

iGlobal Law 2021 Annual Alert : Denmark

Legal Change	Effective Date	Action required
<p>Measures Arising from Covid</p> <p>An adopted bill allows employers to require employees to be tested for COVID-19 as soon as possible, if it is objectively justified for the purpose of restraining the dissemination of COVID-19, or it is objectively justified out of operational considerations prevailing at the undertaking in question.</p> <p>In May 2020 a bill on temporary extension of the rules on sickness benefits for persons in the special risk group and their relatives was adopted. The extension means that employers are entitled to reimbursement of sickness benefits from the first day of absence for these persons. The extension is prolonged until and including March 31st 2021.</p> <p>In September 2020 a bill on a temporary work-sharing scheme was adopted. It means that employers are able to divide the accessible work between the employees instead of terminating them. The scheme is prolonged to include all of 2021.</p>	<p>In force until July 1st 2021</p> <p>In force until March 31st 2021</p> <p>In force until December 31st 2021</p>	<p>The employee must be informed in writing. The results shall be stored in accordance with the GDPR.</p> <p>The employer and the employee must agree that it is impossible to provide the necessary conditions at the workplace.</p>
<p>Posting Employees to Other EU Countries</p> <p>A bill to implement the amended Posting of Workers Directive has been presented. The following amendments are among others proposed with the bill:</p> <ul style="list-style-type: none"> • travelling expenses related to the posting shall be covered by the employer; • posting allowances must be separated from compensations for expenses; • requirement of local employment conditions for postings exceeding 12(18) months. • 	<p>Expected to enter in to force on January 1st 2021</p>	<p>Employers who post employees to other EU Countries shall pay attention to both the local rules and the rules in the country where the posting takes place as they can differ.</p>
<p>Sorrow Leave for Parents on the Death of a Child</p> <p>A bill on extension of the rules on sorrow leave for parents who lose a child means, that parents are entitled to 26 weeks of furlough in case they lose a child under the age of 18.</p>	<p>Expected to enter into force on January 1st 2021</p>	
<p>Protection of Whistle-blowers</p> <p>A bill to protect persons who report breaches of Union law shall be brought into force in 2021 in order to comply with the EU Whistle-blower Directive.</p> <p>Employers with more than 50 employees are obliged to establish an internal whistle-blower scheme. The scheme protects the employee, their family, relatives and colleagues against retaliatory measures.</p>	<p>Publication date has not yet been announced but a bill is expected to be proposed in February 2021.</p>	<p>Nothing at this stage but keep an eye out for the draft legislation expected in February 2021.</p>