



LINCOLN LEGAL SERVICES (MYANMAR) LIMITED

CONVENIENCE TRANSLATION - ACCURACY NOT GUARANTEED

**Government of the Republic of the Union of Myanmar
Ministry of Labour, Immigration and Population
Minister's Office
Directive No. 1/2020**

Instructions for employers and workers whose workplace is closed due to COVID-19

1. Workplaces registered according to the 2012 Social Security Law are temporarily or permanently closing down their business according to section 75(b) of the law and Rule 47 and, moreover, CMP factories in Myanmar, workshops, hotels and tourism business and establishments including small and medium enterprises are temporarily or permanently closing or reducing their workforce.
2. Registered workplaces shall notify the Social Security Board if they wish to close the workplace or reduce the workforce; the Social Security Board shall conduct ground checks and suspend the payment of contributions.
3. Employers shall notify within 10 days if they want to resume their business. If the employers fail to notify the resumption, the employers shall take care of the social security benefits according to section 59 on behalf of the Social Security Board if there is an injury or health problem of the worker and, furthermore, be taken action against according to section 94(b), and, additionally, pay the outstanding contributions.
4. Insured workers being faced with a temporary or permanent closure of the workplace or a reduction of workforce 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 of retirees to obtain treatment if they contributed under the Social Security Act 1956 or the Social Security Law 2012 for at least 180 months.
5. An insured worker currently out of work due to an act of the employer, but voluntarily contributing 4% (2% employer's contribution and 2% worker's contribution) to the social security 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 of retirees to obtain treatment if they contributed under the Social Security Act 1956 or the Social Security Law 2012 for at least 180 months;
 - (e) funeral costs



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6. Therefore, we hereby issue this directive with regard to the matters to be complied with by the employers and workers if a workplace registered according to the Social Security Law 2012 is temporarily or permanently closed or its workforce is reduced. This directive shall be widely distributed to all workplaces to make workers aware of their legal rights.

(Signed on 20th March 2020)

Myo Aung

Permanent Secretary, on behalf of the Union Minister

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