



Law and Policy Group

Global Legislative Update

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June 2020



welcome to brighter

In this document

Mercer's Global Legislative Update covers legal developments affecting retirement, health, executive rewards, talent, diversity and inclusion, and other HR programs that affect local and/or expatriate employees. Links to developments with upcoming effective dates covered in past updates are also included to remind employers of impending deadlines. These icons indicate whether employer action is required.



Employer action required



Potential implications for employers



Developments to monitor

Please note: Mercer is not a law firm and therefore cannot provide legal advice. Please consult legal counsel before taking any actions based on the commentary and recommendations in this report.

1. Highlights.....	1
2. Global	5
3. Americas.....	6
4. Asia Pacific.....	24
5. Europe, Middle East and Africa (EMEA).....	37

1 Highlights

Global

Coronavirus (COVID-19) pandemic

Countries address workplace issues resulting from the COVID-19 pandemic.

Americas

Bermuda

Employer payroll taxes for new hires are waived

Brazil

Labor measures address the effects of COVID-19

Canada

Agreement on the supervision of multi-jurisdictional pension plans
COVID-19 Economic Response Plan includes employment measures
Pension regulator issues COVID-19 relief measures
Guidance issued in Ontario on transferring commuted values and purchasing annuities

Colombia

Workplace measures address the effects of COVID-19

Americas (continued)

Mexico

Government continues phased reopening of workplaces

United States

Regulations provide pay options for employees with varied workweeks

Electronic delivery rule for retirement plan notices is finalized

Employee data collection is delayed due to effects of COVID-19

Relief is offered to cafeteria plans HDHPs, individual-coverage HRAs

Changes made to 2021 ACA out-of-pocket maximums, ESR penalties; more changes ahead

Health savings account, high-deductible health plan figures set

Regulators issue employee benefit plan relief for COVID-19

COVID-19 legislation boosts telehealth, makes other health, paid leave changes

Department of Labor and Internal Revenue Service issue guidance on COVID-19 emergency paid leave

COVID-19 legislation expands unemployment benefits, aims to stem job losses

COVID-19 legislation gives 2020 defined benefit funding relief

New York City changes the definition of 'employee' under the Earned Sick and Safe Time Act New Jersey mass layoff requirements don't apply to COVID-19 situations, effective date of WARN act is delayed

Asia Pacific

Australia

Financial product design, distribution rules are postponed

Jobkeeper Scheme addresses effects of COVID-19

Early release of superannuation facility is announced, superannuation minimum drawdown is reduced to address effects of COVID-19

Fair Work Commission amends some modern awards to address effects of COVID-19

India

Pension contribution rate is reduced to address effects of COVID-19

Hong Kong

Employment support scheme addresses effects of COVID-19

AsiaPacific (continued)	
Japan	Economic stimulus measures are introduced to address effects of COVID-19 Protection against workplace harassment is strengthened
New Zealand	Temporary agency employee rights expanded
Philippines	Return-to-work guidelines on post COVID-19 quarantine issued
Singapore	Budgetary measures to address COVID-19 announced
Europe, Middle East and Africa (EMEA)	
European Union	Guidelines issued on data protection, COVID-19 tracing and app tools COVID-19 workplace health and safety guidelines are issued Financial loans are offered to member states for short-time working due to COVID-19
Cyprus	Employee social contributions delayed due to effects of COVID-19
Denmark	COVID-19 measures include reimbursement for sickness benefit, wage compensation scheme
France	Employment provisions temporarily eased to address COVID-19, gradual return to work planned
Germany	Short-time work scheme and allowance addresses effects of COVID-19
Ireland	Return to work safety protocol published Temporary wage subsidy scheme provides relief from effects of COVID-19 COVID-19 pandemic unemployment payment is available Pensions regulator provides COVID-19 guidance
Netherlands	Government provides wage compensation scheme for companies impacted by COVID-19
Romania	Optional fourth pillar occupational pensions introduced
Russia	Employers must notify employees about introduction of electronic filing of employment information

EMEA (continued)

<u>South Africa</u>	PAYE tax payment relief addresses effects of COVID-19 Government continues to implement COVID-19 alert system, required workplace measures to return to work
<u>Spain</u>	COVID-19 triggers temporary employment changes, steps to lift lockdown
<u>Sweden</u>	Short-time work allowance measures address the effects of COVID-19
<u>United Arab Emirates</u>	Guidance issued on layoffs, remote working arrangements to address effects of COVID-19 Abu Dhabi Global Market worker categories expanded
<u>United Kingdom</u>	Executive pay restrictions issued for companies taking COVID-19 loan Smaller employers can claim sick pay for COVID-19 absence COVID-19 job retention scheme to address effects of COVID-19 Eligibility for statutory sick pay eased to address effects of COVID-19 Input requested on leave for carers Pensions Regulator publishes COVID-19 guidance

2 Global

Coronavirus (COVID-19) pandemic

Status  Ongoing initiatives

Development [Career](#) — [Health](#) — [Wealth](#)

Countries take action to address workplace issues as result of COVID-19 pandemic

The World Health Organization (WHO) declared COVID-19 a pandemic on 12 Mar 2020, and employers are addressing the severe implications on working practices and adjusting their employment and benefit policies accordingly. Countries are enacting legislation and providing regulatory guidance related to workforce protections, leave and layoff procedures, employment subsidies, and changes to existing enforcement procedures. In this Global Legislative Update, Mercer has provided high-level summaries of the actions some countries are taking to provide relief from the effects of COVID-19 for employers and employees.

In addition, to help multinational employers address worksite, economic and associated travel issues, Mercer has provided analysis on workforce and investment implications and compiled information from organizations, government websites, and other resources and news articles.

Resources [Roundup: COVID-19 resources for employers](#) (regularly updated); [Stay informed on coronavirus](#) (regularly updated); [GRIST](#), 28 May 2020; and [GRIST](#), 27 Mar 2020

3 Americas

Bermuda (new)

Status  Currently effective

Development [Career](#)

Employer payroll taxes for new hires waived

The Payroll Tax Amendment Act 2020 extends payroll tax relief for new hires to eligible employers. The act — that also includes payroll tax rate changes — was announced in the 2020-2021 budget statement and took effect on 1 Apr 2020.

Highlights include:

- Employers that are current with payroll tax payments can apply to the commissioner for a waiver of employer-paid payroll taxes for the tax period from 1 Apr 2020 to 31 Mar 2022.
- Employers must have a payroll between BM\$500,000 and BM\$1 million that is subject to payroll tax. They cannot be in receipt of any other payroll tax relief.
- Qualifying employees must work 15 hours or more per week and be hired between 1 Apr 2020 and 31 Mar 2022. New hires must add to the employer's headcount calculated on the March 2020 payroll, and the employer must maintain the increased workforce.

Resources [GRIST](#), 27 May 2020

Brazil

Status  Currently effective

Development [Career](#)

Labor measures address effects of COVID-19

On 1 Apr 2020, the federal government launched the Emergency Program for the Preservation of Jobs and Income and supporting employment measures in Provisional Measure No. 936. Highlights of the program include:

- Subject to providing a minimum of two days' notice, employers can proportionally reduce employees' working time and salaries. Any changes must be incorporated into employment contracts, included in a collective bargaining agreement, or agreed to with individual employees. The changes are applicable during the state of emergency and for up to 90 days.
- Employers can implement three bands of salary reductions — 25%, 50% or 75% — but are not allowed to reduce the hourly wage rate. The government will supplement employees' income by paying any monthly unemployment insurance to which an employee is entitled.
- Employers must guarantee employees' employment for the duration of reduced working hours and salary, and for the equivalent period of time once regular working time resumes.

The federal government also postponed employers' contributions to the obligatory social insurance fund (FGTS) in March, April and May, in Provisional Measure No. 927. The FGTS is used to pay employees in specific circumstances, such as long-term sickness, dismissal and purchase of a house. Employers are allowed to pay their FGTS contributions in six installments, without the payment of interest or other late payment charges, starting in July 2020.

States and municipal governments have issued temporary restrictive measures to address the effects of COVID-19.

Resources regina.recchia@mercer.com

[Provisional Measure No. 936](#) (Portuguese) (Government, 1 Apr 2020); [Provisional Measure No. 927](#) (Portuguese) (Government, 22 Mar 2020)

Brazil (upcoming effective date)

Development [Wealth](#)

- Council imposes [CNPJ registration duty on pension entities](#) — Key date: 31 Dec 2021

Canada (new)

Status  1 Jul 2020

Development [Wealth](#)

New agreement on the supervision of multi-jurisdictional pension plans

The 2020 Agreement Respecting Multi-Jurisdictional Pension Plans (Agreement) will come into effect on 1 Jul 2020.

Developed by the Canadian Association of Pension Supervisory Authorities (CAPSA) to coordinate and harmonize pension regulation across Canada, the federal government, together with governments of British Columbia, Alberta, Saskatchewan, Ontario, Quebec, New Brunswick and Nova Scotia, have signed the Agreement. Highlights include:

- Requirement that a multi-jurisdictional plan only register with one pension regulator (the major authority).
- Rules for determining the major authority.
- Provision that certain requirements of the major authority's pension legislation, such as plan-wide funding and investment requirements, will apply to the entire plan.
- Requirement that the final location approach be used to determine a plan member's benefits where the member has been employed in more than one jurisdiction while a member of the plan.
- Rules for allocating the assets of a plan between jurisdictions in the event of a plan termination and wind up or a plan split.

Resources [Adoption of the 2020 agreement respecting multi-jurisdictional pension plans](#) (CAPSA, 2 Jun 2020); [Agreement](#) (CAPSA, 2 Jun 2020); [FAQs on 2020 agreement respecting multi-jurisdictional pension plans](#) (Office of the Superintendent of Financial Institutions, 4 Jun 2020)

Canada (updated)

Status  Currently effective

Development [Career](#)

Federal COVID-19 Economic Response Plan includes employment measures

The federal government's COVID-19 Economic Response Plan includes several measures to help employers:

- The Canada Emergency Wage Subsidy (CEWS) covers 75% of an employee's wages — up to C\$847 per week — for employers of any size and in any sector who meet certain conditions for the qualifying periods. On 15 May, the program was extended to 29 Aug 2020.
- Employers eligible for the CEWS can receive a 100% refund for certain employer contributions to Employment Insurance, the Canada Pension Plan, the Quebec Pension Plan and the Quebec Parental Insurance Plan made for employees who are on paid leave.
- The Temporary 10% Wage Subsidy is a three-month measure — from 18 March to 19 June — that allows eligible employers to reduce the payroll deduction remitted to the Canada Revenue Agency. Any benefit from the temporary 10% wage subsidy for remuneration paid in a specific period will generally reduce the amount an eligible employer can claim under the CEWS.
- The maximum duration of the Work-Sharing Program has doubled from 38 weeks to 76 weeks for employers affected by COVID-19. This measure provides income support to employees eligible for Employment Insurance who agree to reduce their normal working hours because of developments beyond their employers' control.

Resources [COVID-19 Economic Response Plan](#) (Government of Canada, 6 May 2020)

Canada (updated)

Status  Currently effective

Development **Wealth**

Pension relief measures address effects of COVID-19

Relief for federally regulated pension plan sponsors, announced in April, imposed a moratorium on solvency payment requirements for defined benefit plans until 2021. Details of the regulations, effective 27 May 2020, include:

- Solvency special payments due from 1 April through 30 Dec 2020 are not required.
- Any solvency special payments due and paid from 1 April 2020 through 27 May can be deducted from future normal cost contributions and going concern special payment requirements until 30 Dec 2020.
- If a plan sponsor uses letters of credit to meet its solvency funding requirements, the face value of the letters of credit used to cover solvency special payments during the moratorium period may be reduced by the amount of payments that would have been due for that period in the absence of the regulations.
- If a plan sponsor continues to make solvency payments, those contributions will be considered additional payments and applied to subsequent plan years — to the extent that the payments exceed the required solvency special payments in the absence of the regulations.
- From 27 May 2020 until 30 Nov 2020, any plan amendment that would reduce the solvency ratio of the plan to less than 1.05 requires authorization by the Superintendent of Financial Institutions. Similarly, for any plan with a solvency ratio below 1.05, authorization is required for any plan amendment that would increase pension benefits or credits.
- Plan administrators must disclose, in the annual statement, certain information to members and former members about any plan year in which solvency special payments were reduced under the regulations.

In addition, the Office of the Superintendent of Financial Institutions (OSFI) has adjusted its policies to protect the interests of pension plan members and beneficiaries, while allowing administrators of federally regulated private pension plans to focus on the challenges posed by the COVID-19 crisis, including its impact on financial markets.

Resources jean-francois.poirier@mercerc.com

[Government announces coming into force of regulations providing relief for federally regulated pension plan sponsors \(Department of Finance, 29 May Apr 2020\)](#); [COVID-19 updates \(OSFI\)](#)

Canada (Ontario) (new)

Status  Currently effective

Development **Wealth**

Guidance issued on transferring commuted values and purchasing annuities

Ontario's Financial Services Regulatory Authority (FSRA) released final guidance on transferring commuted values and purchasing annuities pursuant to the Pension Benefits Act. The guidance addresses the situation where a pension plan's transfer ratio has declined by 10% since the most recently filed valuation report and is now less than 0.9. FSRA also updated the information on plausible adverse scenarios in actuarial valuation reports.

The new guidance — which aims to protect the entitlements of all pension plan beneficiaries and ensure plan stability — outlines the application and review process by minimizing unnecessary disruption of commuted value transfers and annuity purchases.

Resources ariella.fuhrmann@mercer.com
[Guidance \(FSRA, 22 May 2020\)](#)

Colombia (new)

Status  Currently effective

Development [Career — Wealth](#)

Workplace measures address effects of COVID-19

The government has issued circulars and decrees setting out employers' obligations to address COVID-19. Highlights include:

- Introducing flexible working arrangements that aim to preserve jobs — including the adjustment of shift arrangements and working hours, changes to or suspension of nonstatutory benefits, and the revision of collective agreements.
- Government provisions to scrutinize employers' actions with regards to changing employment contracts, including actions requiring employees to take unpaid leave.
- Procedures allowing employees to access their monetary severance entitlement if they have suffered a reduction in wages.
- The introduction of a wage subsidy program that allows employers to request up to three payments from the Emergency Mitigation Fund.
- A temporary reduction of pension employer and employee contributions to 3% (down from 16%) in April and May 2020.
- Adjustment of workplace health and safety management systems to take COVID-19 risks into account, and compliance with regular health and safety duties, including the provision of personal protective equipment to employees.

Resources

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[External circular](#) (Government, Jun 2020); [Decree No. 639](#) (Government, 8 May 2020); [Decree No. 593](#) (Government, 24 Apr 2020); [Resolution No. 666](#) (Government, 24 Apr 2020); [Decree No. 558](#) (Government, 15 Apr 2020); [Circular No. 0029](#) (Government, 3 Apr 2020); [Circular No. 0033](#) (Government, 17 Apr 2020); [Circular No. 27](#) (Government, 29 Mar 2020); [Decree No. 488](#) (Government, 27 Mar 2020) [Circular No. 0022](#) (Government, 19 Mar 2020) [Circular No. 0021](#) (Government, 17 Mar 2020); [Circular No. 18](#) (Government, 10 Mar 2020); [Circular No. 17](#) (Government, 24 Feb 2020)

Mexico (updated)

Status  Currently effective

Development [Career](#)

Government continues phased reopening of workplaces

The government issued a framework on the reopening of critical economic activities, including the industrial sector and Mexican suppliers to US manufacturers and on 1 June entered the third phase. The Ministry of Health, in two declarations, outlined steps that newly designated “essential services” must take prior to reopening, and technical guidelines published by the Ministry of Economy cover applicable sanitation standards and certification requirements. Organizations that were previously classified as essential services must follow the technical guidance, but don’t have to be certified prior to reopening. The technical guidelines include virus control strategies, sanitation protocols and a standard self-authorization form applicable to employers in all economic sectors. Employers also will have to comply with state-level declarations.

Resources [Phased reopening](#) (Spanish) (Government, 14 May 2020); [Information on coronavirus](#) (Spanish) (Government); [Guide for workplaces](#) (Spanish) (Government, April 2020); [Mercer point of view](#) (Spanish) (April 2020)

United States (US) (new)

Status  60 days after publication in the federal register

Development [Career](#)

Pay options for employees with varied work weeks

A final rule issued by the US Department of Labor (DOL) allows employers to offer bonuses or other incentive-based pay to employees whose hours vary week to week. The rule revises the regulation for computing overtime compensation of salaried, nonexempt employees with a varying work schedule or fluctuating workweek under the Fair Labor Standards Act (FLSA) and is effective 60 days after publication in the federal register.

The final rule clarifies that bonuses, premium payments, commissions and hazard pay — on top of fixed salaries — are compatible with the fluctuating workweek method of compensation, and employers must include supplemental payments when calculating the regular rate of pay as appropriate under the FLSA. It includes examples and minor revisions to make the rule easier to understand.

The DOL addressed the current challenges employers face from the effects of COVID-19, noting that “the rule enhances flexibility to provide hazard pay, and to promote health and safety in the workplace through flexible work schedules that stagger start and end times and implement social distancing in the workplace.”

Resources [GRIST](#), 28 May 2020

US (new)

Status  27 Jul 2021

Development [Wealth](#)

Electronic delivery rule for retirement plan notices finalized

Final Department of Labor (DOL) e-delivery regulations will make it significantly easier for retirement plan administrators to deliver certain notices to participants and beneficiaries via internet websites, mobile apps and email. Before relying on the new safe harbor, a plan administrator must send all participants and beneficiaries an initial paper notice explaining the new e-delivery method. The initial notice is required before using either the notice-and-access method or email to e-deliver documents. Plan administrators cannot send the initial notice electronically, even to participants already receiving electronic disclosures under the 2002 safe harbor. After receiving initial notice about how to access the documents, participants and beneficiaries can opt out of electronic delivery altogether, but even those who don't opt out can request paper versions of specific documents. The rule takes effect 27 July, but plan administrators may rely on it earlier. The new rule applies only to retirement plans (but DOL may address e-delivery rules for health and welfare plans in the future).

Resources margaret.berger@mercer.com and brian.kearney@mercer.com
[GRIST](#), 1 Jun 2020

US (new)

Status  Delayed until 2021

Development [Career](#)

Employee data collection delayed due to effects of COVID-19

The Equal Employment Opportunity Commission (EEOC) has delayed the opening of the 2019 EEO-1 component 1 (employer information report) data collection in recognition of the impact the COVID-19 pandemic is having on workplaces. The EEOC expects to begin collecting the 2019 and 2020 EEO-1 Component 1 in March 2021 and will notify filers of the precise date the surveys will open as soon as it is available.

Resources [Press release](#) (EEOC, 7 May 2020)

US (new)

Status  Currently effective

Development [Health](#)

Relief offered to cafeteria plans, HDHPs, individual-coverage HRAs

IRS Notice 2020-29 expands temporary COVID-19 relief so cafeteria plans can allow certain midyear election changes and extend special grace periods for claims under health flexible spending arrangements (FSAs) and dependent care assistance programs (DCAPs). Notice 2020-29 also clarifies earlier guidance for health savings accounts (HSAs) and high-deductible health plans (HDHPs) on coverage of COVID-19 testing and treatment costs and telehealth services. Permanent guidance in Notice 2020-33 provides an annual cost-of-living increase to the \$500 health FSA carryover limit, starting in 2020. Notice 2020-33 also allows individual-coverage health reimbursement arrangements (HRAs) to cover current plan-year premiums paid before the plan year began. The most important step is for employers to coordinate with an insured plan's carrier or a self-funded plan's stop-loss carrier before adopting certain midyear election changes.

Resources cheryl.hughes@mercer.com, katharine.marshall@mercer.com, dorian.smith@mercer.com
[GRIST](#), 28 May 2020

US (new)

Status  Beginning in 2021

Development [Health](#)

Changes to 2021 ACA out-of-pocket maximums, ESR penalties; other changes ahead

The final Notice of Benefit and Payment Parameters for 2021 adopts many of the Affordable Care Act (ACA) regulatory changes proposed earlier this year by the US Department of Health and Human Services. The notice addresses federal standards that will apply to the private insurance market starting in 2021, including some affecting employer-sponsored plans. The wide-ranging regulation provides the adjustment factor that determines the 2021 ACA cost-sharing limits — or out-of-pocket (OOP) maximums — and employer shared-responsibility assessments. The notice also clarifies the treatment of drug manufacturer coupons when tracking the ACA's OOP maximums and addresses health reimbursement arrangements. Other changes to how insurers calculate medical loss ratios and how states report on essential health benefits could have some indirect effects on employer-sponsored plans.

Resources kaye.pestaina@mercer.com, dorian.smith@mercer.com, margaret.berger@mercer.com
[GRIST](#), 3 June 2020

US (new)

Status  Beginning in 2021

Development [Health](#)

Health savings account, high-deductible health plan figures set

The IRS has announced the 2021 inflation-adjusted amounts for health savings accounts (HSAs) and high deductible health plans (HDHPs). In 2021, tax-deductible/tax-free HSA contribution limits and HDHP in-network out-of-pocket maximums will increase for both self-only and family coverage levels, while HDHP minimum annual deductibles are unchanged. The HSA catch-up contribution limit is set by statute and has remained the same since 2009.

Resources dorian.smith@mercer.com, kaye.pestaina@mercer.com
[GRIST](#), 20 May 2020

US (updated)

Status  Currently effective

Development [Wealth](#)

Employee benefit plan relief addresses effects of COVID-19

The Internal Revenue Service (IRS) has extended until 15 July the deadline for certain retirement plan filings and other actions normally due from 30 March through 14 July under IRS Notice 2020-35. The deadline extension expands the agency's earlier pandemic relief in Notice 2020-23. The new guidance also formalizes IRS's extension of the initial 403(b) plan remedial amendment period (RAP) until 30 June and the second RAP for preapproved defined benefit plans until 31 July. IRS previously announced both RAP extensions on its website.

Resources brian.kearney@mercer.com; margaret.berger@mercer.com
[GRIST](#), 2 June 2020

US

Status  Currently effective

Development [Career — Health](#)

COVID-19 legislation boosts telehealth, makes other health, paid leave changes

The Coronavirus Aid, Relief and Economic Security (CARES) Act (HR 748) eases telehealth rules for high-deductible health plans (HDHPs) paired with health savings accounts; permits group health plans — including healthcare accounts — to reimburse costs for over-the-counter (OTC) drugs; and requires first-dollar coverage for COVID-19 testing and vaccines. Agency guidance has elaborated on these requirements and created new flexibilities to encourage COVID-19 diagnosis and treatment. Plans can expand access to healthcare through telehealth and other remote mechanisms that minimize opportunities for virus transmission.

The CARES Act also modifies the healthcare and emergency leave requirements enacted in the Families First Coronavirus Response Act (Pub. L. No. 116-127). Along with offering a variety of relief to employers and individuals, the CARES Act conforms certain confidentiality standards for information about substance use disorders to the Health Insurance Portability and Accountability Act.

Resources katharine.marshall@mercer.com; cheryl.hughes@mercer.com; kaye.pestaina@mercer.com
[GRIST](#), 21 Apr 2020; [GRIST](#), 27 Mar 2020

US

Status  Currently effective

Development [Career — Health](#)

Department of Labor and Internal Revenue Service issue guidance on COVID-19 emergency paid leave. The Families First Coronavirus Response Act (FFCRA) (Pub. L. No. 116-127), amended by the CARES Act, requires private employers with fewer than 500 employees — and most government employers — to provide two weeks of paid sick leave and 12 weeks of partially paid, expanded Family and Medical Leave Act leave to employees affected by the COVID-19 pandemic. The emergency leave is available between 1 Apr and 31 Dec 2020. Temporary regulations (29 CFR Part 826, as corrected) and other agency guidance on emergency paid leave and related tax credits answer some employer questions about the FFCRA. Current guidance is subject to change by new agency regulations, guidance or Q&As, as well as future legislation.

Resources katharine.marshall@mercer.com; kaye.pestaina@mercer.com
[GRIST](#), 29 Apr 2020

US

Status  Currently effective

Development [Career — Health](#)

COVID-19 legislation expands unemployment benefits, aims to stem job losses. The CARES Act takes a two-pronged approach to helping workers. First, the act increases unemployment benefits for eligible individuals and broadens eligibility to include additional categories of workers affected by COVID-19. Second, the act includes financial incentives to encourage eligible employers to keep employees on payroll. Employers will want to understand all available forms of relief before deciding among various workforce actions, such as reductions in force, layoffs, furloughs and shortened work hours.

Resources katharine.marshall@mercer.com; carol.silverman@mercer.com; amy.knieriem@mercer.com
[GRIST](#), 15 Apr 2020

US

Status  Currently effective

Development [Wealth](#)

COVID-19 legislation gives 2020 defined benefit funding relief

The CARES Act provides short-term relief for single-employer defined benefit plans by delaying all 2020 minimum required contributions until 1 Jan 2021. The relief applies to quarterly contributions and any year-end contributions, regardless of plan year. When paid, contributions will include interest for late payment according to the plan's effective interest rate for the related plan year.

When determining whether Section 436 benefit restrictions apply to any plan year that includes the 2020 calendar year, sponsors can choose — but are not required — to use the plan's adjusted funding target attainment percentage for the plan year ending in 2019. This relief could help sponsors avoid freezing benefits and continue to offer lump sums and other accelerated payment forms, even if the plan's funded status has significantly declined in the wake of the pandemic.

Resources brian.kearney@mercer.com; margaret.berger@mercer.com; ellen.stone@mercer.com
[GRIST](#), 10 Apr 2020; [GRIST](#), 7 Apr 2020; [GRIST](#), 26 Mar 2020

US — New Jersey (new)

Status  Effective dates vary

Development [Career](#)

Mass layoff requirements don't apply to COVID-19 situations, effective date of revised NJ WARN act delayed
 Mass layoffs necessitated by COVID-19 will not trigger the advance notification or severance requirements included in the New Jersey WARN Act under SB 2353. The law is immediately effective, backdated to 9 Mar 2020. In addition, SB 2353 delayed the effective date of the revised New Jersey WARN act until 90 days after the end of the governor's stay-at home order — the law was originally slated to take effect on 19 Jul 2020. The revised act imposes tougher requirements on employers making mass layoffs, including longer notification periods, reduced trigger threshold to 50 employees reporting to an establishment, and mandated severance payments.

Resources [Senate Bill 2353 \(New Jersey Legislature\)](#); [GRIST](#), 25 Feb 2020

US — New York City (new)

Status Proposal

Development [Career](#) — [Health](#)

Changes proposed to definition of employee under Earned Sick and Safe Time Act
 New York City has proposed legislation that would amend the definition of “employee” under its Earned Sick and Safe Time Act to cover more workers currently classified as independent contractors. The legislation would adopt the more restrictive “ABC” test and result in increasing the number of workers who are employees and not independent contractors. If enacted, the change would be retroactively effective to 1 Jan 2020.

Resources [Int. No. 1926-2020 \(New York City Council, 22 Apr 2020\)](#)

US (upcoming effective dates)

Development [Career](#)

- [New Jersey expands mass layoff law, severance entitlement](#) — Key date: 19 Jul 2020
- [Oregon law protects against workplace harassment, discrimination](#) — Key date: 1 Oct 2020
- [California employers must provide sexual harassment training by 2021](#) — Key date: 1 Jan 2021
- [Colorado's new pay equity law takes effect in 2021](#) — Key date: 1 Jan 2021

[Career](#) — [Health](#)

- [Connecticut enacts paid family and medical leave](#) — Key date: 1 Jan 2021

[Wealth](#)

- [FASB completes deliberations on retirement plan disclosures](#) — Key date: 15 Dec 2020

4 Asia Pacific

Australia (new)

Status  Postponed to 5 Oct 2021

Development [Wealth](#)

Financial product design, distribution rules postponed

The Australian Securities and Investments Commission (ASIC) announced a six-month postponement of the design and distribution obligations (DDO) for financial products until 5 Oct 2021 — from 5 Apr 2021— due to the economic impact of COVID-19, particularly on the financial system and consumers.

The DDO establishes a new governance regime and follows the Financial System Inquiry's recommendations:

- Financial product issuers must identify target markets for their products and consumers, select appropriate distribution channels, and periodically review arrangements to ensure they remain appropriate.
- Distributors of financial products must establish reasonable controls to ensure products are distributed in accordance with the identified target markets.

Consultation on draft guidance for the DDO closed in March 2020, and ASIC recently confirmed its aim to publish final guidance in mid-2020. The DDO requirements featured in the Treasury Laws Amendment (Design and Distribution Obligations and Product Intervention Powers) Act 2019 received royal assent on 5 Apr 2019.

Resources paul.shallue@mercer.com
[GRIST](#), 1 Jun 2020

Australia

Status  Currently effective

Development [Career — Wealth](#)

COVID-19 JobKeeper Scheme addresses effects of COVID-19

A temporary wage subsidy program — the JobKeeper Scheme — aims to help eligible employers cover their wage costs by paying A\$1,500 (before tax) to eligible employees every two weeks from 30 Mar until 27 Sep 2020. Employers are allowed to top up salary payments. Employers must apply to the scheme and meet certain eligibility criteria. The Tax Commissioner has the discretion to apply alternative tests to establish eligibility in specific circumstances. Eligible employers who laid off employees before the commencement of this scheme can participate.

The scheme is open to employees hired on or before 1 Mar 2020, including employees who were let go and then rehired. Payments to employers are made in arrears and began in early May. The scheme is open to New Zealand citizens on “444 visas” provided they are tax residents, but not to other nationalities on working visas in Australia.

Employers do not have to pay superannuation guarantee payments on any additional payment made because of the JobKeeper Payment.

A number of states and territories have announced changes to exempt JobKeeper payments from payroll tax and other payroll tax concessions to help businesses affected by COVID-19.

Resources [Economic response to coronavirus](#) (Government); [JobKeeper payment](#) (Government); [JobKeeper updates](#) (Government)

Australia

Status  Currently effective

Development [Wealth](#)

Early release of superannuation facility, superannuation minimum drawdown reduced to address effects of COVID-19

The early release scheme allows eligible individuals to withdraw up to A\$10,000 of their superannuation in 2019-20 and up to A\$10,000 in 2020-21. Individuals do not pay tax on amounts released, and withdrawals will not affect Centrelink or Veterans' Affairs payments. Applications for early release must generally be submitted online via myGov, or by telephone. Early releases cannot be made from pensions, including Transition to Retirement pensions, and early releases for defined benefit members are optional for funds.

COVID-19 legislation provides retirees with more flexibility for managing their superannuation assets. The minimum amount that retirees must withdraw from account-based pensions and similar products was reduced by 50% for tax years 2019-20 and 2020-21, with the aim of reducing the need to sell investment assets to fund minimum drawdown requirements.

Resources paul.shallue@mercer.com
[Coronavirus Economic Response Package Omnibus Bill 2020](#) (Parliament); [Superannuation COVID-19 stimulus design and implementation](#) (Government); [Providing support for retirees](#) (Government); [Government's economic response to coronavirus](#) (Government)

Australia

Status  Currently effective

Development [Career](#)

Fair Work Commission amends some modern awards to address effects of COVID-19

The Fair Work Commission has amended 99 modern awards to include provisions related to the COVID-19 pandemic, effective 8 Apr 2020 until 30 Jun 2020, unless extended upon application to the commission. Employees covered by modern awards are entitled to two weeks of unpaid pandemic leave and, with employer approval, can double the amount of annual leave at half pay. In both cases, the leave must start before 30 Jun 2020. The changes provide employers with additional or different options to the JobKeeper Scheme to manage workforce issues during the pandemic. Awards are enforceable documents containing minimum terms and conditions of employment (for example, pay rates and conditions of employment such as leave entitlements, overtime and shift work and other workplace-related conditions) in addition to any legislated minimum terms.

Resources [Coronavirus \(COVID-19\) updates & advice \(Fair Work Commission\)](#)

Australia (upcoming effective dates)

Development [Career](#) — [Wealth](#)

- [Australian guidance explains modern slavery disclosures](#) — Key date: 31 Mar 2020

[Wealth](#)

- [Australia updates guidance on super investment fees and cost disclosures](#) — Key date: 30 Sep 2020
- [Australia increases consumer protection for financial products](#) — Key date: April 2021

India (new)

Status  Currently effective

Development [Wealth](#)

Pension contribution rate reduced to address effects of COVID-19

The statutory contribution rate paid by employers and employees to the Employees' Provident Fund Organisation (EPFO) has been reduced from 12% to 10% of basic wages for three months (May through July 2020) to address the effects of COVID-19. The reduction is applicable to all organizations covered by the EPFO and means that employees' take home pay will increase, and employers' EPFO contribution liabilities are reduced by 2% of employees' wages bill.

Resources [Press release](#) (Ministry of Labour & Employment, 19 May 2020)

Hong Kong (updated)

Status  Currently effective

Development [Career — Wealth](#)

Employment Support Scheme addresses effects of COVID-19

A job retention program — the Employment Support Scheme (ESS) — provides wage subsidies to eligible employers in exchange for employers not conducting any layoffs while receiving the subsidies. The ESS pays a subsidy to employers calculated on 50% of an employee's wage in a specified month. The wage amount used to calculate the subsidy is capped at HK\$18,000 per month, and the subsidy is capped at HK\$9,000 per employee. The government recently announced four revisions to the scheme:

- Employees aged 65 years and over, for whom employers are making contributions to the Mandatory Provident Fund (MPF), can now be included in the scheme.
- Some employees covered by two MPF industry schemes (construction and catering industry sectors) are now eligible for the scheme.
- The eligibility criteria for self-employed persons is eased.
- Employers can use December 2019 as the specified month for the purpose of calculating the amount of the wage subsidy. Previously, employers were restricted to selecting one month between January and March 2020.
- Employers can submit their application for the first tranche of ESS funding from 25 May until 14 June 2020 for employers to receive the subsidy in June to pay wages through August. Employers cannot lay off staff during the subsidy period. Application dates for the second phase have not been announced, but the government plans to pay the subsidy in September for wages through November.
- Eligible employers must have contributed to the Mandatory Provident Fund or have established an occupational retirement schemes for their employees. Separate arrangements will apply to certain sectors that do not have good coverage in the provident fund systems, such as the catering, passenger transportation and construction sectors.
- The wage subsidy is 50% of wages capped at a monthly salary of HK\$18,000. This means an employer could receive a maximum monthly subsidy of HK\$9,000 per employee.

Resources [Employment support is vital](#) (Labour & Welfare secretary); [Coronavirus information](#) (Government)

Japan

Status  Currently effective

Development [Career — Health](#)

Economic stimulus measures addresses effects of COVID-19

The government introduced new laws and mandates to address the effects of COVID-19, and employers are encouraged to introduce remote working. Smaller firms can apply for government funding to cover the cost of purchasing teleworking equipment. Highlights are as follows:

- The government has introduced employment adjustment subsidies that pay up to 60% of employees' average salaries (calculated on the statutory minimum) as an alternative to layoffs, subject to the employer meeting certain criteria. The amount of subsidy depends on the employer's size and is limited to 100 days per year.
- Employers can offer "special purpose paid leave" to employees unable to work due to care of their children. Employers can apply for government reimbursement of salary payments up to JPY\$8,330 per day for leave taken between 27 Feb 2020 and 30 Jun 2020.
- Employers can adjust working time arrangements, subject to current agreements with labor unions.
- Employers can defer social security payments for up to one year, subject to meeting certain criteria.

Resources [Coronavirus information](#) (Prime Minister); [Coronavirus information](#) (Ministry of Economy, Trade and Industry); [Coronavirus information](#) (Ministry of Health, Labor and Welfare)

Japan (previously covered, newly effective)

Status  Currently effective

Development [Career](#)

Protection against workplace harassment strengthened

Japanese employers must take action to combat workplace harassment — including sexual harassment and “power harassment” (“pawahara”) — in a 2019 law effective 1 Jun 2020 for larger employers and within three years for smaller organizations (generally those with 50 or fewer employees). The law’s effective date previously was slated for April 2020. The law doesn’t include any sanctions, but the Ministry of Health, Labour and Welfare could issue administrative notices and name and shame employers that breach the law. The MHLW has published guidelines that provide more detail about employers’ duties. Highlights include:

- Power harassment includes verbal or physical behavior that goes beyond business necessity and takes advantage of superior positions in a relationship that harm the workplace environment.
- Power harassment includes physical abuse, emotional abuse, deliberate isolation of the employee in the workplace, overwork of the employee, assigning work below the employee’s skill level, and infringing on the employee’s privacy by asking personal questions not relevant to the business.
- Employers must implement measures to prevent sexual harassment and harassment with regard to pregnancy, childbirth, child care leave and nursing care leave.
- Employers must establish a consultation procedure to deal with employees’ complaints of harassment and offer dispute resolution or mediation services to employees reporting harassment.
- Employees are protected from retaliation or dismissal of employees who report harassment.

Resources [GRIST](#), 2 Jun 2020

Malaysia

Status  Currently effective

Development [Career](#)

Wage subsidy scheme addresses effects of COVID-19

A government wage subsidy scheme, launched in April, allows small- and medium-sized employers to apply for wage subsidies for resident employees who earn less than MYR\$4,000 per month. The program is effective from 1 Apr to 31 Dec 2020, and employers can submit applications until 15 Sep 2020, subject to fund availability for a period of up to three months. The scheme is open to employers (i) registered with, or contributing to, the social security organization or the employment insurance system prior to 1 Apr 2020, (ii) registered with the Companies Commission of Malaysia or relevant local authorities before 1 Jan 2020, and (iii) were operational before 1 Jan 2020. The amount of monthly subsidy depends on the enterprise's workforce size:

- Companies with 75 or fewer employees will receive a wage subsidy of MYR\$1,200 per eligible employee.
- Companies with 76- 200 employees will receive a wage subsidy of MYR\$800 per eligible employee.
- Companies with 201 or more employees will receive a wage subsidy of MYR\$600 per eligible employee.

To be eligible for the scheme, companies with 76 or more employees must show at least a 50% decline in their organization's revenue or income compared with January 2020 or later months.

Employers must also continue to employ their workers for at least six months, comprising three months during receipt of the subsidy and three months after the end of the subsidy period.

Resources megat.harith.suhaimi@mercer.com
[Government Release, April 2020](#)

New Zealand (previously covered, effective soon)

Status  27 June 2020

Development [Career](#)

Temporary agency employee rights expanded

Starting 27 Jun 2020, workers supplied by temporary agencies to work for user organizations — a so-called “triangular relationship” — will be allowed to make personal grievance claims directly against the user organization that controls or directs their day-to-day work. Employers using these workers will no longer have protection from grievance claims under the Employment Relations (Triangular Employment) Amendment Act 2019, which received Royal Assent on 27 Jun 2019.

Temporary staff with grievances currently must first ask the Employment Relations Authority to determine the nature of the relationship between the user organization and the worker. Highlights include:

- Employees will generally have 90 days from the date of the occurrence to file a personal grievance claim.
- The employee or the temporary agency can add the user organization to the employee’s grievance claim by applying to the Employment Relations Authority.
- The authority or the court can initiate a motion for the user organization to join the proceedings if it caused or contributed to the cause of the grievance.
- The Employment Relations Authority can apportion liability between the employer and the user organization for any compensation or remedies awarded to the employee.

Resources [GRIST](#), 2 Aug 2019

Philippines (new)

Status  Currently effective

Development [Career — Health](#)

Return-to-work guidelines on post-COVID-19 quarantine are issued

The government has issued interim guidelines that set out prevention and control measures to address employees' return to work following the end of the COVID 19 quarantine period. Highlights include:

- Adoption of business continuity plans to prevent the spread of COVID-19, including a reduction in the number of workers at the workplace, such as individuals classified as “high risk.”
- Implementation of appropriate policies on sick leave, medical insurance coverage and pay to facilitate employee compliance.
- Introduction of employee health screening for (for example, temperature checks and appropriate disinfection arrangements).
- Implementation of non-medical prevention and control measures set out in the joint memorandum on workplace prevention and control issued by the Department for Trade and Industry and the Department of Labor and Employment (for example, environmental measures, disinfection, physical distancing, and health education), and other public health and safety measures)
- The Philippine Health Insurance Corporation (PhilHealth) announced the new rate of its benefit package for COVID-19 testing.

Resources pauline.cardenas@mercer.com

[Interim Guidelines on the return-to-work](#) (Government, 11 May 2020); [Joint memorandum](#) (Government, 1 May 2020)

Singapore (new)

Status  Currently effective

Development [Career](#)

Budgetary measures to address COVID-19 announced

The government issued its fourth budget for 2020, which includes further measures to address the impact of COVID-19.

Highlights include:

- The Job support Scheme is extended for one month to cover wages paid in August 2020. Employers that were unable to open after the end of the “circuit breaker” period on 1 Jun 2020 will receive a 75% wage subsidy until August 2020, or when they are allowed to reopen (whichever is sooner). Firms in more severely impacted sectors will receive wage subsidies of either 75% or 50%, depending on the sector. Previously, these firms received wage subsidies of 25%.
- New employment skills and retraining programs aim to create 100,000 jobs and training opportunities, including 40,000 jobs by the end of 2020 (of which 11,000 will be in the private sector). The new training programs will be rolled out in the coming months and aim to help local first-time and mid-career job seekers, along with a scheme to help individuals who have lost their jobs upgrade their skills while seeking new roles.
- Employers will receive a monthly wage subsidy for up to six months for hiring local workers who have completed certain training programs. Subsidy amounts will be 20% (capped at SG\$6,000 for workers under age 40) and 40% (capped at SG\$12,000 for workers aged 40 and over).
- Foreign worker levy rebates are extended for up to two months for businesses that weren’t allowed to resume on-site operations after the end of the “circuit breaker.” In June, eligible employers will receive the full levy waiver and a rebate of SG\$750, and in July the waiver will be 50% with a rebate of SG\$375.
- A scheduled increase in CPF contribution rates for older workers is deferred by one year — from 1 Jan 2021 to 1 Jan 2022. The CPF Transition Offset scheme is also deferred until after the CPF higher contribution rates take effect.
- The government will fund a COVID-19 support grant that will pay individuals up to SG\$800 per month for three months if they have lost their job, been placed on leave without pay, or have had their salaries significantly reduced.

Resources [GRIST](#), 1 Jun 2020

Singapore (upcoming effective date)

Development [Career — Health](#)

- [Singapore expands work injury insurance protections](#) — Key date: 1 Sep 2020

5 Europe, Middle East and Africa (EMEA)

European Union (EU) (new)

Status  Currently effective

Development [Career — Health](#)

Guidelines issued for data protection, COVID-19 contact tracing and app tools

The European Data Protection Board (EDPB) issued guidelines concerning key data protection and privacy issues related to the use of certain tools that aim to combat the spread and resurgence of COVID-19. The guidelines address the use of location and contact tracing tools, and an 14 April letter states the EDPB's views on the use of mobile applications and mobile data.

The EDPB emphasized the importance of using anonymized — not personal — data when utilizing location information, which isn't subject to the EU data protection law. Anonymization means it's impossible to use the data to single out an individual from a larger group, link different records related to the same individual and infer unknown information about an individual. The EDPB's letter responds to the European Commission's proposal for a common approach to the use of mobile applications and data to inhibit the spread of COVID-19. Currently, member states are pursuing different approaches. According to the commission, applications can be developed by the public or private sectors and must comply with the EU's data protection principles. Applications should aim to inform and advise citizens; interrupt infection chains; prevent a resurgence of infection; and help with monitoring and quarantining of individuals. The EDPB supports balancing public interest and individuals' privacy to fight the pandemic, and emphasized the following considerations: individual use of applications should be voluntary, tasks should be performed in the public interest, applications must not incorporate location tracing, and data storage preferably should be decentralized, not centralized.

Resources [GRIST](#), 14 May 2020

EU

Status  Currently effective

Development [Career — Health](#)

COVID-19 workplace health and safety guidelines issued

The European Commission published non-binding workplace health and safety guidelines to inform employers and workers about issues concerning the return to work when national governments allow. Highlights include:

- Risk assessments to review the impact of work process changes, including mental health risks, on employees.
- The use of control mechanisms to minimize workers' exposure to the virus.
- Guidance on resuming work following a period of closure.
- Issues concerning employees' absence, including managing the return to work of employees who contracted COVID-19.
- Health and safety issues arising from teleworking (for example, ergonomic and mental health matters).
- Consultation of workers and their representatives about workplace organization, and health and safety matters.
- Issues specific to certain sectors and occupations (for example, jobs requiring close contact with colleagues and customers).

Resources [EU guidance for a safe return to work](#) (European Commission)

EU

Status  Currently effective

Development [Career](#)
 Financial loans offered to member states for short-time working due to COVID-19
 The temporary Support Mitigating Unemployment Risks in an Emergency (SURE) initiative was launched by the European Commission on 2 Apr 2020 to protect workers and jobs affected by COVID-19. The SURE initiative provides financial loans of up to €100 billion to member states to help their governments cover the cost of national short-time working schemes that allow employers to reduce the working hours and provide income support.

Resources [SURE announcement](#) (European Commission); [FAQs](#) (European Commission)

EU (upcoming effective date)

Development [Career](#)

- [Directive strengthens employment rights for posted workers](#) — Key date: 20 Jul 2020
- [Final CRD V revises remuneration principles](#) — Key date: 28 Dec 2020
- [Directive expands whistleblower protections](#) — Key date: End of 2021
- [Revised rules will impact participating companies, employees](#) — Key date: 1 Jan 2022
- [Law strengthens rights of 'nonstandard workers'](#) — Key date: Summer 2022

[Career — Health](#)

- [Work-life balance measures, including leave finalized](#) — Key date: Summer 2022

[Wealth](#)

- [ESG agenda, capital markets union progress](#) — Key date: 10 Mar 2022

Belgium (upcoming effective date)

Development [Career — Health](#)

- [Constitutional court annuls 'cash for car' system](#) — Key date: 31 Dec 2020

Cyprus	
Status	 Currently effective
Development	<p>Health — Wealth</p> <p>Employee social contributions delayed due to effects of COVID-19</p> <p>Effective 30 Apr 2020, the Cypriot government announced the extension of the deadline for making employee social security contributions due to the impact of coronavirus, the suspension of additional charges, and the refund of additional charges paid before 14 May 2020.</p>
Resources	Announcement (Greek) (Government, 2 May 2020)
Denmark	
Status	 Currently effective
Development	<p>Career</p> <p>COVID-19 measures include reimbursement for sickness benefit, wage compensation scheme</p> <p>The government has adopted wage and benefit measures to address the effects of COVID-19. From 17 Feb 2020 until 1 Jan 2021, employers can be reimbursed for sickness benefits from the first day of absence for employees who are ill, believed to be ill or quarantined due to COVID-19.</p> <p>In addition, a wage compensation scheme applicable from 9 Mar to 8 Jul 2020 allows private sector employers to furlough employees on full pay for a period of time and receive government compensation. The scheme is open to employers that would otherwise have laid off at least 30% of their workforce — or more than 50 employees — and is open to employees who were employed before 9 Mar 2020. Employees benefiting from the scheme must take five days of unreimbursed holiday time under the scheme. The amount of compensation payable for a full-time salaried employee is 75% of monthly gross salary (up to DKK 30,000 per month), and 90% of wages, capped at DKK 30,000 per month for non-salaried employees.</p>
Resources	<p>heine.olsen@mercer.com</p> <p>COVID-19 information (Department of Health); COVID-19 information (Danish) (Government legal information system)</p>

France (updated)

Status  Currently effective

Development [Career — Health](#)

Employment provisions temporarily eased to address COVID-19, gradual return to work planned

On 11 May, the government lifted the nationwide lockdown and began a phased reopening. A government protocol sets out recommended actions for employers to follow when reopening their worksite. Employers must carry out a workplace risk assessment and implement various measures before resuming operations. Employers likely will have to inform their workplace consultation body about the risk assessment, and consult with employee representatives if work practice changes are required. Over the last several months, the government has published several decrees and ordinances, including temporary changes to certain labor laws, to address the workplace effects of COVID-19. Highlights include:

- A partial activity or temporary layoff scheme (employers must have applied by 30 Apr 2020, and must pay at least 70% of employees' compensation, or more if required by a collective agreement).
- Postponement of elections for employee representative bodies.
- Revised arrangements for organizing meetings of staff representatives.
- Provisions on the exceptional purchasing power bonus (the "Macron 2020 bonus") and optional profit-sharing agreements.
- Occupational health arrangements (including calling for additional work stoppages and the postponement of medical examinations conducted by occupational health services).
- Provisions on professional training.

Resources [National Plan for easing lockdown](#) (French) (Government); [Protocol for return to workplace](#) (French) (Government, 9 May 2020); [Information on coronavirus](#) (Government); [Information for employers and employees](#) (French) (Government); [Decree 2020-293](#) (French) (Legifrance, 6 Apr 2020); [Ordinance 2020-346](#) (French) (Legifrance, 28 Mar 2020); [Ordinance 2020-389](#) (French) (Legifrance, 22 Apr 2020); [Ordinance 2020-385](#) (French) (Legifrance, 2 Apr 2020); [Ordinance 2020-386](#) (French) (Legifrance, 2 Apr 2020); [Ordinance 2020-387](#) (French) (Legifrance, 2 Apr 2020)

France (upcoming effective date)

Development [Career — Health](#)

- [Stronger protections for employees posted to work in France](#) — Key date: 30 July 2020

Germany (updated)

Status  Currently effective

Development [Career](#)

Short-time work scheme and allowance addresses effects of COVID-19

The government introduced measures to reduce layoffs, retroactive to 1 Mar 2020, that allow employers to implement a short-time work scheme and to pay an allowance to affected employees to cover associated income loss. Highlights include:

- Employers that want to introduce short-time work due to economic reasons or “force majeure” must show that a minimum of 10% of the company’s workforce will suffer a significant, temporary and unavoidable loss of working hours (previously, the minimum employee threshold to trigger the scheme was as high as one-third of the workforce).
- Employers must fulfill certain eligibility criteria and cannot unilaterally introduce the scheme. The employees or works council must agree to the scheme, or the provisions must be incorporated into a collective agreement. Once agreed upon, employers must register schemes with the responsible employment agency.
- Employees who are temporarily placed on short-time work are eligible to receive the short-time work allowance for up to two years. This is an increase from the maximum of one year under the old scheme. The employment agency pays the allowance (currently 60% of the employee’s net income lost due to short-time work, increasing to 67% if the employee has one or more children; and government proposals could increase the allowance by 20%). Employers can top-up the allowance and may be required to under collective agreement terms. Social security contributions paid by employers will be reimbursed retroactively to 1 Mar 2020.
- Short-time workers can take other employment. From 1 May to 31 Dec 2020, employees’ ancillary earnings won’t count against the allowance, but the amount cannot exceed salary earned prior to being placed on short-time work.

Resources david.lesch@mercer.com
[Law on short-time working](#) (German) (Government); [Information on short-time working](#) (German) (Government); [Proposed changes to short-time working](#) (German) (Government, 14 May 2020)

Ireland (new)

Status  Currently effective

Development [Career](#)

Return to Work Safety Protocol published

On 9 May 2020, the Minister for Business, Enterprise and Innovation published the national “Return to Work Safety Protocol,” which sets out the steps and processes that businesses must take to mitigate the spread of COVID-19 in the workplace. The Protocol was developed and agreed in consultation with the members of the Labour Employer Economic Forum. The Health and Safety Authority has been charged with oversight and enforcement.

Resources [Minister Humphreys publishes National Return to Work Safely Protocol](#) (Government, 11 May 2020) and [Return to Work Safety Protocol](#) (Government, 9 May 2020)

Ireland (updated)

Status  Currently effective

Development [Career](#)

Temporary wage subsidy scheme provides relief from effects of COVID-19

The Temporary Wage Subsidy Scheme (TWSS) was introduced on 26 Mar 2020 to provide income support to eligible employees if the employer's business activities have been negatively impacted by COVID-19. It was initially intended to run for 12 weeks but will now be in place until the end of August. TWSS is paid through the employer's payroll, and employers are encouraged to retain employees and maintain a significant portion or 100% of employees' income. To qualify for the TWSS, an employer must suffer significant negative economic disruption due to COVID-19, a reduced turnover rate of at least 25%, and must be unable to pay wages. The scheme is open to employers who are able to top-up employees' wages, and those who cannot do so. Employees must remain on the payroll during the subsidy period. The subsidy amount is up to 70% of the employee's average net weekly pay (capped at either €350 or €410). Part- and full-time employees and those who have been temporarily laid off can make claims if they are retained on the employer's payroll. Employees cannot receive a subsidy if they have an annual gross salary of more than €76,000. Subsidy payments made to employees through payroll are not subject to income tax or universal social charges, and employees do not pay social insurance (PRSI) on subsidy payments or top-up payments made by the employer. Employers do not pay PRSI on the subsidy, and the PRSI is reduced to 0.5% on top-up payments. Employers should be aware that there are implications for pension schemes if the TWSS is used.

The minister of finance announced Phase 2 changes that applied to the TWSS beginning 4 May. Under the changes, more employees are eligible for TWSS, and the subsidy increased for employees who had a prior average net pay of less than €412 per week. The eligibility criteria for employers is unchanged. As of the end of May, nearly 60,000 employers had registered for the TWSS, with over €1.3bn being paid out to around half a million employees.

Resources james.campbell@mercer.com

[COVID-19 information and advice for taxpayers and agents \(Revenue\)](#); [Minister Donohoe makes changes to Wage Subsidy Scheme to accommodate those returning from maternity or adoptive leave \(29 May 2020\)](#) [Minister Donohoe encourages employers to engage with COVID-19 Wage Subsidy Scheme as uptake continues to grow \(Department of Finance, 28 May 2020\)](#); [Supports for businesses impacted by COVID-19 \(Department of Business, Enterprise and Innovation, 10 Jun 2020\)](#)

Ireland (updated)

Status  Currently effective

Development [Career](#)

COVID-19 pandemic unemployment payment available

The government has made available a payment of €350 per week to employees who lost their job or were temporarily laid off on or after 13 March due to the COVID-19 pandemic. The payment is in place until 10 August. Employees temporarily placed on a shorter working week could also qualify for short-time work support.

Resources james.campbell@mercer.com

[COVID-19 pandemic unemployment payment](#) (Department of Employment Affairs and Social Protection); [Short Time Work Support](#) (Department of Employment Affairs and Social Protection, 28 Feb 2020)

Ireland (updated)

Status  Currently effective

Development [Wealth](#)

Pensions Authority provides COVID-19 guidance

On 24 April, the Pensions Authority announced that it does not have the authority to waive pensions schemes' regulatory obligations and although it expects trustees and service providers to make best efforts to comply, it will consider the current situation when assessing schemes' compliance efforts. The Authority also set out high level guidance for employers and trustees where the employer is considering reducing or suspending contributions to the pension plan.

Resources james.campbell@mercer.com

[Announcement by the Pensions Authority](#) (Pensions Authority, 24 Apr 2020); [COVID-19 — Announcement by the Pensions Authority](#) (Pensions Authority, 27 Mar 2020)

Ireland (upcoming effective date)

Development [Wealth](#)

- [Ireland updates auto-enrolment pension system implementation](#) — Key date: Expected by 2022

Netherlands (updated)

Status  Currently effective

Development [Career](#) — [Health](#) — [Wealth](#)

Government provides wage compensation scheme for companies impacted by COVID-19

The Dutch government has revised and extended by one month — to 30 Sep 2020 — the Temporary Emergency Bridging Measure for Sustained Employment (NOW) that provides wage compensation for employers anticipating a 20% or more decrease in revenue due to COVID-19 or other reasons. Employers can apply for NOW after 6 Jul 2020 for the period from June through September 2020. The government also reinstated a severance penalty for employers that make collective economic layoffs. The wage subsidy paid to employers laying off staff will be reduced by 5% unless (i) they reach an agreement with the labor union (or another employee representative body in the absence of a union) or, if there is no agreement, (ii) they request mediation by a committee to be established by the Dutch Labour Foundation (Stichting van de Arbeid). Employers making economic lay offs must pay back 100% of the wage subsidy, and will have to pay increased surcharges on employer contributions (for example, pension contributions and holiday allowance accrual).

Under the NOW scheme, employers can apply to the Employee Insurance Agency (UWV) for compensation reimbursement up to 90% of employees' wage costs. Employers can claim wage compensation for periods of up to three months, retroactively to 1 Mar 2020. Employers can apply for employees with open-ended or temporary employment contracts, but the scheme is not open to intragroup transferees. Employers can also submit claims for other employee costs, such as employer and employee pension contributions, employee insurance premiums and holiday allowance accrual. Employers receiving compensation under the scheme must inform their works council or employees. Certain organizations benefiting from the NOW scheme can't pay bonuses to board or company managers, and aren't permitted to pay dividends or buyback shares during 2020.

Resources [Dutch measures against coronavirus](#) (Government); [Temporary emergency bridging measure NOW](#) (Government); [Dutch government measures to help businesses](#) (Government); [Unemployment benefit during short-time working](#) (Government)

Netherlands (upcoming effective date)

Development [Career](#) — [Health](#)

- [Dutch government increases paid paternity leave](#) — Key date: 1 Jul 2020

Oman (upcoming effective date)

Development [Health](#)

- [Oman issues implementation rules for new health insurance scheme](#) — Key date: Mid-2020

Poland (upcoming effective date)

Development [Career](#) — [Health](#)

- [Dutch government increases paid paternity leave](#) — Key date: 1 Jul 2020

[Wealth](#)

- [Postponement of some pension auto-enrollment scheme deadlines](#) — Key dates: 27 Oct 2020 and 10 Nov 2020

Romania (new)

Status  Currently effective

Development **Wealth**

Optional fourth pillar occupational pensions introduced

Romania has introduced a new “fourth pillar” that provides occupational pensions employers can voluntarily offer to employees. This is in addition to the public and private pensions provided the other three pension pillars provide. The law, effective 7 Feb 2020, implements the European Union’s (EU’s) IORP II directive. Highlights include:

- Employers may establish a scheme for employees, and either agree to the scheme’s terms with individual employees, or incorporate the provisions into a collective bargaining agreement.
- Employers must assign the scheme’s management to a fund provider regulated either by the Romanian Financial Supervisory Authority, or by another EU member state’s authority.
- Employees and employers contribute to the scheme, with contributions capped at one-third of the employee’s gross monthly salary and amounting to no more than one-half of the employee’s net monthly salary. Employers must invite all employees to participate, but they can designate different contribution rates depending on the employee’s seniority, salary and job role.
- Employees can request in writing to cease paying contributions to the scheme, and employers can notify employees of changes to the contribution rates or the scheme’s cessation, subject to meeting the notification requirements.
- Scheme participants are eligible for payments once they reach the normal retirement age, or the age the employer specifies in the scheme.

As a reminder, under third pillar private pension schemes, contributions are capped at 15% of the employee’s gross monthly salary, and payment is made when the scheme participant reaches age 60 years and has paid 90 monthly contributions or more.

Resources gabriela.nechita@marsh.com
[GRIST](#), 4 Jun 2020

Russia (previously covered, effective soon)

Status  30 Jun 2020

Development [Wealth](#)

Employers must notify employees about introduction of electronic filing of employment information. Employers have to inform employees about the introduction of electronic filing by 30 Jun 2020, asking them to designate whether they want their employment information to be filed in paper format, or electronically, by 31 Dec 2020. Information will be filed in paper format if an employee doesn't inform their employer by the deadline. Employers can electronically file information for all employees hired after 1 Jan 2021.

Resources [GRIST](#), 23 Jan 2020

South Africa

Status  Currently effective

Development [Career](#)

PAYE tax payment relief addresses effects of COVID-19

The government is providing eligible employers with [temporary tax relief](#) to address the effects of COVID-19 by allowing them to apply for deferred payments of up to 35% of their monthly pay-as-you-earn (PAYE) liabilities for April, May, June and July without having to pay penalties or interest. Employers that apply for deferral must pay their full PAYE liabilities in six monthly installments starting in September 2020 — penalties will then apply to missed payments. Eligible employers must have a gross income of less than R100 million during the assessment year ending on or after 1 Apr 2020.

Resources [Q & As for employers on COVID-19 tax relief](#)

South Africa (updated)

Status  Currently effective

Development [Career — Health](#)

Government continues to implement COVID-19 alert system, required workplace measures to allow return to work

As of 1 June, the government designated the country at Level 3 in the five level alert system but identified certain hotspot areas subject to more restricted movements. On 2 Jun 2020, the Pretoria High Court ruled that lockdown level three and four regulations were “unconstitutional and invalid” in a substantial number of instances; however, the ruling is suspended for two weeks while government agencies review it and make necessary changes. Alternatively, an appeal to the ruling can be filed.

The five alert system levels are:

- Level 5: High virus spread and/or low health system readiness requiring a full lockdown.
- Level 4: Moderate to high virus spread with low to moderate readiness under high restrictions.
- Level 3: Moderate virus spread with moderate readiness and moderate restrictions. Prior to reopening, employers must appoint a COVID-19 compliance officer, undertake a risk assessment of the workplace, and develop a plan for the return to work. Employers must consult with trade unions and health safety committees about the measures taken and employees can refuse to work if they believe that the employer hasn't put the necessary precautions in place. Employers must provide employees with at least two masks. Employees must self-quarantine, with paid sick leave, for 14 days if they have been in close contact with someone affected by coronavirus.
- Level 2: Moderate virus spread with high readiness and reduced restrictions.
- Level 1: Low virus spread with high readiness and minimum restrictions.

Also, employers must implement certain workplace measures, such as impose social distancing in the workplace, allowing staff who can work from home to do so, and applying workplace protocols for health surveillance and risk assessment. The Temporary Employee Relief Scheme continues to support smaller companies with wage payments and to help avoid layoffs.

Resources [Court ruling](#) (High Court of Pretoria, 2 Jun 2020) [Disaster Management Act: Regulations: Alert level 3](#) (Government, 1 Jun 2020); [Workplace precautions](#) (Government, 29 May 2020); [Government announcement](#) (Government, 25 Apr 2020); [Temporary Employee Relief Scheme announcement](#) (Government, 2 Jun 2020)

Spain (updated)

Status  Currently effective

Development [Career](#) — [Health](#) — [Wealth](#)

COVID-19 triggers temporary employment changes, steps to lift lockdown

The government extended the state of emergency for a sixth time to 21 Jun 2020. On 28 April, Royal decree-law 16/2020 outlined plans for a three-step de-escalation from the lockdown; the third phase started on 1 Jun 2020, for some provinces. Planned measures include a requirement to carry out workplace risk assessments prior to reopening. The government published best practice workplace guidelines to address the return to workplaces by employees who work in non-essential services and who cannot telework. Since the COVID-19 pandemic began, numerous royal decrees have introduced exceptional employment measures throughout Spain to help employers and employees. Highlights include:

- Royal decree-laws 463/2020 and 492/2020 covered the state of emergency and required individuals to remain at home except for essential tasks.
- Royal Decree-Law 21/2020, effective 10 Jun 2020, sets out preventative, containment and coordination measures to be followed after the end of the state of emergency and until such time as the government declares the pandemic is over. The measures are applicable to provinces in the third phase of the de-escalation program, and they include penalties for breaches of the controls.
- Royal decree-law 463/2020 ordered the closure of certain public places, and the implementation of appropriate safety measures in workplaces that remain open.
- Royal decree-law 6/2020 classifies periods of isolation or infection of workers due to the COVID-19 virus as a workplace accident, including the payment of employee benefits.
- Royal decree-law 8/2020 includes teleworking arrangements; lets employees reduce their work time (up to 100%) to care for a close relative with COVID-19 (the employer can reduce the salary proportionally but must continue paying contributions); accelerates procedures for temporary workplace closures (employers don't have to pay wages during closure); and introduces an employee benefit corresponding to state unemployment benefits. Companies can continue to pay employer contributions, which will be reimbursed if the business closes for "force majeure" reasons. The amount of the reimbursement depends on the workforce size. Companies must maintain their workforce numbers for six months, and employees receiving unemployment benefits will keep their full entitlement to benefits after the pandemic.

Spain (continued)

- Development
- Royal decree-law 9/2020 includes a prohibition on the dismissal of employees for economic, technical, organizational or production reasons during the state of emergency; simplifies procedures for claiming contributory unemployment benefits; allows extensions for temporary contracts terminated early under temporary redundancy arrangements included in Royal decree law 8/2020; and introduces new penalties for breaches of the decree.
 - Royal decree-law 10/2020 required certain employees to take compulsory paid leave from 30 March to 9 April. Employees can recoup time off after the state of emergency is lifted up until 31 Dec 2020, subject to employers consulting with employee representatives. The decree law also simplifies temporary layoff procedures and allows employers that implement a temporary redundancy plan to request exemption from paying social security contributions. Employers must agree to maintain employment levels for six months after resuming business activities.

Resources

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[Royal-Decree Law 21/2020 of 9 Jun 2020 \(Spanish\) \(Government\)](#); [Authorization of state of emergency \(Spanish\) \(Government\)](#); [Best practice workplace guidelines \(Spanish\) \(Government\)](#); [Royal Decree-law 6/2020 of 10 Mar 2020 \(Spanish\) \(Government\)](#); [Royal Decree-law 463/2020 of 14 Mar 2020 \(Spanish\) \(Government\)](#); [Royal Decree-law 8/2020 of 17 Mar 2020 \(Spanish\) \(Government\)](#); [Royal Decree-law 9/2020 of 27 Mar 2020 \(Spanish\) \(Government\)](#); [Royal Decree-law 10/2020 of 28 Mar 2020 \(Spanish\) \(Government\)](#); [Royal Decree-law 15/2020 of 21 April 2020 \(Spanish\) \(Government\)](#); [Royal Decree-law 492/2020 of 24 April 2020 \(Spanish\) \(Government\)](#); [Royal Decree-law 16/2020 of 28 Apr 2020 \(Spanish\) \(Government\)](#)

Spain (upcoming effective date)

Development [Career](#)

- [Pension fund supervision strengthened to comply with European Union IORP II](#) — Key date: 6 Aug 2020

Sweden

Status  Currently effective

Development [Career](#)

Short-time work allowance measures address the effects of COVID-19

New laws aim to support employers that reduce employees' working hours due to COVID-19. The law offers three levels (20%, 40% and 60%) of reduced working time and corresponding amounts of government subsidy. For instance, employers that reduce working time to 60% will receive a subsidy to cover 52.5% of salary costs, capped at a salary of SEK 44,000 per month. Organizations that are subject to collective bargaining must reach an agreement on reduced working time arrangements with the unions, or sign an agreement with at least 70% of its employees. The measure entered into force on 7 Apr 2020, but can be retroactively applied from 16 March. The program will remain in effect throughout 2020.

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[Short-time work allowance](#) (Swedish Agency for Economic Growth and Regional Growth)

Switzerland (upcoming effective date)

Development [Career](#)

- [Switzerland issues gender pay audit criteria, deadlines](#) — Key date: 1 Jul 2020

United Arab Emirates (UAE)

Status  Currently effective

Development [Career — Health](#)

Guidance on layoffs, remote working arrangements address effects of COVID-19

The government has published new guidance and legislation for private sector employers during the pandemic and the Dubai International Finance Centre (DIFC) has published one directive. Some developments are highlighted below:

- Ministerial Resolution No. 279 of 2020 took effect on 26 Mar 2020, and outlines employment options applicable to employees who are not UAE nationals and who are surplus to their employers' needs. The resolution does not explicitly sanction layoffs, but employers can discontinue payment of employees' salaries. However, employers must continue to provide all other entitlements, such as housing, transportation and private medical insurance until the employee finds a new job, or leaves the UAE. Employers must register terminated non-resident employees on the virtual labor market portal established by the Ministry of Human Resources and Emiratization.
- Ministerial Resolution No. 281 allows employers to implement remote working arrangements, and includes guidance on its implementation. Employers should seek employees' agreement to take paid annual leave and to reduce salaries, either on a temporary or permanent basis, and follow ministerial rules on implementing contractual changes. Employers must seek employees' consent to any proposal that they take unpaid leave.
- Presidential Directive No. 4 of 2020 was published by the DIFC — a special economic zone — and addresses employment provisions applicable during the "emergency period," effective 21 April until 31 July, or until a date announced by the DIFC president. DIFC employers can introduce certain employment measures with five days' notice to the affected employees, but do not need their consent. The permitted measures can cover reduced working hours; remote working; restriction on workplace access; reduced remuneration for a temporary period; unpaid leave; and require employees to use their holiday entitlements. Employees who contract COVID-19, or who are quarantined, will receive full sick pay and the leave taken will not reduce their sick leave allowance.

Resources [Ministerial Resolution No. 279 of 2020 \(Ministry of Human Resources and Emiratization\)](#); [Ministerial Resolution No. 281 of 2020 \(Ministry of Human Resources and Emiratization\)](#); [Dubai International Financial Centre announcement \(26 Apr 2020\)](#)

UAE (Abu Dhabi) (new)

Status  Currently effective

Development [Career](#)

Abu Dhabi Global Market worker categories expanded

From 13 May 2020, companies licensed in the Abu Dhabi Global Market (ADGM) can hire new categories of staff (“non-employees”), including seconded employees, temporary workers, contractors and interns. The measures feature in the Rules on Engaging Non-Employees 2019. The ADGM is an international financial center and free zone located in Abu Dhabi.

Highlights of the new rules include:

- Prior to hiring a “non-employee,” ADGM employers must apply for a three, six or 12-month temporary work permit from the ADGM. Employers must maintain appropriate records for these worker categories.
- “Non-employee” categories do not appear to be covered by the ADGM’s Employment Regulations 2019.
- Seconded workers are individuals assigned to work temporarily in the ADGM for an ADGM entity, and who are sponsored for their UAE residence and work permits by a non-ADGM entity.
- Outsourced individuals must work under an outsourcing agreement for one or more ADGM entities. They have to be sponsored for their UAE residence and work permits by a non-ADGM entity.
- Temporary freelancers are individuals who provide temporary services to an ADGM entity. They must have a freelancers’ permit issued by a UAE free zone.
- Interns are allowed to work for an ADGM entity on a paid or unpaid basis to gain work experience.

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[GRIST](#), 1 Jun 2020

United Kingdom (UK) (new)

Status  Currently effective

Development [Career](#)

Executive pay restrictions for companies taking COVID-19 loan

Companies borrowing more than £50 million under the UK government's revised state-backed Coronavirus Large Business Interruption Loan Scheme are subject to restrictions on dividend and cash bonus payments, executive pay and share buybacks during the loan period. On 19 May 2020, the government increased the scheme's maximum permitted loan to £200 million — up from a previous limit of £50 million — with the aim of helping firms that don't qualify for the Bank of England's COVID Corporate Financing Facility (CCFF). The restrictions apply to companies taking CCFF loans for more than 12 months, after 19 May. Companies borrowing more than £50 million through the scheme face the following restrictions:

- Dividend payments. Borrowers cannot make any dividend payments that were not declared before the loan was taken.
- Share buyback. Borrowers must agree not to make any share buybacks.
- Executive pay. Borrowers can't pay cash bonuses or award any pay raises to senior management (including board members), unless the bonuses payments were declared before the loan was taken, or if the payments are similar to those made during the preceding 12 months and don't materially impact the ability to repay the loan.

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[GRIST](#), 27 May 2020

UK (new)

Status  Currently effective

Development [Health](#)

Smaller employers can claim sick pay for COVID-19 absence

From 26 May 2020, employers with fewer than 250 employees can apply to recover the costs of paying coronavirus-related Statutory Sick Pay (SSP) for two weeks — nearly £200 per employee. The Coronavirus Statutory Sick Pay (SSP) Rebate Scheme was announced by the chancellor in the budget, and the online service is being run by the tax authority. The repayment covers two weeks of SSP from either 13 March 2020, if an employee had coronavirus, had symptoms, or was self-isolating because someone they live with has symptoms, or from 16 April if an employee has been designated at extremely high risk of developing complications from coronavirus infection.

Resources [The Coronavirus Statutory Sick Pay Rebate Scheme, \(HM Treasury, 26 May 2020\)](#)

UK (updated)

Status  Currently effective

Development [Career — Health](#)

COVID-19 job retention scheme to address effects of COVID-19

The Coronavirus Job Retention Scheme (CJRS) allows employers to access a government grant to cover up to 80% of wage costs (capped at £2,500 per employee per month), for employees who are furloughed. This means that the employees do not work for their employer but continue to be employed. Employers can furlough employees (including foreign nationals) on any type of contract for a minimum of three weeks, subject to notifying those affected. Employers can also claim the costs of associated employer National Insurance (NI) contributions and the minimum automatic enrolment employer pension contribution. Employers are allowed to backdate CJRS applications to 1 Mar 2020, for employees enrolled in the organization's Pay As You Earn (PAYE) tax system on or before 19 Mar 2020.

Under recently announced changes, employers can furlough employees under the CJRS until 30 Jun 2020, and can make claims for employees previously registered as of 10 Jun 2020. Employers can make claims until 31 Jul 2020. The CJRS will conclude at the end of October 2020.

- From 1 July, employers can move employees off of the CJRS into part-time work and will be responsible for paying them. CJRS grants only fund the period of time when employees aren't working. The minimum claim period will be one week.
- From 1 August 2020, employers must pay the related employer NI and employer pension autoenrolment contributions.
- From 1 September 2020, employers must contribute 10% of the pay of furloughed employees, and the grant will be reduced to 70%, capped at £2,187.50 per month.
- From 1 October 2020, employers must contribute 20% of the pay of furloughed employees and the grant will be reduced to 60%, capped at £2,875 per month.

UK (continued)

Resources [Claim for wages through the Coronavirus Job Retention Scheme](#) (Government); [Information hub](#) (Government); [Business support](#) (Government); [Treasury Direction made under Sections 71 and 76 of the Coronavirus Act 2020](#) (Government); [HMRC guidance](#) (Government); [Information and advice](#) (Health and Safety Executive); [Guidance on defined contribution schemes](#) (The Pensions Regulator); [Advice for UK visa applicants and temporary UK residents](#) (UK Visas and Immigration); [Guidance](#) (Advisory, Conciliation and Arbitration Service)

UK (updated)

Status  Currently effective

Development [Health](#)

Eligibility for statutory sick pay eased to address effects of COVID-19

Temporary changes to the statutory sick pay scheme allows eligible employees to receive statutory sick pay (SSP) from the first day of absence if they have COVID-19 or display symptoms, if someone in their household has symptoms, or they have been told to self-isolate or designated as at extremely high risk of developing complications from coronavirus infection in accordance with public health guidelines. Normally, employees receive SSP if they are off work for four consecutive days

The Coronavirus Statutory Sick Pay Rebate Scheme opened to employers with 250 or fewer employees on 28 Feb 2020. It will repay the current SSP rate (£95.85 per week) to eligible employers for sick days taken by employees or former employees starting on or after 13 Mar 2020. From 29 May 2020, employees are eligible for SSP if they notified by the National Health Service or Public Health that they have been exposed to someone with coronavirus. Employers who pay more than the current rate of SSP can only claim the current rate amount. The repayment covers up to two weeks starting from the first day of sickness. Employees do not need to provide a doctor's fitness note for the employer to make a claim, but employees who self-isolate and cannot work must apply online for an isolation note. Employers must keep records of all SSP payments claimed from the UK tax service, and retain these records for at least three years from the date of the claim.

Resources [Government guidance](#) (Government, 28 May 2020); [Guidance](#) (ACAS, 29 Apr 2020)

UK

Status Consultation is open until 3 Aug 2020

Development [Career — Health](#)

Input requested on leave for carers

The government is considering allowing qualifying employees to take a week of unpaid leave each year to provide care, and invites input through 3 Aug 2020. The government proposes that the amount of leave would be capped over a certain number of years. Specifically, the consultation invites comments on the following issues:

- The purpose of carers' leave and its interaction with other employment rights that aim to help individuals balance work and other responsibilities (for example, flexible working, vacation entitlement, unpaid parental leave, and emergency leave to care for a dependent).
- The eligibility criteria for taking leave.
- How the leave could be taken and the notification process for requesting leave. The government proposes two options — a single block of one week, or taking leave as individual or half-days. Leave would be prorated for part-time work.
- The employment protections for individuals applying for, or taking, carers' leave. The government proposes that employees would have similar employment protections applicable to other types of leave. They wouldn't be treated detrimentally, dismissed because they requested or took time off, and would be entitled to claim automatic unfair dismissal. The government also proposes that employees could complain to an employment tribunal if their employer unreasonably refused to grant time-off.

Resources [GRIST](#), 5 May 2020

UK

Status  Currently effective

Development [Wealth](#)

Pensions Regulator publishes COVID-19 guidance

The Pensions Regulator has established a COVID-19 resource page for trustees, employers and administrators that includes publications on:

- [TPR activities during COVID-19](#)
- [Reporting duties and enforcement activity](#)
- [Communicating to members during COVID-19](#)
- [Late payment reporting: COVID-19 information for providers](#)
- [Guidance for defined benefit scheme trustees whose sponsoring employers are in corporate distress](#)
- [Defined benefit scheme funding and investment — guidance for trustees](#)
- [Defined contribution scheme management and investment: COVID-19 guidance for trustees](#)
- [Automatic enrolment and defined contribution pension contributions: COVID-19 guidance for employers](#)
- [Scheme administration: COVID-19 guidance for trustees and public service](#)

Resources [Updates for trustees, employers and administrators](#) (The Pensions Regulator)

UK (upcoming effective date)

Development [Career](#)

- [Government postpones off-payroll working start date](#) — Key date: 6 Apr 2021

[Wealth](#)

- [Pension schemes face new investment and disclosure rules](#) — Key date: 1 Oct 2020
- [Government postpones off-payroll working start date](#) — Key date: 6 Apr 2021

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