

## ANTIVIRUS Programme

### Updated measures related to employment (March 31, 2020)

The Ministry of Labour and Social Affairs announced some more details and specifications regarding the ANTIVIRUS PROGRAMME on March 31, 2020. **The programme shall be simplified in order to be operational as of April 6, 2020.**

**The five regimes previously presented were merged into two.** The **New Regime A** combines the previously announced regimes A and B (these are the regimes where out-of-work employees have been affected directly by the disease or the extraordinary measures), whereas **the New Regime B** combines the remaining three (where the employees are not assigned with work due to indirect factors resulting from the crisis, especially due to the fact that there is not enough staff, less production input or fewer sales).

#### Who is entitled to receive a contribution and under which conditions?

Employers whose economic activity is threatened due to spread of the COVID-19 infection will be granted a contribution to reimburse, in whole or in part, the salary compensations due to employees because of an obstacle on the part of employees (quarantine) or on the part of employers (closure of business due to the Government order to close business operations) if it is proved that the obstacle to work is due to COVID-19.

#### What are the situations concerned?

Two regimes are available at the present moment:

**Regime A**, applicable for the following obstacles:

- **In case of quarantine**, where the employee is receiving a **compensation of salary in the amount of 60% of average reduced earnings**;
- **In case of shut-down of the establishment by the decision of the government**, where the employee receives a **compensation of salary in the amount of 100% of average earnings**.

**The contribution will amount to 80% of the paid compensation plus allowances, max. CZK 39,000**

**Regime B**, applicable for the following obstacles:

- Obstacles at work on the side of the employer caused by **ordered quarantine or care for children concerning a substantial part of employees** (30% and more), where the employee receives a **compensation of salary in the amount of 100% of average earnings**;
- **Limitation of input accessibility** (materials, products, services) necessary for activity, where the employee receives a **compensation of salary in the amount of 80% of average earnings**;
- **Limitation of demands of services, goods and other products** of the employer, where the employee receives a **compensation of salary in the amount of 60% of average earnings**.

**The contribution will amount to 60% of the paid compensation plus allowances, max. CZK 29,000**

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## Conditions to be fulfilled:

- Employer strictly respects the Labour Code;
- Employee is not in a notice period and cannot be served with a termination notice;
- Employer is in the business sphere;
- Employee is employed based on an employment contract (not an agreement) and is subject to the social security and pension insurance system;
- Employer must pay out the salary and allowances.

## Who will proceed with the payment of the contribution?

Employment Office

The amount and duration will depend on the reason for the obstacle at work; it will be necessary to differentiate a reason for each employee.

The amount of the refund for the employers is based on the average super gross salary, including allowances (CZK 48,400) and depends on the reasons why the employees had obstacles.

## When can the employer request the contribution?

The Antivirus programme starts from **April 6, 2020**.

The requests can be filed from April 6, 2020. The employer will submit the request for a refund of paid salary compensations from the end of the reported period, i.e., calendar month for which the contributions are requested (for example, contributions for March will be requested in April).

The refund is expected to be paid out within several days following the submission of the request.

Submissions will be fully electronic.

The exact conditions and procedures will be published this week.

The Ministers have mentioned an additional Regime C for certain other situations which might arise (measures to motivate employers still operating their businesses) and promised to discuss it later on.

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*The document reflects the status as of March 31, 2020.*

*We are closely monitoring the situation and will keep you updated.*

*This document is for informational purposes only and may not be considered a legal opinion or advice on how to proceed in a particular case.*