

# IMPLICATIONS OF THE EXTENSION OF REMOTE WORK UNTIL DECEMBER 31, 2022

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Urgency Decree No. 115-2021 modified Urgency Decree No. 026-2021, No. 078-2021, and Legislative Decree No. 1505, and extended the use of the Remote Work employment modality, both for the public and private sectors, until December 31, 2022.

PRIOR END DATE	NEW END DATE
December 31, 2021	December 31, 2022

## WHAT ARE THE IMPLICATIONS OF THE EXTENSION OF THE REMOTE WORK MODALITY FOR COMPANIES?

- ▶ The employers who have already implemented distance work, may continue to use the remote work modality for the current year 2022.

In such case, companies may opt for this modality instead of teleworking, which requires employers to comply with more stringent regulations and may cause them to incur higher costs.

- ▶ The employers who are performing in-person activities, may implement the Remote Work modality, if deemed convenient.

However, in cases where employers choose to return to in-person work, they should take the following into consideration:

- ▶ Any employee performing in-person work must evidence that they have been fully vaccinated against COVID-19.
- ▶ In case such employee has not been fully vaccinated, they will be mandatorily required to adopt the Remote Work modality, provided that their duties are compatible with such exceptional modality.
- ▶ In case the position and duties of an employee are not compatible with remote work, such employee will be subject to an unpaid interruption of activities.

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It is important to consider that employers must comply with the legal parameters and formalities established for the implementation of remote work and must ensure the compliance with Occupational Safety and Health guidelines during the development of distance work. However, in case employers decide to return to in-person work, they must implement basic provisions for the surveillance, prevention, and control of the health of employees who are at risk of exposure to SARS-CoV-2 in its Protocols and Plans against COVID-19, within the framework of their Occupational Safety and Health policies.

### IMPORTANT INFORMATION

- ▶ Remote work does not apply to employees who have tested positive for COVID-19, or to those on medical leave, in which case such employees will be subject to a paid interruption of activities; i.e., the obligation to provide services is suspended without ceasing the payment of salaries.
- ▶ With respect to suspected, probable, or close-contact cases of COVID-19, depending on their situation and the respective medical evaluation, it will be possible for such employees to continue providing their services under the Remote Work modality. If said employee requires bed rest or a leave of absence, the Remote Work modality will not be applicable.



## FOR MORE INFORMATION:



### **CARINA DÁVILA**

Legal Manager  
Business Services & Outsourcing  
cdavila@bdo.com.pe



### **CAROLINE MAYORÍA**

Legal Advisor  
Business Services & Outsourcing  
cmayoria@bdo.com.pe

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