



GLOBEX UPDATE

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Events, developments, and opportunities in the international marketplace

ITALY INTRODUCES NEW EMPLOYMENT RULES

Italy is looking to introduce new employment regulations for companies and placement agencies in an EU member country that posts workers to Italy. In addition, some may also be applicable to companies situated in non-EU Countries if they have employees in Italy. Some of the provisions in the new law advise that the employer should comply with the following:

- appoint a contact person in Italy empowered to send and receive documents
- appoint a contact person who shall be available to deal with unions upon their request
- keep copies of documents concerning the seconded employee during the secondment and or the 2 years following its termination
- inform the Ministry of Labour in Italy of any change concerning the secondment within 5 days.

Failing to comply can lead to a fine of between 150 and 500 Euros for each worker. A failure to keep copies of necessary documents for 2 years may result in a fine between 500 and 3,000 Euros for each worker and failing to appoint contact people can lead to a fine between 2,000 and 6,000 Euros.

CHINA IMPLEMENTS NEW LABOR LAW MEASURES

As of January 1, 2017, China enacted a new law for employers who have breached the PRC labor law called the "Name and Shame" regime. The law outlines serious consequences for employers who are found in non-compliance with labor regulations. Those employers that have breached the new law would be subjected to having those violations made public. Violations that can be made public include:

- unjustified deduction from, or delay in paying "substantial amounts" of employees' remuneration, or refusal to pay remuneration if it results in criminal charges
- failure to enroll an employee in social insurance or make social insurance contributions, if the circumstances are severe
- severe violation of rules on: working hours, rest and leave, protection of female and juvenile workers and child labor.

Employers that are found to have violated can risk having the company name, registration number, company address, legal representative (or person in charge of the company committing the violation), along with a detailed summary of the violations published. Employers should make sure they gain a comprehensive understanding of wages, social insurance, working hours and leave. Employers are also encouraged to conduct an internal audit to check that local management know how to calculate pay, what must be filed, all deadlines and record-keeping obligations.

SOUTH AFRICA PROPOSES NEW PARENTAL LEAVE POLICY

South Africa is looking to make changes to current parental leave policy by increasing the number of leave days for fathers. Currently, the birth mother may take four consecutive months' maternity leave whereas the father is only allowed three days' leave when his child is born. The new proposal would give a parent, who is not entitled to maternity leave, up to ten consecutive days' parental leave when his/her child is born. Internationally, many jurisdictions have already recognized the benefit in affording fathers more leave and have catered for this in their legislation. employers to monitor the progress of the Bill because, if the Bill becomes law, employers will need to comply with same. This would entail inter alia amending current employment contracts and/or company policies.

Recruiting and retaining key talent around the world remains a formidable challenge for HR management. More and more, a company's success depends on the ability to offer a competitive benefits package while remaining within budget. Globex Partner Brokers can offer their clients access to a range of products, capabilities and resources custom-tailored to helping multinationals optimize their employee benefits around the world. Contact any member of the Globex Health & Benefits Team to learn more.

Success Stories

- Established comprehensive local benefits programs to help technology client recruit and retain key talent in their rapidly growing operations in Brazil, Germany and China.
- Launched Benefits Assessment for tech company in India.
- Secured group expat plan for manufacturing firm.

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