

FREQUENTLY ASKED QUESTIONS

(Q1) If an employee has reasonable suspicions that he or she was exposed to COVID 19 and, therefore, self-isolates, does Social Security cover said employee’s salary during that period of time?

A1: No. The Social Security Board pays sickness benefit to persons who qualify, if they are required to abstain /isolate for having been in contact or suspected to have been in contact with COVID-19. Any isolation days must be medically certified and validated by the Ministry of Health. The Ministry of Health is the Quarantine Authority who determines who is required to abstain from work or required to be in isolation or quarantine.

(Q2) For self-isolation purposes (as outlined in Question 1), does SSB accept such ‘stay-home’ (self-isolate) prescriptions from private-sector medical professionals?

A2: The SSB does accept medical certificates from qualified private practitioners. A list of said practitioners is available on the SSB website or by [CLICKING HERE](#). Days prescribed for isolation or illness are further validated with the MOH as the Quarantine Authority.

(Q3) If an employee has to self-isolate and was told by Social Security Board (SSB)’s official(s) that in order to access the sickness benefits he must first test ‘positive’, but it takes approximately 14 days or more before MOH provides the results—which with the help of private medical facilities—turn out to be “negative”, will the SSB reimburse the Employer for salaries paid for the time the employee was on self-isolation?

A3. SSB does not pay for self-isolation, SSB will honor any medically certified days required to abstain from work for approved isolation or quarantine period as validated with the Ministry of Health. If the person was tested, he must ensure that he obtains a medical certificate to certify days he is required to isolate and submit his sickness benefit claim. If he qualifies, benefit is paid to the employee not employer. All days required to isolate pending results will be paid once it is certified and validated with the MOH even though the results are further negative. Contact the MOH at the respective district for a medical certificate if you have been tested in order to further submit your sickness claim.

(Q4) There have been instances in which employees are denied testing by MOH, on the grounds that the person in question does not display “sufficient” number of COVID 19 symptoms. Nevertheless, the employee is still advised to self-isolate for the prescribed amount of days. Due to MOH’s decision to NOT test, there would be no claims form to inform the Sickness Benefit process. What, then, is the employer’s (especially one that cannot afford the private testing) obligation(s) as it pertains to the employee’s salary?

A4: For SSB purposes once MOH requires a person to isolate and certifies the days required to abstain from work on isolation, the person can submit a claim and if he/she qualifies, then the benefit is paid. The last portion of the question would need to be raised with labor department and MOH.

(Q5) Given the COVID 19 testing backlog with the Ministry of Health (MOH) is it advisable that companies prioritize the use of the ‘rapid’ tests that are also available at private-sector medical institutions?

A5: The answer to this question depends predominantly on the specific employer’s and the company’s policy objectives, capabilities and human resources decision to ensure business continuity. However, it is worth recalling that the private tests do carry a cost that is not covered by Social Security or any other

government entity. Therefore, it would be absorbed by the employer or employee, or some other private arrangement including insurance plans.

(Q7) What's the obligation for the Employer of an employee who voluntarily wants to self isolate?

A7: That is an employee/employer decision which can also be consulted with the Labor Department.

(Q8) In many instances the results from the COVID 19 tests are not shared with the employers, leaving the employer to rely almost exclusively on the word of the tested employee. What mechanisms are in place to protect business owners from those workers who would seek to abuse this gap in information?

A8 Labor requires that a medical certificate is presented to the employer for any sick days, for SSB purposes benefit claims must be supported by a medical certificate for days of incapacity from work due to the disease or for having been exposed or suspected to be exposed to the disease.

(Q9) Should Employers establish company policies and protocols for dealing with COVID-exposed or confirmed positive COVID-19 employees?

A9: There is no obligation on the part of Employers to create any such rules or policies; however, it is advisable as it would provide a clear set of protocols for not just the potential COVID patient but it would also inform the entire staff as to what steps should be taken to prevent infections and spread in the workplace.

(Q10) Are employers expected to pay overtime for work conducted on December 26th, 2020, even though the holiday is held on December 28th?

A10: "The 26th December 2020 is neither a Bank nor a Public holiday for the purposes of **Section 117(3)** of the **Labour and Act. Employees**. Employers are required to pay employees their normal rate of pay for any work done on the 26th December 2020. This is the case unless there is a contractual agreement between employer and employee, for a higher rate to be paid notwithstanding the fact that the 28th December 2020 shall be a Bank and Public Holiday in lieu of the 26th December 2020."

(Q11) Given the economic challenges brought about by COVID 19, does the SSB still intend to proceed with the third increase to the contribution scheme that was scheduled for January 2021 as outlined on the SSB website? Is there scope for either a delay or modification in the nature of the increase?

A11: The Contribution Reform was approved by GOB and became law in 2019. Thus, any delay or modifications for the 3rd phase would then also have to be tabled and approved by GOB.