



March 2020



GORNITZKY

— 80 Years of Excellence —

Coronavirus Update #5 – Coronavirus – Emergency Regulations that Came into Effect on March 25, 2020 and on March 27, 2020

Following our previous updates from [March 8, 2020](#), [March 12, 2020](#), [March 16, 2020](#) and [March 17, 2020](#), below is a summary of further updates regarding the outbreak of SARS-CoV-2 virus, causing the Covid-19 disease (hereinafter: “**Corona**”), and their impact on employment matters.

On March 25, 2020, at 17:00, the amended Emergency Regulations (Novel Coronavirus – Restrictions on Activities), 5780-2020, came into effect (hereinafter: the “**New Regulations**”), further the restrictions on employers and employees regarding their arrival to the workplace.¹ Currently, the New Regulations will remain in effect for seven days, until April 1, 2020. Additionally, on March 27, 2020, Emergency Regulations which provide temporary allowances of certain restrictions regarding eligibility for unemployment benefits and the provision of additional financial assistance (adjustment grants) for dismissed employees who are above the retirement age (as described below).

Transportation to the workplace

The New Regulations and latest guidelines limit the manner in which one may travel to his or her workplace.

Organized transportation – Traveling via employer organized transportation is permitted, so long as there is adherence to the Ministry of Health’s guidelines: an empty row must be maintained behind the driver, passengers may not sit next to each other (one passenger per row is permitted), hands must be washed after the drive, the vehicle should be ventilated, the vehicle should be cleaned and other requirements in addition to any guidelines set forth for travel on public transportation (see below).² In the event that the employer organizes transport through a

1 The main regulations - [Emergency Regulations \(Novel Coronavirus – Restrictions on Activities\), 5780-2020](#), the amendment to the main regulations - [Emergency Regulations \(Novel Coronavirus – Restrictions on Activities\) \(Amendment\), 5780-2020](#) [both in Hebrew].

2 [Ministry of Health’s guidelines, dated March 30, 2020, for the travel in private vehicles and public transportation for the public and employees.](#)

private car or taxi (as opposed to a minibus or bus), the car may not have more than three passengers, included the driver, at the same time.³

Private vehicle – No more than two passengers can ride in the same vehicle at the same time.⁴

Public transportation – Public transportation has been significantly reduced to 25% of its normal scope, while evening and weekend routes and lines have been cancelled entirely. In addition, a person with a body temperature of over 38-degrees Celsius, a cough or difficulty breathing may not enter the vehicle. Each passenger should ensure that he or she washes his or her hand with soap and water after each trip and the windows of the vehicle must be opened during the ride.⁵

Taxis – Only one passenger can ride in a taxi at a time to his or her workplace and he or she must sit in the backseat with windows kept open.

Israel Railways – All passenger lines have been cancelled.

Taking temperatures at a workplace's entrance

The New Regulations require each employer to place a stand at the entrance to the workplace to check the temperature of all potential entrants to the workplace using non-invasive devices (not only for employees). Individuals with temperature over 38-degrees Celsius are to be barred from entering.⁶

At the same time, it is important to prevent violations of an employee's privacy regarding the results of these temperature checks, to the extent possible.

Temporary alleviation and benefits with respect to unemployment benefits eligibility

Special grants for individuals over 67-years old – Employees who above the age of retirement and were dismissed or forced into an unpaid leave for over 30 days during the relevant timeframe, will be entitled to a special grant of up to 2,000 NIS for the month of March and up to 4,000 NIS for the month of April, on the basis their income (Adjustment Grants).⁷

Eligibility for unemployment benefits without registering at the Employment Service – An individual who submitted a claim with the National Insurance Institute for unemployment benefits between March 15, 2020 and July 4, 2020 and who did not register at the Employment Service or whose details were not received, will be considered as unemployed with respect to his or her eligibility to receive unemployment benefits. In this case, the insured will be entitled to unemployment benefits from March 15, 2020 or the day on which he or she was dismissed or forced to take unpaid leave, whichever is later, subject to the National Insurance Institute's discretion as to determining whether his or her employment was terminated.

3 [Ministry of Health's guidelines, dated March 30, 2020, for the travel in private vehicles and public transportation for the public and employees.](#)

4 [Section 3\(2\) of the Emergency Regulations \(Novel Coronavirus – Restrictions on Activities\), 5780-2020.](#)

5 [Ministry of Health's guidelines, dated March 30, 2020, for the travel in private vehicles and public transportation for the public and employees.](#)

6 [Section 3A to the Emergency Regulations \(Novel Coronavirus – Restrictions Activity\), 5780-2020.](#)

7 [Emergency Regulations \(Novel Coronavirus\) \(Special Adjustment Grant for Individuals Over 67\), 5780-2020.](#)

Eligibility for advanced payments for the month of March – The National Insurance Institute may pay an individual, who submitted a claim for unemployment benefits between March 1, 2020 and July 4, 2020, a payment advance of up to 2,000 NIS for the month of March, even if his or her claim is still being processed.

Reducing the qualification period from 12 months to 6 months – An individual whose employment was terminated between March 1, 2020 and April 19, 2020 and is not eligible for unemployment benefits only because he or she did not meet the eligibility requirement of having been employed for 12 months out of the previous 18 months, will still be eligible for unemployment benefits (for the sums and under the conditions set forth in the National Insurance Institute Law), if he or she was employed for 6 months out of the previous 18 months. In this case, eligibility is limited to half of the unemployment days in contrast to one who completed 12 months of employment.

Extending the unemployment benefits payment period – An individual whose eligibility period for unemployment benefits finishes between March 1, 2020 and April 30, 2020 will continue to receive unemployment benefits until April 30, 2020.

Deferring insurance premium payment dates for self-employed individuals – Self-employed individuals will pay their insurance premiums for March 2020 on May 15, 2020.

Transit certifications for arriving to the workplace

At this stage, specific approvals are not necessary for employees to travel to or arrive at their workplace, and, either way, these approvals are not being issued.

However, in light of the general uncertainty, various employers are concerned that law enforcement agencies will prevent employees from arriving at, and returning from, their workplace and therefore are working toward providing their employees with relevant identification type documents to present to law enforcement individuals. We are aware of these types of approvals but according to our understanding, they are not necessary at this time and there is no standard or approved template. Feel free to contact our firm's employment team with any questions or issues related to this matter.

The employment team at our firm is ready to assist (within existing limitations), even in these challenging conditions and is available for any clarifications you may require with respect to the issues discussed herein and any other general concerns or needs that may arise.

For further information please contact,



Michael Ayalon

Partner, Leads the Labor Law Practice

 michaela@gornitzky.com