

SUBJECT	LEGAL CHANGE	ACTION REQUIRED
Dispute resolution		
Mandatory Mediation	Mandatory mediation became effective on January 1, 2018. Parties must now first apply to a mediator to resolve their dispute before they can claim in court. The court can only be accessed if the parties fail to reach agreement at the mediation phase.	No action required, but keep this change in mind if you are subject to a claim. Seek specialist advice if you are unsure about how to commence or engage in the mediation process.
Statute of Limitations	Claims must be filed with the labour court within a certain period of time to be accepted. The applicable periods vary according to the claim type. Claimants now only have 5 years from breach to claim for: severance pay, notice pay, bad faith compensation and compensation arising from dismissals violating the equal treatment principle. Applicable to claims arising post October 25, 2017.	Take into account this amendment if a lawsuit is initiated against you by an employee; they may be out of time and can be struck out on this basis.
Appeal Restrictions	The parties can no longer appeal a Court decision arising from the following claims: claims for reinstatement to work following dismissal; claims against disciplinary sentences, and disputes arising from collective labour agreements. Applies to all Labour Court Rulings from October 25, 2017 onwards.	No action required at present, but be aware of the change.
Employment terms		
Overtime	Employers no longer need to get employees' advance consent to justify overtime working. Effective: August 25, 2017	Review current policies and procedures and amend if required.
Annual Leave	The rule requiring employees to take their holiday in 3 parts throughout the holiday year is abolished. Employees can now take their holiday in intervals that suit them and the employer. Effective: August 18, 2017	(1) Become familiar with the new rules. (2) Review existing practices, policies and procedures regarding holiday and update accordingly.
Subcontracting	Subcontracting arrangements are often preferred to employment relationships as they can reduce costs and are less regulated. However, they must meet strict conditions to be lawful. The Labour Authority police such arrangements and can impose fines for breach. Previously, you had 6 days from the Labour Authority's decision to object. This was increased to 30 days on August 25, 2017.	If you use or are considering using a subcontracting arrangement, please ensure you take specialist advice to assess any risk.

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Intellectual Property		
Employee Inventions	Rules are now in place standardising the employer's obligation to provide payment to an employee who creates an invention during his or her employment. Effective: September 19, 2017	Understand the amendment and determine payments and awards in line with the law to ensure legality. Take specialist advice if unsure.
Immigration		
Turquoise Card	The Turquoise Card is now available. It is a document that provides indefinite work and residence rights to foreigners and their family members, if they meet the qualification criteria. Effective: March 14, 2017	Take specialist immigration advice so you are fully aware of how the Turquoise Card works.