



*CONVENIENCE TRANSLATION - ACCURACY NOT GUARANTEED*

## **Instructions for employers temporarily closing the workplace**

Workplaces registered according to the 2012 Social Security Law shall, within 10 days, notify the respective social security office in accordance with section 75(b) of the law and Rule 47 in any of the following cases:

- (a) Changing the number of workers or changing the address of the workplace;
- (b) change of the employer, change of business type, work suspension or closure of the workplace;
- (c) injury, disease or infection due to the work.

Therefore, the Social Security Board will conduct site visits to check upon receipt of the notice of temporary or permanent closure of the workplace and may suspend or stop the collection of social security contributions.

If operation of the workplace resumes, the employers shall notify this within 10 days of the resumption and pay the payable contributions. If the employer fails to notify as instructed, the employer shall be responsible for any occupational injury or disease according to section 69 and has to pay the payable contributions. Furthermore, action shall be taken according to section 94(b).

## **Benefits according to the 2012 Social Security Law for insured workers losing their employment due to an act of the employer**

Insured workers being faced with a temporary or permanent closure of the workplace or a reduction of workers are entitled to the following benefits according to Rule 73 under the Social Security Law 2012.

- (a) Right to obtain treatment for a period of up to 6 months during which the worker is out of work;
- (b) if the worker is sick during the out-of-work period, right to enjoy 60% of the salary for up to 6 months if he or she contributed for four months during the last six months of his or her employment;
- (c) with regard to confinement during the out-of-work period, right to the following benefits, including the right to enjoy 70% of the salary, if contributions were made for six months during the 12 month period prior to confinement -
  - (1) 70% of the average monthly salary for up to 14 weeks (up to 18 weeks in case of the birth of twins);



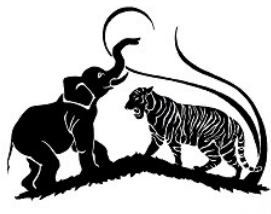
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- (2) 50% of the average monthly salary for one month to cover the expenses of child delivery (up to 100% in case of the birth of twins);
  - (3) 70% of the average monthly salary for up to six weeks in case of a miscarriage;
  - (4) 70% of the average monthly salary for up to six weeks in case of an adoption of a child who is under one year old by an insured female worker;
  - (5) right to obtain treatment for up to one year for the child of an insured female worker;
  - (6) 70% of the average monthly salary for up to 15 days for an insured male worker whose wife has given birth;
  - (7) 25% of the average monthly salary for one month to cover the expenses of child delivery of the wife of an insured male worker (up to 50% in case of the birth of twins);
- (d) right to funeral expenses if the insured worker dies during the out-of-work period, irrespective of whether he or she contributed for two months during the last three months prior to losing employment;
- (e) right to enjoy medical and travel expenses for up to six months of the out-of-work period;
- (f) right to continuing treatment if sufficient contributions are made.

### **Right to continuing benefits according to the law through voluntary insurance of insured workers currently out of work**

An insured worker currently out of work due to an act of the employer, but voluntarily contributing 4% (2% [translator's note: "2%" in the original] employer's contribution and 2% employee's contribution) to the social security insurance system, is entitled to the following benefits:

- (a) Right to obtain treatment;
- (b) the seven types of maternity cash benefits;
- (c) medical and travel expenses;
- (d) right to continuing treatment if sufficient contributions are made;
- (e) funeral costs



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### About Lincoln Legal Services (Myanmar) Limited

Lincoln Legal Services (Myanmar) Limited provides the full range of legal and tax advisory and compliance work required by investors. We pride ourselves in offering result-oriented work, high dependability and a fast response time at very competitive prices. Please do not hesitate to contact us:

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