

Media information

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Short-time work allowance also for cross-border commuters

Minister of Labor Dulig: "Justice gap closed - better security for companies and employees"

Short-time work is one of the most important tools for dealing with the economic consequences of the corona pandemic. It secures jobs and is also heavily used by companies in Saxony. The Federal Ministry of Labor has now closed a loophole in the regulations regarding short-time work benefits, which caused considerable concerns for many companies and employees from Poland and the Czech Republic.

Cross-border commuters were often excluded from short-time allowance due to the so-called path risk, which lies with the employee under labor law. The decision now makes it clear: Cross-border commuters are generally entitled to short-time allowance for the lost working hours. Now this also applies if the border is closed or if rigid quarantine rules apply after the crossing. Saxony's Minister of Economics and Labor Martin Dulig had raised this problem in a letter to Federal Minister of Labor Hubertus Heil and expressly welcomes the new regulation. »With the new regulation of short-time work benefits for cross-border commuters, a justice gap was closed. The Polish and Czech colleagues have a German employment contract and, like their companies, pay into unemployment insurance. I would like to thank Minister of Labor Hubertus Heil for the quick and quick solution to the problem. This means that Saxon companies and employees are better secured and have planning security,« said Minister Dulig.

10,466 cross-border commuters from Poland and 9,134 from the Czech Republic work in Saxony - they live in their home country and commute to work. Their number has increased in recent years. Without them, many companies in the region would no longer be able to produce due to a lack of manpower, and many hospitals and care facilities would also be affected.

The Saxon State Ministry for Economic Affairs, Labor and Transport had already initiated accommodation grants of 40 euros per night for commuters from Poland and the Czech Republic. Close family members, such as spouses and children, are supported with 20 euros per night (see media information from 7.4.2020) <https://www.medienservice.sachsen.de/medien/news/235426>

Background

Poland and the Czech Republic quickly closed their borders at the beginning of the pandemic. If workers were allowed to cross the borders at all, they usually had to be in quarantine for 14 days, yet following German labor law the so-called risk of travel lies with the employee alone: if he cannot get to his job, the employer owes him no money. Those who are not entitled to wages are actually not

entitled to short-term benefits as a replacement from unemployment insurance - even if they have paid in for years in advance.

In some companies near the border, this led to a curious situation: if there was no work due to the corona pandemic, some of the workers were entitled to short-time work benefits - namely those who live in Germany and could theoretically come. The other part, however, not - namely those who live in Poland or the Czech Republic.

Now the following applies: Quarantine measures by the country of residence should not be a reason to exclude the cross-border commuters concerned from short-time work benefits.

Link

<https://www.arbeitsagentur.de/news/corona-virus-informationen-fuer-unternehmen-zum-kurzarbeitergeld>

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