errors. These include such minor mistakes as not notifying a change of address, or change of accountant to SARS.

**UAE:** The latest [Nomad visa scheme](#) is being launched in **Dubai**, but continues the trend of being increasingly geared to employees rather than the UK IR35 market of independent contractors, where the originating scheme in **Estonia** was clearly aimed. Under the Dubai programme, employees will be able to move to the Gulf with their families, live and work, but still retain their job in the home country for up to a year. Unlike all other schemes – except in **Georgia** – the visa facility is inexpensive (just US\$287), on top of which they must arrange health insurance for their stay. It should be noted, of course, that Dubai does not levy income tax on individuals,

although private schooling for children can be expensive. Please further note that this opportunity would not be suitable for those living together outside marriage, as such an arrangement is an imprisonable offence in Dubai.

**UAE/ISRAEL:** Following the normalization of ties between the UAE and Israel, the two countries have just signed four agreements, including a deal on visa exemption for their nationals. This has made UAE the first Arab country to exempt Israelis from a visa requirement.

## THE AMERICAS

**ARGENTINA:** The government and both sides of industry have just agreed a 28% increase in the monthly gross minimum wage. This will be paid in three stages: 12% in October 2020 (18,900 pesos/US\$244), 10% in December 2020 (20,587.50 pesos/US\$266), and 6% in March 2021 (21,600 pesos/US\$279). The wage will be reviewed again in April next year.

**CANADA:** **Ontario** Regulation 546/20 now requires employees working indoors, or a company vehicle to wear a face mask covering their mouth, nose, and chin. There are, inter alia, exemptions for those in areas not accessible to the public where social distancing can be achieved, where there exists a medical condition that inhibits their ability to wear a mask, or a circumstantial necessity, i.e., whilst eating or drinking.

**CANADA:** The [Supreme Court of Canada](#) has ruled that a prohibition on women buying back credits for certain years in a pension plan in order to overcome an eventual reduction in pension entitlement was discriminatory. The case involved the plan operated by the Royal Canadian Mounted Police and principally involved a contention



about statistical discrimination where employees operated on a job-sharing basis. However, it could well have strong implications for other schemes.

**CHILE:** The government has launched its first major study into the level of violence and other crimes experienced by those in the LGBTIQ+ community. A working group led by the Undersecretariat for Crime Prevention has identified that there are no statistics, or reliable case data, for the incidence of not only violent acts, but also hate speech and discrimination across Chile. Once the nature, incidence, and magnitude of such acts is known, laws can be framed to provide the necessary protection.

**PERU:** The President, Martín Vizcarra, has announced that the new law on pregnant and nursing mothers is now in effect. This allows a pregnant worker to request that they should not perform a certain task because it may endanger their own health and/or the development of the foetus. In addition, all employers must identify pregnant and lactating mothers whom they believe could perform their duties from home. If their duties do not permit this, and no alternative duties may be identified, the pregnant or lactating women must be placed on paid leave.

**USA:** Wage laws generally apply in **California** to public works projects. However, they were usually subject to a "de minimis" exception where the public contribution was below 2%, or a flat sum was determined by the Department for Industrial Relations. Law AB 2231 now formally adopts the 2% threshold, but sets a limit of US\$600,000 to the formula. Thus, from 1<sup>st</sup> July 2021, new projects must apply the new de minimis rule and this will bring more projects out of the area of exemption.

**USA:** The Public Health Emergency Leave ([Bill No. 200303](#)) has been passed by the **Philadelphia** City Council. Until 31<sup>st</sup> December 2020, covered businesses will be required to provide up to two weeks (80 hours) of paid leave for those Philadelphia workers who are not entitled to leave under the Federal Families First Coronavirus Response Act (FFCRA). This includes many workers who may not be classified by the company as employees, but who act as employees - such as those in the food delivery sector and road transport drivers. However, there will be no entitlement to leave if the worker "is reasonably able to perform work remotely taking into consideration all relevant circumstances that affect the covered individual's ability to perform such remote work" [§9-4116 3(b)].

**USA:** Beginning 29<sup>th</sup> October 2020, Section 2.2-3904 is being added to the [Virginia Human Rights](#) Act making it unlawful to "fail or refuse to hire, discharge, or otherwise discriminate against any individual with respect to such individual's compensation, terms, conditions, or privileges of employment on the basis of pregnancy, childbirth, or related medical conditions". The Section also includes requirements to reasonably accommodate such workers and notify them of their rights through a handbook and poster.

**USA:** When an employee seeks to assert a putative class action, they will commonly enter into a contention with their employer concerning the appropriate court to hear the case. The Class Action Fairness Act (CAFA) requires any potential total claims in excess of US\$5M to be submitted to a Federal Court. However, to prove this point, the company only needs to cite "a plausible allegation that the amount in controversy exceeds the jurisdictional threshold." [[Salter](#)

[v. Quality Carriers](#), Inc., 2020 WL 5361459 (9th Cir. 2020)].

**USA:** Colorado's proposed equal pay transparency [rules](#) would require employers to provide compensation range and available benefits for all advertised jobs, including those restricted to internal candidates. The Colorado Department of Labor and Employment (CDLE) currently has the draft rules out for consultation, but it does intend to have them approved by 10<sup>th</sup> November and to put them into effect, along with the Equal Pay Act, on 1<sup>st</sup> January 2021.

**USA:** What happens if a supervisor refers to an employee in a racially abusive way, but the incident is isolated and never repeated? Does that constitute racial harassment? According to the **California** Appellate Court, the California Fair Employment and Housing Act (FEHA) is infringed when a workplace is so "permeated with discriminatory intimidation, ridicule and insult that it becomes an 'abusive working environment'". Although it is possible for a single slur to alter the environment, it must be proven that harassment is "severe or pervasive". To prove severity, a "reasonable person" must consider it had contaminated the workplace. The Court dismissed the appeal. [*Bailey v. San Francisco District Attorney's Office*, Calif. Ct. App., No. A153520. September 2020].

**USA:** A technology-based business services company headquartered in Florham Park, **New Jersey**, has been required to pay \$77,500 to settle a disability discrimination lawsuit filed by the Equal Employment Opportunity Commission ([EEOC](#)). The EEOC claimed that the company violated the Americans with Disabilities Act (ADA) by refusing to interview and ultimately hire the applicant, who is deaf, because of his disability.

**USA:** The Department of Labor (DOL) is radically changing its reference points that indicate the prevailing wage for certain positions when providing guidance in respect to certain H-1B, H1B1, and E-3 visas. This lifts, for instance, the reference point in the OES wage database for Level 1 professions from the 17<sup>th</sup> to the 45<sup>th</sup> percentile, and Level 4 positions (bachelor's degree plus 5 years of experience) from the 67<sup>th</sup> to the 95<sup>th</sup> percentile. Employers may continue to draw on alternative wage surveys, although DOL could well challenge them. However, it will not apply the new reference points to previously approved PWDs, PERMs, or LCAs. It is also possible that the hurried way that the new reference points were introduced could give rise to a challenge before a Federal Court.

**USA:** The current epidemic is giving rise to a raft of politically extreme challenges to the right of state governors to introduce any measures that restrict the freedom of individuals, including the wearing of masks and the issuing of stay-at-home orders. What is troubling is that such challenges in **Michigan** and **Alabama** have not been immediately thrown out by state Supreme Courts on the grounds that without such measures, the level of fatalities would be much higher.

**USA:** For a computer software employee in **California** to be considered as in the "[exempt](#)" category, and thus free from any entitlement to overtime pay, they must meet an especially high salary threshold. Under Labor Code Section 515.5(a)(4) from 1<sup>st</sup> January 2021 their minimum hourly rate of pay must be \$47.48 and minimum monthly salary \$8,242.32 and annual salary \$98,907.70 for such an exemption to apply.

**USA:** Effective 1<sup>st</sup> January 2021, **Florida's** minimum gross hourly wage rate will increase from \$8.56 to \$8.65.

**USA:** When an employee in **Wisconsin** is terminated, or leaves their employment in any other way, their employer must, from 2<sup>nd</sup> November 2020, inform them in writing about available unemployment insurance benefits. The suggested wording is *"You may file an unemployment claim in the first week that your employment stops or your work hours are reduced."* This may be conveyed to them by post, email or any other printed/electronic form of communication.

**USA:** We have reported previously on the worrying trend by the Federal Reserve Bank to recklessly print money in a short-term attempt to get the US economy out of trouble. All countries have been acting irresponsibly to a point during the pandemic - with broad money supply (M3) growing in the eurozone by 7.8% between December 2019 and August 2020. But in the USA, broad money has risen at 20.2% over the same period. This is not a subject normally on the HR worry list, but money become worthless if too much is printed. The mechanism by which it does this is hyperinflation. No, we have not seen this in overall US price inflation rates yet because consumer demand is so low and the oil price has been negative, but eating at home costs are already up 4.1% over the year and any economic recovery will be quickly punished as holders of currency begin to factor in the non growth-induced fed printing spree. We must therefore all ask what will hyperinflation do to labour relations when company margins are still heavily depressed?

## ASIA AND PACIFIC

**AUSTRALIA:** Eligibility for paid parental leave will change for many parents with children born or adopted between 22<sup>nd</sup> March this year and 31<sup>st</sup> March next year. This is because the requirement of parents to have worked for 10 of the 13 months prior to the birth or adoption will change to 10 months out of the previous 20 months. This will help many of those who have previously been off work caring for other children, or dependants.

**AUSTRALIA:** Under a new wage subsidy called the [JobMaker Hiring Credit](#), eligible employers are now able to claim \$200 (US\$143) a week for each additional employee they hire aged 16 to 29 and \$100 (US\$71.5) a week for those aged 30 to 35. This scheme will be available to businesses for up to a year.

**AUSTRALIA:** According to the latest national budget, an English language requirement will be introduced as a precondition for obtaining partner visas. This requirement will also apply to their permanent resident sponsors from non-English speaking backgrounds with effect from next year.

**AUSTRALIA:** Even if an employee is out of time with an unfair dismissal claim and they were a company director, the Federal Court is still disposed to rule in their favour. This was the case for a director of a precast concrete company this summer because their complaint concerning redundancy to WorkSafe Victoria stated that they were the company's "safety representative". They walked away with the maximum compensation available: \$60,000 (US\$42,500).

**AUSTRALIA:** A Federal Court case between the airline operator Qantas and the Australian Licenced Aircraft Engineers' Association has fortunately established that companies may not be held accountable for layoffs without pay in Australia due to government measures. The union had argued that the decision to lay off engineers for almost a month was entirely due to commercial reasons – as passenger numbers had declined. This decision will come as a relief to other employers facing industrial action, or litigation for events during the lockdown [*Qantas Airways Ltd v Australian Licensed Aircraft Engineers Association* (No 3) (2020) FCA 1428].

**AUSTRALIA:** Last year, the Fair Work Ombudsman recovered \$123m (US\$87M) for the benefit of 25,583 workers due to underpayment under collective agreements. In half of all cases, the underpayments were inadvertent and in a similar proportion of cases made by large employers. In fact, the biggest confusion came from the interplay of enterprise agreements and relevant modern awards. Now, the government is talking about coming up with new legislation to simplify the IR system and, in the meantime, unions have agreed (at least informally) not to press the FWC for prosecution if employers rectify situations on first discovery of any mistake.

**CHINA:** A former Lenovo vice-president left the company for "family reasons" in December 2019. However, just two days later, he joined Xiaomi Group as a vice-president in charge of mobile phone product planning. Because of an existing non-competition clause in his contract (although he denied that he has signed it), the Labor Dispute Arbitration Commission in Beijing has ruled that he should repay compensation of 72,955.85 yuan (US\$10,855) plus 5.25 million yuan (\$781,000) in compensation to Lenovo for the breaching of his restrictive covenant obligations.

**CHINA:** Local and foreign-owned employers need to have in place a body of internal regulations that clearly place accountability for corporate contraventions on specified senior employees. This is because of tough new laws being placed on companies that could lead to extensive damage if accountability is spread too widely. For instance, the newly passed [export control laws](#) will allow the Chinese government to ban exports of strategic materials and advanced technology relating to national security. Violations of the law, such as exporting items without a permit, could result in fines of 5 million yuan (US\$751,332), or up to 20 times the business value of the illegal transaction. This new law applies to all companies in China, including foreign-invested ones and will be effective on 1<sup>st</sup> December 2020.

**CHINA:** The country's top legislative body has just passed a new [biosecurity law](#) to protect whistleblowing when information about public health emergencies is disclosed. Under the new law, any work unit or individual has the right to report acts that endanger biosecurity (article 8). When a report is required, "*no work unit or individual shall conceal (it)... or hinder others from making a report*" (article 29). The new law will come into effect on 15<sup>th</sup> April 2021.

**INDIA:** At times of significant change, it can be a major task for organisations to manage the transfer of pension funds between different types of scheme. Now, employees and employers in the state of **Uttarakhand** can take advantage of a new system that allows the bulk transfer of those currently in schemes that are classed as part of the Employees' Provident Fund Organisation and those that are subject to exempted schemes. Employers running exempted schemes will not have to individually approve such a transfer. Please note, exempted employers are those who



were granted exemption under section 17 of EPF & MP Act, 1952 and therefore manage the provident fund of members themselves.

**INDIA:** The three recently passed labour codes still lack implementing regulations. The Labour Codes on industrial relations, on social security and on occupational safety, health and working conditions are therefore hanging in limbo, and their often poor drafting makes it doubtful whether they will be operational before next summer, especially if the pandemic continues to put pressure on jobs.

**INDIA:** Persons of Indian Origin ([PIO](#)) cardholders now have until 31<sup>st</sup> December 2021 to convert their PIO cards to the new Overseas Citizen of India ([OCI](#)) cards.

**INDONESIA:** Next year, employees will have the right to 15 days' public holidays, plus 7 days of "Cuti Bersama" leave. The latter leave will be taken on 12<sup>th</sup> March, the 12<sup>th</sup>, 17<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup> of May, and the 24<sup>th</sup> and 27<sup>th</sup> of December.

**JAPAN:** The government has long been trying to introduce a legal framework that ensures Japan is a fair and more equitable society. One reason why this has not been possible is that men and women often have very different types of employment contract from each other - so-called regular and nonregular contracts. Back in 1993, this was supposed to have been largely resolved by the Act on Improvement of Personnel Management and Conversion of Employment Status for Part-Time Workers and Fixed-Term Workers. However, this was generally not enforced - so along came the Amended Worker Despatching Act that came into force for larger companies this Spring (and next Spring for SMEs). So, now all eyes turned to the Courts to see if the Judiciary would finally remove the divisive way millions of women in Japan are employed. But, far

from removing numerous hidden pay differences, the Supreme Court has taken determined steps to reinforce them. In the first case, it undermined a Landmark High Court ruling by denying a former female employee of Osaka Medical College the right to many years of unpaid bonuses. Then, in a second case, it denied retirement payments to several female employees who had worked on successive fixed-term employment contracts at Metro Commerce, a subsidiary of Tokyo Metro Co (which runs the capital's subway system). Now, the government's equality policy is in tatters and the only way out (other than improving the gender composition of the Supreme Court) is to tackle the legality of the 'nonregular' job classification head on.

**NEW ZEALAND:** In light of the recent general election outcome, it remains uncertain whether larger employers will ever see the return of 90-day trial periods. Currently, only employers with less than 20 employees may conclude employment contracts containing a trial period. Such a facility is controversial because it heavily limits an employee's rights and they do not have any certain prospect of a job after the period ends. Probationary periods, on the other hand, do remain lawful in New Zealand, but employees enjoy most employment rights from day one and the employee must be paid in line with the position that they have been hired to fill.

**SINGAPORE:** If a company employs anyone, or uses the services of someone, operating an active mobility device on public paths for any of their duties, then from 1<sup>st</sup> December, they will have to ensure that the device is subject to third-party insurance cover for at least \$200,000 (US\$147,000) per claim. The device can be, for instance, an electric scooter, motorised wheelchair, or electric bicycle. Failure to comply can leave the employer

liable to a fine of \$10,000 (US\$7,360), imprisonment for up to 12 months, or both.

**SINGAPORE:** From 26<sup>th</sup> October 2020, applications will be possible for the reciprocal "green lane" ([RGL](#)), enabling essential business travel between Singapore and **Indonesia**. Business travellers seeking to use RGL must be sponsored by either a company, or a government agency from the other country. Singapore already has similar arrangements with **Brunei Darussalam, Malaysia, and Japan**.

**SINGAPORE:** According to the [supplementary guidelines](#) issued by the National Wages Council (NWC), during the period from 1<sup>st</sup> November 2020 to 30<sup>th</sup> June 2021, companies may implement temporary wage cuts to minimize retrenchments - although employees' support should be sought before doing so. The council has recommended freezing wages instead of cutting them for people earning up to \$1,400 (US\$1,030) a month. Cuts for those earning more than that should not leave basic monthly pay below \$1,400.

**THAILAND:** The state Cabinet has approved two extended long weekends to be taken this year on 19<sup>th</sup> to 22<sup>nd</sup> November and 10<sup>th</sup> to 13<sup>th</sup> December. The December holiday actually contains national Father's Day – which would otherwise fall on Saturday the 5<sup>th</sup> – so has been moved to the 11<sup>th</sup>.

**THAILAND:** The [government](#) has extended its visa amnesty until 31<sup>st</sup> October 2020 for foreigners who are unable to leave the country due to the COVID-19 control measures.

## EUROPE

**BULGARIA:** The wage support scheme, popularly known in the country as the "60-40 measure", has been extended by three months until 31<sup>st</sup> December 2020. Under the scheme, the government covers 60% of an employee's salary and mandatory social security and healthcare contributions, whilst employers cover the rest.

**EUROPE:** Few, if any, employers are going to be holding Christmas parties this year, so they will be looking to give employees gifts instead - even if the employee concerned receives a year-end bonus. So, what value of gift (as a voucher or benefit in kind) can be given tax free and is there any special tax concession due to the pandemic? In many countries, the tax-free allowance is rather skinny. In the **UK**, for instance, it is just £50 (US\$66) and in **Germany** €44 (US\$52). However, in the latter case, the allowance is per month, even though it must be paid in the month it applies, or is lost. **Belgium** too only allows a €40 (US\$47) gift limit - although this rises by €40 for each dependant child. Both the **Swedish** and **Dutch** governments have responded to the pandemic by giving an improved allowance for gifts in kind to employees. But employers should take care in Sweden as the extra SEK1000 allowance ends on 31<sup>st</sup> December 2020. Care is also necessary in **Spain** where many employers have traditionally given employees Christmas food hampers. Here, however, is the catch - as there is a raft of case law relating to attempts by employers to withdraw from this gift. In most cases employers lose, so do not introduce it unless it is on the basis of a contractual clause underlining the fact that it is discretionary and may be withdrawn at any time.

**EUROPEAN COURT OF JUSTICE:** Advocate General (AG) Giovanni Pitruzzella has given his opinion concerning two important cases relating to "on-call" duty. The first concerns a broadcast technician based in difficult **Slovak** mountain terrain and the second a firefighter who is required to reach the outskirts of a **German** city where an emergency vehicle is based. The AG has advised the Court that how the on-call time should be regarded should depend primarily on the call-out intensity. If it is regular then it would reduce the employee's ability to plan their free time and thus all such time on-call should be classed as working time. The decision about both conjoined cases can now be expected early next year.

**FINLAND:** Employers represented by Finnish Forest Industries have decided to withdraw from national collective bargaining and concentrate instead on negotiations at a company level. This is a major surprise for those in the country's largest economic sector. Currently, there are three national agreements covering paper workers, industrial workers and white collar employees and agreements in force are due to expire at the end of 2021.

**FRANCE:** Government support for employers during the ongoing pandemic enters a new phase from 1<sup>st</sup> November 2020. Partial unemployment will continue until 31<sup>st</sup> December, but employees will generally only receive 60% of their gross salary (instead of 70% now). The employer's share in support will rise on 1<sup>st</sup> November from 15% of that paid to employees to 36%. In protected sectors, such as hotels or air transport, however, the government will meet 100% of the employee costs. Meanwhile, the government is responding to a sharp rise in daily coronavirus cases by imposing a curfew for the next 4–6 weeks in several major cities from 9pm until 6am. The chosen cities are

**Paris** (and the whole Ile de France), **Grenoble, Lille, Lyon, Aix Marseille, Montpellier, Rouen, Toulouse, and Saint Etienne**. Exceptions will exist for those who work at night, or early in the morning, but a paper or digital certificate will have to be carried, plus proof of employment at a particular establishment.

**GERMANY:** It remains uncertain in many countries whether annual leave that is untaken should expire at the end of the year it falls due, or should be carried over for a fixed or indefinite period. The Federal Labour Court has decided to finally put this question to the test before the European Court of Justice (Az. 9 AZR 266/20). This is not only a question under Article 7 of the EU Working Time Directive, but also Article 31 Paragraph 2 of the Charter of Fundamental Rights of the European Union. It is compounded further if an employer has not allowed an employee to actually take the leave, or has failed to fulfil obligations to cooperate in allowing it to be taken. Moreover, where it is allowed to be carried over from year to year, to what extent does the statute of limitations eventually curtail its validity?

**GERMANY:** The COVID-19 pandemic has, without a doubt, accelerated the acceptance of a '*working from home*' culture but does an employee have a general right to work from home? No. In a first case, the Labour Court in **Augsburg** has ruled that no such right exists based on the principle that the employer has the right to determine the place of work (7 May 2020 - 3 Ga 9/20). Whilst the employee, who was medically certified as being in a COVID-19 risk category, claimed the employer had breached its general duty of care requirements under §618 of the Civil Code by refusing a request to work from home, the Court pointed out that the law does not govern how the employer should meet its duty of care

obligations in taking protective measures against danger to life and health. A mere fear of becoming ill on the way to, or at, work is insufficient justification for a claim, it said. Thus, employers have some flexibility in deciding how to furnish and operate in their premises (distancing, mask-wearing, sanitising etc.) so that they meet OHS requirements. The Court decision is being challenged through an appeal lodged with the State Labour Court in **Munich** [Kindly contributed to the FedEE Newswire by Diane Wardle-Ludwig, [DWL-HR-Consulting](#), Frankfurt Am Main, Germany].

**GERMANY:** A re-examination of how teleworkers are affected by the statutory occupational accident insurance has resulted in the Federal Social Court upholding its original decision of 2013 ([B 2 U 19/18 R](#), 30.1.2020) which refused insurance cover. Under the Social Code (SGB VII), the mandatory employer insurance provides compensation for accidents and illnesses suffered by insured employees during the course of their paid work at the place of work, or whilst travelling to and from work. In the case originally heard in 2013, a home-based teleworker employee fell and broke her elbow on her way home after having taken her child to kindergarten. In the absence of a clear division of "personal space" and "the place of insured work performance", the Federal Social Court (BSG) ruled that prerequisite conditions for occupational accident insurance to apply were not met. In accordance with § 8 Abs. 2 Nr. 1 SGB VII, an accident or injury occurring during a work journey is only insured if the residing place (or other qualifying place) and place of the insured work are physically distanced from each other. The kindergarten did not qualify as a 'third place' as the employee had not spent the statutory required minimum two hours there [Kindly contributed to the FedEE Newswire by Diane Wardle-Ludwig, [DWL-HR-Consulting](#), Frankfurt Am Main, Germany].

**GERMANY:** The Federal Ministry of Labour and Social Affairs (BMAS) has drawn up a draft "mobile working" law that would give German workers a right to request home-working for at least 24 days a year - and their employer would not be able to refuse unless it was totally impractical to do so. This proposal has arisen largely because surveys undertaken since the Spring have indicated that people generally now perceive "mobile working" in a positive light. The draft law will also contain an obligation to collectively bargain over the details of such an arrangement.

**GERMANY:** A case this summer involving a court worker who refused to complete work legitimately assigned to them illustrates the requirements necessary to issue an extraordinary termination without notice. The employee concerned had refused to process and return urgent files issued to them early in their shift and had received a written warning about not meeting the deadline, but they had simply returned the files uncompleted. In these circumstances, an employer does not need to take the risk that a similar incident would take place in the future. A refusal to recognise their employers right of instruction can only be justified if it would prevent them from acting lawfully – something they would need to clearly prove [Saxon LAG v.31<sup>st</sup> July 2020 - 2 Sat 398/19].

**HUNGARY:** A law awaiting presidential signature would treat all healthcare workers as under the direct control of the state and ban them from reaching collective agreements with their employers. It has received strong opposition from healthcare unions and other medical associations, although it is unlikely to prevent the legislation being approved.



**ICELAND:** A Bill before the Althing (national Parliament) would considerably extend parental leave. Currently, each working parent may take four months' parental leave, with an extra two months split between the parents as they wish at the time. The proposal is for this to be increased to six months per parent, with one of the months transferable between the parents. However, although parental leave must at present be completed within two years of the birth, under the new law this would be reduced to 18 months. If passed, the new law would come into force probably next Summer.

**IRISH REPUBLIC:** The emergency suspension of an employee's right to claim redundancy following a period of temporary lay-off or short time was brought into effect from 13<sup>th</sup> March 2020 under Part 8 of the Emergency Measures in the Public Interest (COVID-19) [Act](#) 2020. These provisions have now been further extended until 30<sup>th</sup> November 2020.

**IRISH REPUBLIC:** With effect from 1<sup>st</sup> January 2021, over 122,000 workers will benefit from the increased national minimum gross hourly wage of €10.20 (US\$12).

**ITALY:** Is it possible for a company to fire an employee who has been found to be smoking on company premises contrary to company policy? According to the Supreme Court (Case 12841/2020), the decision of an employer to dismiss an employee for smoking in an area where smoking could endanger the lives of colleagues was not justified as it was contrary to sanctions agreed in a collective agreement. In fact, the Court was not itself free to interpret the right to dismiss outside the bounds of what an applicable collective bargaining had provided.

**ITALY:** When an employee who is absent from work due to ill health seeks to change

their sick leave to vacation leave, their employer must recognise a recent change to the Italian Civil Code. This was introduced by a precedent set by the Court of Cassation, which allows that "a worker can continue the illness with vacation" [Civil Cassation, sect. work, ordinance 14<sup>th</sup> September 2020, n. 19062].

**ITALY:** Until 31<sup>st</sup> January 2021, face masks must be worn by adults in all indoor and outdoor spaces - except in a motor vehicle, on scooter or on bike, or in any other place where there is no danger of meeting other people, or where disabilities exist that are incompatible with the use of face masks.

**LITHUANIA:** The Ministry of Social Security and Labour has recently published the results of a gender pay-gap survey. One of its most important findings was the relationship between pay and age differences. Although the overall earnings gap is 12.4%, men reach their peak earnings capacity in their 30s, whilst women do so in their 40s. Hence the earnings gap is lowest during the 40s age cohort. But after age 50, the wage gap widens again. Lithuania is unique in the European Union because the participation rate of men and women is almost the same. But, although women occupy 39.2% of senior positions in the economy, by far the majority of very top jobs and highest remuneration levels are still largely enjoyed by male employees.

**LUXEMBOURG:** On 14<sup>th</sup> October 2020, the government announced revised rules regarding the taxation of bonuses paid to employees on the basis of a company's annual results. From 1<sup>st</sup> January 2021, unless otherwise specified, employees will qualify for a 50% personal income tax exemption on bonuses paid. The employer concerned may claim 100% tax deductibility as an operating expense. To qualify for this tax measure,

employees would have to be Luxembourg taxpayers, employed and affiliated to the Luxembourg social security system, or a bilateral system applying to Luxembourg. Employers too would need to meet certain conditions, including capping the aggregate total of bonuses paid at 5% of their annual results for the preceding year. The Bill is expected to be passed and adopted in December 2020 [Kindly contributed to the FedEE Newswire by Diane Wardle-Ludwig, [DWL-HR-Consulting](#), Frankfurt Am Main, Germany].

**MALTA:** Eligible private businesses will now be able to continue to benefit from up to €800 (US\$946) in [government aid](#) per worker until at least March 2021.

**NETHERLANDS:** What happens if, by a coincidence, an employer discovers strong evidence that an employee is deliberately lying about their sickness in order to justify their absence? It has become a legal principle in the Netherlands that a Court should not ignore relevant evidence, unless it has been intentionally obtained unlawfully [Supreme Court 18<sup>th</sup> April 2014, ECLI: NL: HR: 2014: 942]. In a case before the Amsterdam Subdistrict Court (18<sup>th</sup> June 2020), this Summer a colleague had picked up WhatsApp messages on their laptop. This was because the offending employee had borrowed the laptop before their absence. This picked up correspondence between the absent employee and her friends, clearly demonstrating that the sickness was false. The resulting dismissal by the employer concerned was considered legitimate by the Court, especially as the employee herself had contributed to the discovery of the evidence by installing WhatsApp on the laptop.

**RUSSIAN FEDERATION:** Until 28<sup>th</sup> October, restrictions on employers must remain in **Moscow**. This includes the sending of 30% of employees and all employees over age 65 to

work remotely (with their consent). Not only must the total number of workers required to work remotely be reported to the authorities, but their private vehicle licence plate, mobile phone numbers, public transport pass numbers, and social security numbers must also be included in the communication. Failure to comply may result in a fine of up to 1M rubles (US\$12,860) and suspension of activity for up to 90 days.

**RUSSIAN FEDERATION:** During the health crisis, many employers in Russia have begun to demand that their employees produce a certificate indicating that they have received a negative test result in respect to COVID-19. However, the Ministry of Labour and Social Protection has issued an advisory letter indicating that such a request would be contrary to Article 88 of the Labour Code.

**RUSSIAN FEDERATION:** Companies are reminded that in Russia, every employer must draw up a schedule of individual vacation days for the coming year at least two weeks before the beginning of the calendar year, which means 17<sup>th</sup> December 2020. Failure to do so will result in an administrative fine for the company of 30,000–50,000 rubles (US\$386–643). Once drawn up, it must be retained on record until the end of 2022, with an equal fine for failure to do so (Clause 8.1 of the Order of the Ministry of Culture of 08.25.2010 No. 558). During the course of 2021, vacation pay must also be paid three working days (excluding Fridays and weekends) before the employee's vacation begins. Once established, changes may be made to the schedule, but must be signed off by a manager. It should be noted that public holidays in Russia not only extend from 1<sup>st</sup> to 8<sup>th</sup> January, but next year only include 5 weekdays beyond that period.

**RUSSIAN FEDERATION:** All those in the working population will, from next year, have

to undertake annual training in dealing with emergencies of a man-made nature, or natural cause. This must be organised by employers and ensure training is given in the first month after a new employee joins the organisation.

**RUSSIAN FEDERATION:** Families with two children whose income does not exceed twice the subsistence minimum of the working-age population are entitled to a monthly "maternity capital" wage subsidy until their child is aged three. This varies significantly between regions and according to the existing size of the family. Currently across Russia, this averages at 97,040 rubles (US\$1,248) for a 4-person family. The highest subsidies are not, as might be expected, in **Moscow**, but regions such as the **Chukotka Autonomous Region** and the volcanic eastern region of **Kamchatka Krai**.

**SPAIN:** Two of the largest banks in Spain are planning to merge in order to slash their workforces in the face of the prolonged pandemic. CaixaBank and Bankia will have combined assets of US\$787BN. The move has still to be approved by shareholders and regulators and could run up against transfer of undertakings employment protection rules. However, the government is keen to strengthen its banking sector as it seeks its share of EU recovery funds. But, even a merged bank will find it hard to produce profits in the face of low interest rates and the prospects of rising price inflation.

**SWITZERLAND:** Although the Federal Parliament in 2019 backed a proposal to introduce two weeks' paid leave for fathers (Switzerland is one of seven OECD member states not offering paid paternity leave), it was not subsequently ratified under the Gender Equality Act due to strong conservative opposition (*FedEE reported in May 2020*). The Swiss system of direct democracy forced the

issue to a referendum and on 27<sup>th</sup> September 2020 voters agreed to adopt the law. Fathers will now be entitled to two weeks' paternity leave from 1<sup>st</sup> January 2021. Payment is capped at 80% of salary, or maximum SFr196/day, and the leave must be taken within six months following birth. Child adoption is excluded from this entitlement, but a parliamentary initiative to overturn this decision is before the Federal Court [Kindly contributed to the FedEE Newswire by Diane Wardle-Ludwig, [DWL-HR-Consulting](#), Frankfurt Am Main, Germany].

**SWITZERLAND:** With effect from 1<sup>st</sup> November 2020, the statutory minimum hourly wage in the canton of [Geneva](#) will be CHF23 (US\$25). The wage rise was approved by just over 58% of Geneva [voters](#).

**UNITED KINGDOM:** A number of employers are coming up with increasingly creative ways to retain staff in the face of dwindling government subsidies. One way to do this is to replace pay with company equity in the form of options, or restricted stock units. This can be highly problematic in many countries, not only because of securing employee and employee representative consent, but because of tax and statutory pay thresholds. However, in the UK, companies should consider two useful provisions, if they have not introduced them already. The Share Incentive Plan, for instance, allows free shares of up to £3,600 (US\$4,648) to be issued each year to employees tax-free. Employees may also opt to purchase "partnership shares" (and receive matching shares) with full tax relief. On top of this is the Company Share Option Plan (CSOP), which allows share options to be granted at market value to employees and gains treated as capital gains, for which there is a tax-free allowance of £12,300 (US\$15,880) a year. For companies expecting to recover significantly after the epidemic, this scheme may generate worthwhile gains for employees.

**UNITED KINGDOM:** Under the newly enforced National Minimum Wage (Offshore Employment) (Amendment) [Order](#) 2020, over 10,000 seafarers across the UK are now entitled to be paid at least the national minimum wage ([NMW](#)). Previously, the shipping was the only UK sector that did not apply the national minimum wage.

**UNITED KINGDOM:** The Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) [Regulations](#) 2020 are now in force. This requires that employees diagnosed with COVID-19, or notified that they have been in contact with someone who has been tested positive, must self-isolate for the designated period (10 or 14 days) and notify their employer by the next day at the latest. Employers knowingly allowing such a worker to come to work until determined as safe will face a fine, in addition to the individual concerned.

**UNITED KINGDOM:** The announcement by the UK Prime Minister's office that negotiations for a post-Brexit trade deal are over means that, as we always anticipated, a "no-deal Brexit" is to become a reality from the end of this year. The UK is now effectively alone.

## GLOBAL RISKS

Recent analyses from the FedEE Statistics Unit

**LABOUR SHORTAGES:** It remains evident that although the pandemic has thrown huge numbers into short-time work and unemployment, significant pockets of labour shortage continue to remain around the World. For instance, the Finnish Ministry of Economic Affairs and Employment has recently published the names of 31 employment fields they designate as "shortage occupations" nationwide. These include audiologists/speech therapists, early childhood educators, social

work professionals, medical/pathology lab technicians, nursing associate professionals, civil engineers, telecom engineers, software developers, systems analysts, and web/multimedia developers. Further afield, shortages are evident in the **Malaysian** latex glove industry, food processing in **Australia**, logistics automation in the **UK**, machine learning and tech jobs of all kinds in **Singapore**, and agricultural-related jobs throughout **Europe** and the **Americas**.

**INFECTION RISKS:** Co-infection of COVID-19 and influenza has been found as one of the major causes of mortality during the pandemic. However, in the USA, over a quarter of the population has indicated that no vaccination will be sought during the flu season. One positive outcome of [two recent studies](#), however, has been that those with blood groups 'O' have a significantly decreased risk of contracting COVID-19 compared to those with other blood groups. What is more, once contracted, those within blood groups 'O' and 'B' are less likely to need mechanical ventilation, or stay in intensive care as long as those with blood groups 'A' or 'AB'.

**TRUE FLIGHT RISKS:** Since the early Spring, employers have regularly had to contend with the concerns of employees asked to undertake flights who are uncertain about the level of potential exposure to COVID-19 on board passenger aircraft. A critical step when interpreting statistics is to discover what assumptions were made during the collection of data. For this reason, we should not take seriously the recent claims made by IATA concerning the risks of contracting COVID-19 on a passenger plane. Although the sample size was high, the conclusion that the chance of contracting COVID was extremely small for those wearing a face mask was totally unfounded. This was because it was assumed that only one person on a plane was infected,



no-one moved around the plane, flight times were limited, and that the risk experienced by those actually sitting next to an infected person was spread evenly between all passengers. The claim by IATA that it had identified only "44 flight-related COVID-19 cases since the beginning of 2020" is also unfounded and highly misleading, as airport tests around the World regularly detect infection, even amongst those with a bona fide negative test certificate obtained immediately before travel. IATA would have no way to determine if an infection was contracted on or before a flight. Finally, half of all air circulating in an aircraft cabin is recirculated "bleed air" that has passed through the engines. What's more, although HEPA filters remove 95% of bacteria and cluster viruses, they are largely ineffective against free moving viruses, which COVID-19 generally is. In fact, an increasing number of [scientists](#) believe that COVID-19 is not transmitted by water droplets (no virus has ever been grown from aerosols in the lab). It appears instead to be carried through air directly and will thus travel long distances and permeate normal filtration systems.

**ECOPOLITICAL 'AT RISK' COUNTRIES:** It is not only finance directors in multinationals who need to be cautious about ecopolitical "at risk" countries, but HR should also take a view in respect to job applicants and others with whom they must deal. For instance, the EU Council operates a list of non-cooperative jurisdictions for tax purposes. Such countries used to be referred to as "tax havens". There are also two other "at risk" lists to consider: those subject to UN sanctions and those with a TE score rated below 30 by independent credit rating agencies.

The current EU-designated uncooperative countries are: American Samoa, Anguilla, Barbados, Fiji, Guam, Palau, Panama, Samoa, Seychelles, Trinidad and Tobago,

Vanuatu, and the US Virgin Islands (but not the British Virgin Islands, which are fully compliant).

The countries subject to UN sanctions are: Central African Republic, Democratic Republic of the Congo, Eritrea, Guinea-Bissau, Iran, Iraq, Lebanon, Libya, Mali, North Korea, Somalia, Sudan, South Sudan and Yemen.

Those significant countries with sub-30 credit ratings not appearing on other lists include: Angola, Argentina, Armenia, Belarus, Bosnia Herzegovina, Cameroon, Cuba, Ecuador, Ghana, Laos, Moldova, Mongolia, Mozambique, Nigeria, Pakistan, Sri Lanka, Ukraine and Venezuela.

It should be noted that we have not included any list based on a country's human rights record, as this would be far more subjective and controversial.

## DATES FOR YOUR DIARY

27 <sup>th</sup> October 2020	Immigration Health Surcharge rises to £624 in the <b>UK</b> .
30 <sup>th</sup> October 2020	Highly Qualified Specialist (HQS) salary reports are due in <b>Russia</b> .
1 <sup>st</sup> November 2020	The Job Support Scheme is due to commence in the <b>UK</b> .
1 <sup>st</sup> January 2021	The minimum wage is going to rise to €10.20 an hour in <b>Irish Republic</b> .

## DATES FOR YOUR DIARY

1 <sup>st</sup> January 2021	Minimum hourly wage in <b>Vermont</b> (USA) will increase \$0.79, from \$10.96 to \$11.75 per hour.
31 <sup>st</sup> March 2021	The first annual pay data report is due in <b>California</b> (USA).
15 <sup>th</sup> April 2021	The new biosecurity law will come into effect in <b>China</b> .
27 <sup>th</sup> June 2021	25% Saudization in IT professions in <b>Saudi Arabia</b> .

## TRAVEL WARNINGS

**BELGIUM:** All Belgian bars and restaurants have to be closed immediately to combat a surge in coronavirus cases. A curfew from midnight until 5 a.m is also in place. The measures will last for at least four weeks - starting from 19<sup>th</sup> October 2020 - with a review of their impact after two weeks.

**BULGARIA:** The wearing of protective masks in all outdoor spaces is now mandatory for everyone in the country.

**CYPRUS:** The government has introduced contingency [measures](#) due to the increased number of COVID-19 cases, including restricting the maximum number of attendance at house gatherings and public assembly spots.

**FIJI REGION:** The US Geological Survey (USGS) has recorded a 5.7-magnitude earthquake that struck some 142 km WNW of Haveluloto, Tonga on Thursday, 22<sup>nd</sup> October 2020. Aftershocks are possible in the affected area over the coming hours and days.

**GERMANY:** The Berchtesgaden area has started a two-week lockdown for its 105,000 residents that live along the country's border with Austria.

**GREECE:** Local lockdown measures are being imposed in the region of Kastoria, northern Greece, as of Friday, 23<sup>rd</sup> October 2020, following a recent surge in COVID-19 cases.

**GUINEA:** Existing state of health emergency measures have been extended through to at least mid-November 2020 to curb the spread of COVID-19.

**INDIA:** The Indian budget carrier SpiceJet has recommenced its non-stop flight services to Muscat, Oman's port capital.

**INDONESIA:** Massive protests against the newly passed Job Creation Law are still ongoing in cities across the country. Visitors should exercise great caution and stay away from large crowds.

**ISRAEL/UK:** Incoming travelers from the United Kingdom to Israel will be required to self-isolate for 14 days upon arrival.

**ITALY:** Commuters in Rome and around Italy should anticipate transportation disruptions from 21.00 on Thursday 22<sup>nd</sup> October until 21.00 on Friday 23<sup>rd</sup> October 2020, due to a 24-hour strike called by the CUB trade union.

**KUWAIT/SAUDI ARABIA:** Kuwait Airways will resume flights to three Saudi Arabian cities, namely Riyadh, Jeddah and Dammam, from 25<sup>th</sup> October 2020.

**NIGERIA:** Protests against alleged police brutality continue in multiple areas of Lagos, Nigeria's largest city, despite a 24-hour curfew. Buildings have been set on fire and further gunfire has been reported. Expect further violent social unrest in Lagos and other towns and cities throughout the country in the near term.

**SLOVENIA:** A 30-day nationwide state of emergency has been declared after cases of COVID-19 more than doubled during the past week.

**THAILAND:** Dozens of flights will be rescheduled at Chiang Mai International Airport on the 31<sup>st</sup> October and 1<sup>st</sup> November 2020 for safety reasons because of the sky lantern festival.

**UNITED KINGDOM:** Expect bus and train service disruptions in London due to Storm Barbara, although British Airways will go ahead with the relaunch of flights from London Heathrow to Barbados. Please also note that a sharp "[firebreak](#)" will be introduced across Wales on Friday, 23<sup>rd</sup> October 2020, to help regain control of coronavirus. These measures will be in place until the start of Monday, 9<sup>th</sup> November 2020.

**USA:** The existing land border closure will continue with Canada and Mexico through to 21<sup>st</sup> November 2020.

## FEDEE NEWS

**CUTTING LEGAL COSTS:** Under the present climate, many companies will be seeking to curtail the often substantial expenditure involved in using law firms. Whilst conventional firms are invaluable for problems heading for litigation, or where complexity necessitates face-to-face meetings with a legal professional, there are numerous tasks that could be handled effectively and more economically by services such as FII-Law. The FII-Law team is an independent spin-off from the Federation and can offer savings of over 80% on using a conventional law firm. Please contact them on [enquiries@fedeeglobal.com](mailto:enquiries@fedeeglobal.com) for further details. If Members do need assistance directly from a leading law firm, FedEE will be happy to recommend highly competent firms - especially in locations such as Germany, Japan, India, Italy, the UK and across the USA.

**EXCHANGE RATES:** It has been our long-standing practice to convert the majority of monetary figures given in local currency to US dollars. This is to assist when making points of comparison. It should be noted that the exchange rates used are those at the time of writing and are subject to fluctuation, even over short periods. If a precise exchange rate is necessary, please undertake the [conversion](#) on the date it is required.

**JOBS POSTING:** We have issued for "Members Only" some important guidance on the [Directive](#) that must now have been incorporated into EU country laws. This is essential reading if your organisation operates in the European Union and you ever send employees to work in another EU country. [Here](#) is our principal guidance document and [here](#) our note on individual Member State compliance.

**NEWSWIRE LINKS:** If you wish to explore newswire links, **please first login to the members' area** of our website [here](#). Up to date salary tables are available in our Knowledgebase.

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