

CORONAVIRUS CRISIS (COVID-19). MAIN MEASURES ROYAL DECREE LAW 13/2020

MEASURES TO FAVOR TEMPORARY CONTRACTING IN THE AGRICULTURAL SECTOR

On April 8, 2020, **Royal Decree Law 13/2020** was approved in the Official State Gazette, with effect from tomorrow, Thursday, April 9, which approves urgent temporary measures regarding agricultural employment, which will guarantee the availability of labour to meet the needs of farmers and ranchers. Below, we inform you of the main measures:

1. COMPATIBILIZATION OF UNEMPLOYMENT BENEFITS WITH AGRICULTURAL TASKS

Compatibility of unemployment benefit or other social or labour benefits is allowed with the remuneration received for the work activity derived from the performance of agricultural tasks included in any of the CNAE codes of the agricultural activity, regardless of the category professional and specific occupation of the employee:

BENEFICIARIES

- ✓ People who, upon the entry into force of the Royal Decree-Law, are in a **situation of unemployment or cessation of activity and those workers whose contracts have been temporarily suspended**, as a result of the temporary closure of the activity, except workers affected by ERTES due to COVID-19.
- ✓ **Migrants whose work permit ends in the period between the declaration of the state of alarm and June 30, 2020**. The Secretary of State for Migration will determine the conditions for the extension of work permits until June 30, 2020.
- ✓ **Young nationals of third countries, who are in a regular situation, who are between 18 and 21 years old.**

LOCATION OF WORKERS

It will be applicable to those **workers in which their domicile or the place where they temporarily spend the night while the campaign is carried out is located in the same municipal area or in municipal terms bordering the workplace**. The autonomous communities may adapt this criteria.

PROCESSING

The job offers that need to be covered in each locality will be communicated by the companies and employers to the **autonomous Public Employment Services**.

VALIDITY

This is a **temporary measure** that will apply until June 30, 2020.

OBLIGATIONS OF THE ENTREPRENEUR

He must ensure at all times the availability of means of prevention against COVID-19

SALARY

- **It will necessarily be paid by bank transfer** in the account indicated by the worker.
- **It is established that the minimum remuneration** to be applied must be that which corresponds according to the current Collective Agreement and in any case the **Minimum Interprofessional Salary**.

2. MODIFICATIONS IN SOCIAL SECURITY

- ✓ Situations protected so far are expanded as a situation **assimilated to an accident at work**. Such periods will be considered, exceptionally, the **periods of isolation, contagion or restriction in the exits of the municipality** (confinement) where the workers have their domicile as a consequence of the virus COVID-19
- ✓ Includes modifications related to the incorporation into the legal system of the effects of the **compatibility of the retirement pension with the appointment as statutory personnel of health professionals**.

3. EXTRAORDINARY BENEFITS FOR SELF-EMPLOYED

The form of accreditation of the necessary requirements to receive the extraordinary benefit for the self-employed (income less than 75%) for certain activities that receive their income unevenly throughout campaigns or time periods exceeding the six-month period, which is the parameter, is made more flexible comparison time that constitutes the general rule. Thus, **the flexibility already approved for agricultural and cultural activities or public shows is extended to those included in the Special Regime of the Sea**.

4. OTHER PROVISIONS

The Royal Decree-Law 11/2020, of March 31 regarding the **MORATORIUM OF FEES FOR COMPANIES AND SELF-EMPLOYED**, is also amended to include the following specification: **The moratorium, in the cases that it is granted, will only affect business contributions in the contribution to Social Security and for concepts of joint collection, as well as the quotas of self-employed or self-employed workers**.

We are at your disposal for any questions or queries on this matter.

Kind Regards,



Manuel Jódar Asesores SLP

Lorca, April 8 2020