



# COVID-19 FAQs for German Employers

Insights

3.25.20

## **May I prohibit my employees from taking leisure travel?**

No. An employer cannot prohibit employees from taking leisure travel.

## **Can my employee refuse to go on business travel?**

No. Employees are obligated to follow business travel orders unless there is an official warning from the German federal authorities. However, given worldwide immigration restrictions and travel warnings, it may be prudent for employers to suspend business trips.

## **Can my employees insist on working from home?**

No. Employees may not insist on working from home unless regulated in the employment contract or a works council agreement.

## **Do restrictions to the German Working Time Act still apply?**

Yes, however there are exceptions for emergency situations.

## **If I shut down my business must I continue to pay employees?**

It depends. If a business voluntarily shuts down, an employer is required to continue to pay employees.

If the business is shut down due to a governmental order, the employees are entitled to compensation (for up to six weeks for lost earnings and statutory sick pay for any further period). The initial six weeks of payment will be paid out by the employer, who can claim reimbursement from German authorities; the following period will be paid solely by the authorities.

Alternatively, working from home can be agreed upon between the employer and employee.

## **If an employee is quarantined due to COVID-19 must I continue to pay them?**

Yes. Pursuant to the German Protection against Infection Act, an employee holds a continuation of pay claim against the government if they are quarantined due to an infectious virus. However, if an employee voluntarily chooses not to go to work because of the risk of being infected, they do not have a continuation of pay claim.

## **Can I force employees to take their holiday?**

No, unless the employee has holidays remaining from the 2019 vacation year.

I would like to reduce the working time of my employees to cut costs. Will the government help me pay my employees?

Companies impacted by COVID-19 may consider implementing short-term work (Kurzarbeit) for their employees. Employees whose salaries are reduced could then benefit from short-term allowances (Kurzarbeitergeld) paid by the government. Employers must apply with the competent German authority for this assistance.

### ***Related People***

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