

INFORMATION NOTICE

It was published yesterday in the Diário da República the Ministerial Order no. 2875-A/2020, which implements measures to safeguard the social protection of Social Security beneficiaries who are temporarily prevented from exercising their professional activity by order of the health authority, due to the risk of infection by COVID-19, which came into force immediately.

We highlight the following points:

(i) **Situation of certified isolation**

- ✓ The temporary inability to the exercise of professional activity of those in prophylactic isolation, recognised by the health authority, is equated with in-patient status.
- ✓ The attribution of sickness benefit is not subject to a guarantee term, professionalism index and waiting period.
- ✓ During the initial 14 days of temporary inability for the exercise of professional activity due to certified isolation, sickness benefit is paid at 100% of the reference remuneration.
- ✓ In the following period, the daily amount of sickness benefit is calculated by applying the following percentages to the reference remuneration:
 - i) 55% for the calculation of the allowance for a period of isolation of 30 days or less;
 - ii) 60% for the calculation of the allowance for a period of isolation of more than 30 days and exceeding 90 days;
 - iii) 70% for the calculation of the allowance for a period of isolation of more than 90 days and not exceeding 365 days;
 - iv) 75% for the calculation of the allowance for a period of isolation exceeding 365 days.
- ✓ The allowance shall not be attributed to employees to whom it can be guaranteed the use of alternative mechanisms for the provision of work, such as teleworking or distance learning programmes.

- ✓ The certificate of isolation issued by the health authority determining the isolation, replaces the document justifying the absence from work and must be sent electronically by the competent health services to the social security services within a maximum of five days after its issuance.

(ii) Situation of declared illness

- ✓ In the event of sickness of the employee, he or she shall be entitled to sickness benefit on a general basis, i.e. according to the percentages of reference remuneration indicated in points (i) to (iv) above.
- ✓ When an employee is unable to attend the service due to the care of sick children or grandchildren, he or she shall be entitled to a childcare allowance corresponding to 65% of the reference remuneration.

The cases of caring for a family member due to illness by COVID-19 will be treated in general terms, with the limit of 15 days per year without the right to remuneration or allowance.

4 March 2020

**TELLES DE ABREU E ASSOCIADOS
SOCIEDADE DE ADVOGADOS, SP, RL**