

iGlobal Law : 2022 Annual Alert : Denmark

Legal Change	Effective Date	Action required
<p>Measures arising from COVID-19</p> <p>An adopted bill allows employers to require employees to present a "corona passport" for as long as COVID-19 is legally categorized as a socially critical disease in Denmark. Subject to certain requirements (e.g. that it is objectively justified for the purpose of restraining the dissemination of COVID-19), an employer may also require an employee to be tested for COVID-19 and inform the employer of the result.</p> <p>In December 2021, a bill on temporary rules on benefits for childcare due to COVID-19 was adopted. If a child under the age of 14 is sent home from school due to COVID-19, and the employee (the parent) is required to stay home to take care of the child, the employee is entitled to childcare benefit.</p> <p>The bill on temporary work-sharing schemes has been extended. Therefore, employers may divide the accessible work between the employees instead of terminating some of the employment relationships. This involves employees rotating working and being sent home with unemployment benefits, e.g. for a week at a time.</p> <p>The bill on temporary extension of the rules on sickness benefits for persons in the special risk group and their relatives has been extended. Thus, employers are entitled to reimbursement of sickness benefits from the first day of absence for these persons.</p>	<p>In force until 5 February 2022</p> <p>In force until 28 February 2022</p> <p>In force until 31 March 2022</p> <p>In force until 28 February 2022</p>	<p>The employee must be informed in writing. The results shall be stored in accordance with data protection legislation.</p> <p>Note the employee must provide documentation of the child's contact with people infected with COVID-19 or a positive test result of COVID-19.</p>
<p>Political agreement on earmarked paternity leave</p> <p>A political agreement on the implementation in Denmark of the EU Directive on work-life balance for parents and carers is to ensure an equal distribution of paternal leave between mothers and fathers. Each parent is granted 24 weeks of paternal leave of which nine weeks are to be earmarked in addition to the two weeks that are already earmarked. Earmarked weeks of leave that the employee does not intend to take cannot be transferred to the other parent. Further, the agreement ensures that employees are entitled to compassionate leave without pay for five days a year.</p>	<p>A bill is expected to enter into force no later than August 2022</p>	<p>When the expected bill enters into force, employees will have a right to two + nine weeks of earmarked paternity leave that cannot be transferred to the other parent.</p>
<p>Protection of gender identity</p> <p>A bill amending the Danish Act on Prohibition against Discrimination on the Labour Market etc. has been adopted. The bill clarifies the protection of LGBTI-persons by introducing an explicit ban on discrimination on the ground of gender identity, gender expression and gender characteristics in the labour market.</p>	<p>Enters into force on 1 January 2022</p>	<p>Employers may wish to review their policies to ensure this is incorporated.</p>