



6th May 2020

Notice: to all Employers and Business Houses in Vanuatu

Department of Labour and Employment Services Selected Measures on the Management of Employment during COVID19 crisis

I refer to the above matter.

This notice serves to advise all Business House in Vanuatu on the management of COVID19 package and the eligibility of the group of employees who can access the package. This directive was developed in partnership with the Ministry of Finance and Economic Management.

Termination and Eligibility to the Employment Stabilization Payment:

Employers that have terminated their employees because of the COVID-19 are instructed to re-instate their employees back into employment or place them back on the payroll and apply for the Employment Stabilization Payment Package. Only Employees who have an active membership with VNPF before 29th of February 2020, will be qualified to receive a payment. **Employees who are terminated for reasons other than the COVID 19 are not qualified.**

1- Probationary period.

Any Employee terminated during probationary period before 29th of Feb are still eligible for the ESP. Employers are advised to re-hire and re-instate the employer and apply for the ESP. Any employee under this condition still must have an active membership with VNPF to be qualified.

2- Domestic employees (Housemaid / Gardeners)

A) **Not eligible:** Domestic employees; Housemaids and Gardeners that are employed at private residences are not eligible for the ESP. They will only be eligible if their residential employer has a registered valid business license and that these Employee have a Valid VNPF membership before 29th of February 2020.

B) **Eligible:** Gardeners, cleaners, securities that are employed by business houses and companies are eligible for the ESP provided they have an Active VNPF Membership before 29th February 2020.

3- Employees still employed over 55 years

- C) Employees over 55 years of Age that are still employed are eligible for the ESP provided they still have an Active VNPF Membership

4- Labour Mobility Agents

Labour Mobility Agents that have a valid registered business license as employers and are employing workers and paying their employees VNPF are eligible to apply for the ESP.

5- Terminated and Re-hired/re-instated.

Employee(s) that were terminated in the month of March and re-hired again sometime in April, May or June 2020 are still eligible for the ESP, but will only be paid by the Company / Employer for the period in which they were rehired / reinstated the Employer must justify this in writing to the Director General of the Ministry of Finance and Economic Management.

6- Employment Stabilization Payment even if there is no work for the employees/workers.

The ESP will still be paid for eligible workers even if the employer does not have any work for their employees. However, they will need to prove that the employees are real employees with the company with all relevant current update to date employment details.

Companies are also encouraged to capitalize on this opportunity to get their Staff back to work at least and do other jobs. companies are encouraged to engage their employees at least for some hours of the day however, this is not compulsory and is not a requirement for the package.

7- The ESP Package is not for Severance allowance.

The Payment package is only for Salaries from March to June 2020 and should not be regarded as a Severance allowance payout to the Employees.

8 – ESP Package, Public Holiday & Overtime.

The Payment package is only for Salaries from March to June 2020 and does not include public holiday Rates and Overtime.

8- Business owners who have more than one business.

Employers who have more than one registered business operating must fill up separate forms for each of their businesses and Employees.

9- There are two categories of Eligibility for businesses for ESP.

- 1- *Qualified and*
- 2- *Partly Qualified*

10- Application before End of June 2020

Employers who have terminated or laid off their employees because of the COVID 19, should re-hire and place their employees back on the payroll now and apply for the package before the end of June 2020.

11- Employers must NOT apply after June 2020.

Employers must NOT apply after month of June because we are not sure what will happen from July onwards.

The above are some directives regarding the management of the COVID19 package that will assist Employers and Employees to access the stimulus package during this time of crisis.

Should you request further clarification or queries please do not hesitate to contact the Department of Labour and Employment Services on Tel: 33130.

Yours Sincerely,



Murielle MEL TENOVEN

Commissioner

Department of Labour & Employment Services

Ministry of Internal Affairs

Cc: DG- MOIA

VCCI

Vanuatu National Workers Union

Chrono