

# THE EMPFFED



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# MESSAGE FROM THE EDITORS

*"Resilience is all about being able to overcome the unexpected. Sustainability is about survival. The goal of resilience is to thrive."*

**Jamais Cascio**

The global implications of the spread of COVID-19 virus have been unprecedented with many challenges arising worldwide each day.

As a result of this crisis, the global economy is facing serious adverse impacts. Sri Lanka, too, is currently at a very critical point in the response to the pandemic. In a scenario where global markets have been severely affected and domestic demand for many goods and services other than essentials have witnessed a similar downturn, employers in Sri Lanka are facing financial constraints and challenges to sustaining their businesses.

Despite these difficult circumstances, we are aware that employers have continued to be mindful of their responsibilities toward their employees and the society at large, whilst taking all possible efforts to ensure sustainability of business.

This issue of the "Empfed" magazine will focus on information which we feel would be of use to our members, as they navigate their organizations through the turbulence. We take this opportunity to place our appreciation of our members for conducting affairs responsibly as always, thereby extending their fullest cooperation to reduce the spread of the COVID-19 Virus despite the hardships endured and challenges to the continuity of enterprises.

**Lakshika Siriwardana**  
**Industrial Relations Advisor**

**Gimhani De Silva**  
**Industrial Relations Advisor**

# ENSURING BUSINESS CONTINUITY BASED ON VALUES OF SUSTAINABLE ENTERPRISES

We are mindful that many of you are in the midst of taking numerous measures to minimize the negative implication of the ongoing pandemic from the point of view of business continuity and safeguarding job security of employees.

If not for the timely action taken by the Government of Sri Lanka, our country would have also suffered the fate that many countries around the globe that are now grappling with a health emergency not witnessed by the world for decades. Going by the recent prognosis issued by the authorities, we can look forward to a faster resumption of normalcy. Needless to state, it will also make it incumbent upon us to be ready to resume economic activity and business at least in some measure. Such preparedness will no doubt be a factor that would also influence the decisions that you are making at present to safeguard the establishments under your management. The onus of having to take precautions against the spread of the COVID19 virus will be a priority.

The calls we have had from you since the beginning of crisis make it abundantly clear that these are difficult times for you & taking preemptive action is a priority for most if not all. However, in putting together and implementing strategy to sustain businesses, the founding principles of the EFC are a good base to follow, which in essence require us to make use of dialogue as an essential tool in resolving issues relating to the world of work with our stakeholders, especially with our valued employees. Like all stakeholders including us employers, employees are also deeply concerned about this pandemic and its ill-effects, particularly on their employers as well as issues concerning their health, income & job security.

Hence, conducting our affairs transparently and in consultation with them is something they are bound to aspire for. It is an ideal opportunity to 'walk' the governance principles you have followed over the years and demonstrate your accountability as an employer.

In context, we thought of placing before you certain practices based on 'suitability values' that you have been adhering to, which can be used as guidelines when approaching problems and resolve them through consensus whilst keeping in mind the Laws that in place to protect the interests stakeholders.

a) Aside from being compliant with the Laws that govern the subject, the successful terms 're-negotiating of terms' would very much depend on whether your employees are on board with the company's objectives or not. In the current circumstances, which can only be described as unprecedented, an employer's resolve to sustain the establishment whilst endeavoring to ensure job security are rationale that any reasonable person with prudence is likely to accept. Hence, it is for this reason that we encourage members to discuss and obtain employee concurrence prior to implementing necessary as well as sometimes inevitable changes to terms.

b) As you are aware, the EFC is currently in discussion with the authorities to simplify processes relating certain laws that would enable employers to save working capital, implement decisions with regard to change with clarity and in manner that would not make them liable for redress at a future date. However, employers are expected to implement their solutions without compromising Laws that are in place to protect employee interests.



In conclusion, we thought of placing the above values and parameters before you as you plan out strategy to overcome the challenges that you have to contend with on account of this pandemic and more importantly as you make plans to operate your business in a sustainable manner that will enable you to draw inspiration & succeed in all your future endeavors.

**EFC members are privy to a host of services including unlimited access to advisory services from the most experienced team of professionals in Labour Law, Employment & Industrial / Employee Relations.**

As you know, personalized consultations are essential in planning strategy during a crisis as decisions to implement 'one size fits for all' is unlikely to yield results. In addition, commencing during the week beginning 20th April, we'll be conducting weekly web-based fora to guide members with their day-to-day employment related issues as well as special OSH guidelines and ergonomic related interventions. We may open some of these programmes to non-members on selected fee levying basis depending on availability of places.

Wishing you good health and prosperity through business continuity for the festive season & beyond!

**Kanishka Weerasinghe**  
**Director General / CEO**

c) With new dictates on how we could operate in the future, it will be inevitable that changes to work arrangements etc. will also have to be made. As you have experienced in the past such changes are best implemented in discussion with employees, and we are mindful that these measures may even require the opening up of 'collective agreements wherever applicable. One should not under-estimate social dialogue as a tool and its success rate in bringing about change. There are many examples that can be cited globally as well as how we came out of difficult situations after 'working as one'. Importantly, implementing equitable solutions & the 'feel good' factor of working as a team, especially during hard times, are powerful determinants that make the difference between success or failure of even the most well-thought-out strategy.





Ministry of Skills  
Development,  
Employment & Labour  
Relations



**NIOSH**  
National Institute of  
Occupational Safety and  
Health - Sri Lanka

# COVID-19 Prevention Guidelines for All Industries

The novel corona virus infection, - COVID-19 which is a respiratory disease that spreads through a virus. This virus is a close member of the SARS/MERS family having similar implications

The World Health Organization has declared this situation as a world "Pandemic". Accordingly, all industries should engage with the public health authorities and the guidelines given by the National Institute of Occupational Safety & Health, Ministry of Labour to implement action to prevent and control the spread of the virus among the industry.

## EIGHT STEPS TO FOLLOW

### 1 SAFETY COMMITTEE TO BE ESTABLISHED AND FUNCTIONED

- Follow all the guidelines given by the government
- Hand washing/sanitation measures to be strictly followed
- If any employee has fever, immediately contact industrial nurse, call 1990 – SUWASARIYA
- Contact area MOH
- Follow instructions as per the doctor's advise
- Sanitize the employees working premises with disinfectant
- Inform the area PHI and aid the screening process of the **contacted employees**

### 2 TRANSPORT ARRANGEMENTS

Try to provide office transport as much as possible and to avoid public transport as it may spread and give flexible working arrangements even at home wherever possible

### 3 INSTRUCTIONS TO EMPLOYEES

Instruct the employees to keep at least 2 meters distance while talking, seated in the meal room and not to give breaks at the same time just to avoid mass gatherings at the meal rooms and follow safety measures prepared by employers.

### 4 FINGER PRINT CAPTURING MACHINES

Provide washing facilities/hand sanitizers near the finger print capturing machines

### 5 MAINTAIN HEALTH & NUTRITION

### 6 LEAVE ARRANGEMENTS

Deploy only employees required to maintain essential services.

### 7 IF THE INDUSTRIES WANT TO CHANGE THEIR WORK SCHEDULES RELATED TO COVID INFECTION AND CRISIS SITUATION REPORT TO NEAREST LABOUR OFFICE OR TO THE COMMISSIONER GENERAL OF LABOR –

0112581998/0718022128  
0712482571

### 8 FOR ANY HEALTH-RELATED INFORMATION PLEASE CONTACT - 0774457566



#### IN CASE OF DETECTION OF A CORONA INFECTED CASE IN INDUSTRY

- If worker comes with fever/cough, runny nose etc. or related symptoms & history with any foreign visitor, or corona patient, immediately give leave
- Instruct him/her to hospitalize, following the nearest Doctors advise.
- Disinfect the factory with disinfectant
- If it is a small factory, give leave for two weeks and home quarantine should be instructed.
- If it is a large factory, employing thousands of workers, give leave for the section where she/he was working and the entire factory should be disinfected.
- All contacts such as company transport, canteen workers and canteen premises should be disinfected and if there any contacts with the workers in these special sections should be given leave
- Inform the nearest MOH, PHI to take necessary action

# Approval for Companies to Delay EPF Remittances

The Department of Labour will permit certain companies to delay remittances to the Employees Provident Fund (EPF) without having to pay any surcharges, The Sunday Morning Business learns.

This relief measure is being provided to companies based on a request by Employers' Federation of Ceylon (EFC) Director General (DG)/Chief Executive Officer (CEO) Kanishka Weerasinghe, considering the current lack of working capital in companies across many industries due to the impact of Covid-19.

When contacted for clarification, Commissioner General of Labour R.P.A. Wimalaweera told us that while this was not a major issue during such a serious health and economic crisis, if certain companies are unable to remit EPF contributions for justifiable reasons, they would be exempt from the surcharge.

"EPF surcharge exemptions will definitely be considered but those are not the most important problems at the moment. What is important at the moment is whether or not employees will get their salaries. However, if and when a company applies to the Commissioner General, if it can justify the delay and prove that it was for reasons beyond its control, they will definitely get relief. That is being considered at the moment," noted Wimalaweera.

Upon receiving requests from the companies, Wimalaweera, who has statutory authority to allow companies to delay EPF payments, would take the matter case by case and provide them a certain time period to settle their EPF payments, without imposing any surcharges.

Speaking to The Sunday Morning Business, EFC DG/CEO Weerasinghe stated that the request was made a couple of weeks ago to the Department of Labour and Minister of Foreign Affairs, Skills Development, Employment, and Labour Relations Dinesh Gunawardena. "Owners are trying to pay wages and keep employees in employment amidst reduced working capital and that is to ensure job security," Weerasinghe noted.



**Kanishka Weerasinghe**  
Director General / CEO, EFC

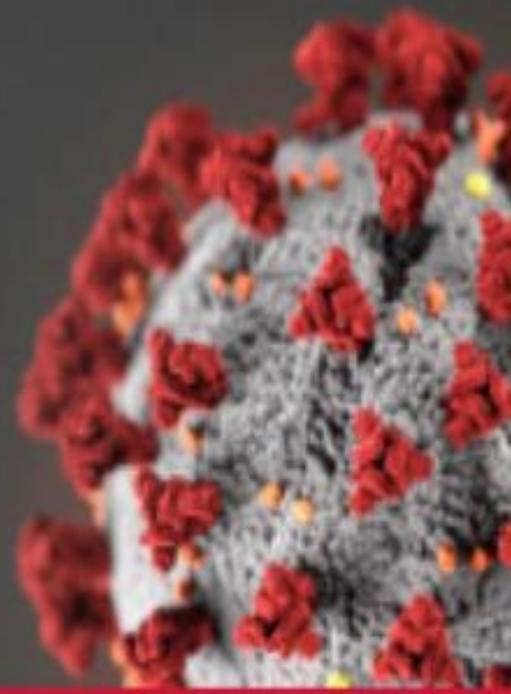
According to Weerasinghe, EPF surcharges could be as much as 50%, in case of a delayed EPF payment. "Though we have requested for a general directive from the Minister, the decision to do so was put off and will be reconsidered at a meeting of the Special Task Force which has been set up to assess employment-related matters chaired by Minister Dinesh Gunawardena on 20 April," quipped Weerasinghe. The time period that will be given to the companies to delay EPF payments will be decided case by case, according to Weerasinghe.

When contacted, Subject Minister Gunawardena told The Sunday Morning Business that he is aware of the request to allow delayed EPF remittances for companies without being subjected to surcharges and stated that it was one among many proposals he discussed recently with the EFC and trade unions. "No decision has been taken with regard to delaying EPF payments. We have not decided on anything yet. We will have another meeting on 20 April. The first priority is people's health and the prevailing condition in the country. Before all these things, there are many issues to be sorted, like settling salaries of people for the month of April," Gunawardena added.

The EPF was established under the Employees' Provident Fund Act No. 15 of 1958 and is currently the largest social security scheme in Sri Lanka. The EPF has over Rs. 2,289 billion worth of assets. The total investment portfolio (book value) of the fund grew by 15.4% to Rs. 2,298.8 billion as at end-2018 from Rs. 1,992.4 billion recorded at end-2017. According to the EPF Act, an employee is required to contribute a minimum of 8% and the employer a minimum of 12% of the total salary of the employee monthly.

## Coronavirus (COVID-19)

# HOSPITALS TO CONTACT IN THE CRISIS SITUATION



|  |                        |
|--|------------------------|
| National Institute of Infectious Disease (IDH) | +94 112 411224, 23, 84 |
| North Colombo Teaching Hospital - Ragama       | +94 112 959261         |
| District General Hospital - Gampaha            | +94 332 222779         |
| District General Hospital - Negombo            | +94 312 222261, 4217   |
| National Hospital - Kandy                      | +94 812 222261         |
| Teaching Hospital - Karapitiya                 | +94 912 223341, 32267  |
| Teaching Hospital - Anuradhapura               | +94 252 222261         |
| Teaching Hospital - Jaffna                     | +94 212 222261         |
| Teaching Hospital - Kurunegala                 | +94 372 222261, 62, 63 |
| Teaching Hospital - Batticaloa                 | +94 652 227501         |
| Provincial General Hospital - Rathnapura       | +94 452 222261         |
| Provincial General Hospital - Badulla          | +94 552 222164, 261    |



# EFC TRAINING AND CERTIFICATIONS

## NEVER STOP LEARNING

WE'RE OFFERING  
**VIRTUAL TRAINING**  
DURING COVID-19

INDUSTRIAL RELATIONS | LEGAL |  
HRM | OCCUPATIONAL SAFETY  
AND HEALTH

CONTACT YASHORAVI  
ON 077 3362208



# 10 Tips for Employers on How to Manage Remote Staff



## 1. Set Clear Expectations

With remote working leaving the employee more in control of their work day structure, it is down to you as the employer to make your expectations extremely clear.



## 2. Monitor Progress Regularly

Without the ability to just pop in and catch up with your employees face to face when they are out of the office, this is an important step to schedule in.



## 3. HR Management Software

Having HR technology in place, like CakeHR, is going to give you some much needed extra support with your remote workers.



## 4. Interact Effectively

By interacting with the remote workers, keeping them updated on news from the office and paying interest in the projects they have on will boost productivity.



## 5. Trust in the Worker

If reliability and trust issues arise from remote working, it's worth having a conversation about whether remote working suits the needs of the individual and company.



## 6. Explain the Reasoning Why

As an employer, you're more aware of how each person's work is impacting the long-term organizational goals and so this is something you have to explain to them clearly.



## 7. Communication is a 2-Way Street

Not only is communication important for creating, maintaining and celebrating goals and company culture, as an employee you keep the remote worker engaged.



## 8. Be Transparent

Still along the same lines as communication, being open and transparent with your remote team is likely to help you get the best out of how they work.



## 9. Ask for Feedback

To make sure that your remote staff are conducive to co-workers, projects and the company's objectives and anyone else that requires work from them, 360 degree feedback is a great tool to implement on a quarterly or half yearly basis.



## 10. Give Examples of How You Like Work Completed

If you don't thoroughly explain the way in which you wish to work, then you cannot expect the remote worker to meet your expectations.



**YOUR INPUT  
MATTERS**

**CLICK ON THE ICON!**



We are conducting a survey to identify the impact of COVID-19 on our members. The information provided by you -which will be handled with the utmost confidentiality- will enable us to assist you better, by finding / fine-tuning solutions to issues that you may be facing at present and guide you to structure your organization whilst incorporating higher levels of OSH safeguards.

Please complete the survey by 24th April 2020.



APRIL  
**24**  
10 AM

 LIVE WEBINAR

# BUSINESS CONTINUITY : NAVIGATING THROUGH CHALLENGES

THE EFC WILL BE CONDUCTING A SERIES OF WEBINARS ON THE BROAD THEME "BUSINESS CONTINUITY" TO ASSIST OUR MEMBERS OVERCOME THE MANY CHALLENGES FACED DUE TO THE OUTBREAK OF THE COVID 19 PANDEMIC.

**CONDUCTED BY:**

KANISHKA WEERASINGHE;  
DIRECTOR GENERAL, EFC

YASHORAVI BAKMIWEWA;  
ASSISTANT DIRECTOR GENERAL - ADVISORY SERVICE / HEAD OF TRAINING

SEWWANDI WIJESEKARA  
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**REGISTER**

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