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Factsheet for case LU-2020-11/488

Possibility to refuse or cancel leave in essential sectors of activity

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Country	Luxembourg, applies nationwide
Time period	Temporary, 11 March 2020 - 20 August 2020
Type	Legislation or other statutory regulation
Category	Change of work arrangements to ensure business continuity – Increase of maximum working time
Case created	11 April 2020 (updated 22 April 2020)

Background Information

Based on COVID-19 grand-ducal legislation from March 2020, the government decided to adapt some initiatives regarding essential business activities in Luxembourg. During the current crisis situation, the government identified a series of essential business activities that are vital in order to make the country functioning smoothly. The list is stipulated by the crisis grand-ducal legislation. Under this measure, new or existing leave demands by the employee can be refused by the employer.

Content of measure

Concerned businesses can either refuse all applications for leave or cancel each leave already approved by the employer. The following list are regarded as essential activities and authorised activities:

- commercial companies that mainly sell food products; pharmacies; opticians, orthopaedists and hearing aid specialists; businesses that mainly sell animal feed; shops mainly selling hygiene products, washing and sanitary equipment; services selling fuel and petrol stations; passenger transport activities; distributors and specialist shops selling medical and healthcare equipment; medical pedicure limited to medical and non-cosmetic care; press distribution businesses; financial and insurance institutions; postal services; dry-cleaning and clothes cleaning services; funeral services; breakdown, repair, removal and decontamination services; necessary maintenance activities for safety reasons; as far as essential activities are concerned, these apply to the following activities and sectors: public services necessary for the proper functioning of the

government; the health and care sector, including hospital activities and medical analysis laboratories; the production and distribution of energy and oil products; the food sector; the production and distribution of water; the collection and treatment of waste water; the removal and management of waste; public transport; transport, transshipment and freight forwarding services; systems for the exchange, payment and settlement of instruments; postal and telecommunications services; caretaker, security, cash transportation and cleaning services; essential activities related to the operation of the financial sector and the insurance and reinsurance sector.

Use of measure

No data are available on the number of employees.

Actors, target groups and funding

Actors	Target groups	Funding
Company / Companies	All companies	National funds

Social partners

Role of social partners	No involvement
Form of involvement	Unknown

Social partners are involved through their respective professional chambers during the legislation process.

Sectors and occupations

This case is not sector-specific.

This case is not occupation-specific.

Sources

- 06 April 2020: Guichet public (guichet.public.lu)