

European (& the GCC) Employment Law Update

Jurisdiction: Spain
Date: May 2019

Impact date	Development	Impact
7 December 2018	Organic Law 3/2018 on Data Privacy	<p>According to the Law:</p> <ul style="list-style-type: none"> (i) Employees have the right to digital disconnection, to respect their rest time, leave and vacation, as well as their personal and family privacy. With this purpose, companies have to implement a Digital Disconnection Policy. (ii) Companies can access the content of company-provided devices only to monitor compliance with labor obligations, as well as to guarantee the integrity of those devices; companies have to implement a Usage Protocol for such devices. (iii) Companies can monitor their employees' activities by establishing both video surveillance and geolocation systems, provided that they previously inform the employees and their representatives.
1 January 2019	Legal Minimum Wage, Royal Decree 1462/2018	The national minimum wage for 2019 corresponds to €12.600 per year (€900 per month and €30 per day).
8 March 2019	New gender equality measures, extension of the paternity leave and Salary registry, Royal Decree-law 6/2019	<p>The regulation introduced mainly the following labor-related measures:</p> <ul style="list-style-type: none"> (i) Companies with more than 50 employees must implement an Equality Plan. (ii) Companies must implement a salary registry with the average values of salaries, supplements and non-salary payments, broken down by gender, occupational groups, occupational categories or jobs of equal value. (iii) Employees are entitled to request adaptations of the duration and distribution of the working day, in the organization of the working time and in the form of performance, including

		<p>distance working, in order to get a work-life balance.</p> <p>(iv) The period of leave of absence for the birth and caring for a minor for the parent other than the biological mother is gradually increased (from 2019 up to 2021): the period of leave will be eight weeks in 2019, twelve weeks in 2020 and sixteen weeks in 2021.</p>
12 May 2019	Work time registry, Royal Decree 8/2019	<p>The regulations modified the article 34.9 of the Workers' Statute and established the obligation for every company to have a registry of the working time of all its employees:</p> <p>(i) The system should register the start and end of each working day.</p> <p>(ii) Through collective bargaining or company agreement or decision of the employer after consultation with the legal representatives of the workers, this record of the day will be organized and documented.</p> <p>(iii) The company is obliged to keep the worktime records for four years; such records shall remain available to the workers, their legal representatives and the Labor and Social Security Inspection.</p>