

Spain toughens the confinement of its population by the Corona

The situation begins to stabilize

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USPA NEWS - From this Monday, the Spaniards live a new phase of their confinement due to the Coronavirus, which will last until, at least, next April 11. The Government approved a decree on Saturday that obliges all companies in non-essential sectors to close, with the aim of reinforcing the isolation of the virus and further curbing infections. Until now, the confinement of the majority of Spaniards - all those who could work from home, shops, bars and restaurants, educational centers and cultural and social centers - has resulted in an 80% decrease in the number of movements and in a decrease, still slow, in the number of infections.

The latest data on the Coronavirus pandemic in Spain, related to this Monday, reveal that, so far, 85,195 cases of the disease have been diagnosed, of which 7,340 have ended in death. Another 16,780 people have been cured and have been discharged. These numbers are shocking in a country with around 47 million inhabitants, but the health authorities cautiously insist that the peak of contagion is about to be reached and that the decline to return to normal is beginning. This Monday, the WHO considered that the situation "should begin to stabilize" in Spain and Italy, and warned that the confinement of the population is not enough and "requires pushing with public health measures."

But the Spanish Government believes that the confinement of the population is what is allowing the stabilization of the crisis. Therefore, starting this Monday, all workers in non-essential sectors must stay home until at least April 11. Only can work employees of companies in the food chain and the transport sector, hospitality services with home delivery, companies that manufacture and distribute materials for sanitary use, technical services and repair of computer and sanitary equipment, public officials bound by the minimum services decreed by the Government, companies supporting the armed forces, telecommunications companies, the media, financial services, lawyers and notaries, cleaning services, people who they work in refugee reception centers and in temporary immigrant stay centers, the postal service, delivery people and companies that import medical equipment. The rest must remain in their homes.

During this period of leave, workers will continue to receive their full remuneration, both their base salary and any extras they are entitled to. Once this period ends, workers will gradually make up the hours for the days of leave to their companies. Companies must negotiate with the workers' representatives, with the trade unions and with employees to find a way to make up the hours for these days of unpaid leave before 31 December 2020.

When these hours are made up, this must not, at any time, breach regulations on minimum periods of daily or weekly rest provided for by law, nor exceed the maximum number of annual hours worked as set in the appropriate collective bargaining agreement. The work/life balance, as recognised at law and by convention, should also be respected.

This is a flexible employment measure that seeks to maintain and safeguard jobs during the COVID-19 health crisis, avoiding situations of job insecurity and guaranteeing the subsequent re-establishment of economic activity. The companies that must apply this paid leave may establish a skeleton workforce and shifts to continue to maintain essential activities.

The Royal Decree-Law approved by the Government is mandatory, but contains exceptions. For example, it may not affect those workers already subject to an ERTE - temporary lay-off plan -, unless this is for a shorter working day. Nor does it apply to those on sick leave or those whose contract has been suspended on other legal grounds, nor does it apply to those who carry on their professional activity from home.

In those cases in which it is impossible to immediately cease activity, the workers included in the scope of this Royal Decree-Law may render their services on Monday, 30 March 2020, with the sole aim of carrying out essential tasks in order to implement the recoverable paid leave without prejudicing in a disproportionate or irremediable fashion the subsequent resumption of the business activity.

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