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Factsheet for case **LT-2020-12/309**

Suspending an employee from work in the event of an emergency or quarantine

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Country	Lithuania, applies nationwide
Time period	Open ended, started on 19 March 2020
Type	Legislation or other statutory regulation
Category	Protection of workers at the workplace – Occupational health and safety
Case created	06 April 2020 (updated 17 April 2020)

Background Information

The Seimas approved amendments to Labour Code No XII-2603 (Art. 49) allowing an employer to suspend an employee from work in the event of an emergency or quarantine if the employee's medical condition endangers his or her colleagues, but the employee does not agree to work remotely. Such changes have been adopted to protect workers from persons who are infected with COVID-19, have returned from foreign territories or may have been in contact with persons infected with COVID-19.

Content of measure

Newly adopted Article 49 of the LC stipulates that after the Government of the Republic of Lithuania declares a state of emergency or quarantine, in order to ensure protection of the health of employees and third parties, the employer must offer an employee whose health condition threatens the health of other employees to work remotely. The employer's offer to the employee to work remotely must state the reason, term and legal basis for the offer to work remotely. The employee must inform the employer in writing of the consent to work remotely within one working day. If the employee does not agree to work remotely or fails to respond to the employer's offer to work remotely, the employer suspends the employee from work in writing, prohibiting him/her to work and paying no wage, no later than one working day from the deadline to respond to the employer's offer. The employer's decision to suspend the employee from work must specify the period for which the employee is to be suspended, the reason for the suspension and the legal basis thereof.

Use of measure

No information to date.

Actors, target groups and funding

Actors	Target groups	Funding
National government Social partners jointly Company / Companies	employees All companies	No special funding required

Social partners

Role of social partners	Consulted
Form of involvement	Direct consultation

Social partners consulted only ad hoc, the tripartite meeting was not held

Sectors and occupations

This case is not sector-specific.

This case is not occupation-specific.

Sources

- 17 March 2020: Lietuvos Respublikos darbo kodekso 47 ir 49 straipsnių pakeitimo įstatymas Nr. XIII-2821 (2020-03-17 (e-seimas.lrs.lt))