

Ius Laboris Webinar

Working from home – from abroad

Thursday, 17 June 2021

15:00 – 16:00 CET



CASE STUDY

- Belgian company intends to implement a new working from home policy
- Several employees have asked if they could extend their holidays abroad and work for a couple of weeks or months from abroad
- Other employees have asked to work more structurally partially from abroad (e.g. 2 or 3 days per week)
- Popular destinations are: France, Italy, Spain, Portugal, Croatia, Greece and some other overseas destinations such as Thailand, China, Australia, Russia and Chile
- Most employees are Belgian nationals but there are also some European nationals and third country nationals with a Belgian single permit
- Employees have Belgian employment contracts
- **What does the company need to think about?**

KEY CONSIDERATIONS

- Applicable provisions in the home country – contractual documentation
- Business Immigration
- Mandatory employment laws in the new country?
- Social security
- Paperwork and formalities
- Data privacy and protection of confidential information
- Tax

OUR COUNTRY EXPERTS



Valeria Morosini, Partner
Toffoletto De Luca Tamajo (Italy)



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Andrej Žmikić, Partner
Divjak Topić Bahtijarević & Krka, (Croatia)

QUESTIONS TO COUNTRY EXPERTS

- Paperwork and notifications to consider?
- Mandatory local employment laws to consider?
- Any other takeaways for employees?



CONCLUSION: HAVE A POLICY

KEY POINTS

- Countries
- Duration: tracking!
- Procedure – contractual documentation
- Additional formalities
- Measures data privacy – confidentiality
- Recall
- Costs / travel costs
- Impact benefits/salary
- Additional insurance (e.g. work accident, hospitalisation insurance)

WANT TO KNOW MORE?

<https://iuslaboris.com/insights/working-from-home-abroad/>

The screenshot displays the Ius Laboris website interface. The header includes the logo 'Global HR Lawyers Ius Laboris' and navigation links: 'About Us', 'Our Lawyers', 'Insights', 'Learn & Connect', and a 'Global HR Law Guide' button. A search icon and a user profile icon are also present. The main content area features a large image of a person working from home, with the text 'INSIGHTS' and 'Working from home abroad' overlaid. A red Spotify podcast player is visible at the bottom, titled 'Talking Work' and 'Working from home – from abroad'. A table on the right side of the page provides information about mandatory rules for teleworkers in Australia.

	Rules	Comments
Australia		
Immigration laws	Mandatory rules apply	
Minimum wages	No mandatory rules apply	Australia employment laws (e.g the Fair Work Act 2009 (Cth)) will not apply unless there is a 'sufficient connection' to Australia. Temporary stays in Australia are unlikely to meet this threshold.
Working hours/overtime pay	No mandatory rules apply	Teleworkers will not be subject to maximum working hours and overtime provisions given the lack of connection with Australia.
Sunday work	No mandatory rules apply	There is no prohibition on Sunday work in Australia however teleworkers will not be entitled to applicable penalty rates given the lack of connection with Australia.
Public holidays	No mandatory rules apply	Teleworkers will not be entitled to public holidays unless a 'sufficient connection' to Australia is established.
Night work	No mandatory rules apply	There is no prohibition on night work in Australia however teleworkers will not be entitled to any applicable penalty rates given the lack of connection with Australia.
Minimum vacation rights	No mandatory rules apply	Holiday entitlements will not apply unless a 'sufficient connection' to Australia is established.

QUESTIONS ARE WELCOME BY EMAIL

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ONLINE WEBINAR 03:00 PM

M&A and employment law, Part 2 - Europe

In the second part of our mergers and acquisitions webinar series, experts from four European countries, UK, Germany, France and Spain, will discuss the employment aspects of M&A deals. We will cover how to structure a deal, due diligence and how to get the process right. Ius Laboris employment law...

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ONLINE WEBINAR 03:00 PM

Working from home – from abroad

Many employees are currently working from home because of COVID-19, but for some, that can mean working from abroad. In this webinar, experts from Belgium, France, Italy, Greece, Portugal, Spain and Croatia take a country-by-country look at what employers need to think about when someone asks to work temporarily or partially...

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17 JUN 21

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All Episodes

Women in the workplace - challenges and ideas from Denmark

To coincide with International Women's Day on 8 March, we have taken a look at gender issues in the workplace, with Denmark as our focus. We invited Rikke Falk Dambo, a partner in our Danish firm, Norrbom Vinding, to talk to us about the debate currently raging...

Mar 8 - 12 min

Mental health at work in the APAC region | The Word 2021 Special

To coincide with the launch of our flagship publication "The Word 2021: Forces for Change", we prepared some special podcasts on key themes related to the future of work. We invited Kathryn Weaver, partner in Lewis Silkin Hong Kong, to discuss how mental...

Mar 2 - 10 min

The role of unions during and after COVID-19 | The Word 2021 Special

Pairing with the launch of our flagship publication "The Word: Forces for Change", we prepared some special episodes on key themes related to the future of work. To start with, we invited Chris Engels, former chair of our alliance and founding partner of...

Feb 25 - 17 min

About

Talking Work is an employment law podcast by Ius Laboris. Join us and our specialists from around the world as they tackle a range of issues, all to do with the changing world of work.



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