



Enhesa Regulatory Developments

COVID-19

Monthly Updates

January 31, 2021

Ref: Reports from January 1 to January 31, 2021



In this document you will find the newest regulations that our in-house EHS Experts have documented in the last month around the globe.

Measures are still changing rapidly globally in response to the Covid-19 virus and due to every jurisdiction's different circumstances, regulations differ greatly. With most EHS regulatory trends shifting towards gradual relaxation of lock down restrictions and modified requirements for working conditions, it is imperative to stay up to date with new developments as they are released.

We acknowledge how difficult it is for the EHS/SHE community to stay up-to-date and on top of regulations because of this. At Enhesa, staying on top of regulations has always been our priority so in order to support organizations in the best possible way we will continue to distribute **all Covid-19 related Regulatory Forecaster Service content** as broadly as we possibly can within the community.

Below are the last updates on Coronavirus related developments that the Enhesa's EHS Experts have found around the globe. These updates will help you to keep track of the rapidly changing mandatory and voluntary guidance related to this crisis.

Want to have these updates pushed to your inbox? [Subscribe to our monthly newsletter.](#)

Keep in mind that information is constantly developing and that employers must continue to check local authorities for the most up to date information. If you want more information on our forecaster service, please contact us below.

Have questions or want to request our full Regulatory Forecaster Service to keep track of all emerging regulatory issues (laws, proposals, policies) in the jurisdictions you operate in? [Contact us here.](#)





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1. January 11, 2021

1.1 The US & Canada

1.1.1 CANADA - BRITISH COLUMBIA Facilities to comply with additional COVID-19 workplace safety measures

Abstract: Effective 16 December 2020, facilities must ensure that every employee conducts a daily health check before entering the workplace. Furthermore, the facility must ensure that the self-assessment has taken place using methods such as a written or verbal health check declaration completed by the employee before entry. These measures have been introduced to ensure that employees with symptoms of COVID-19 are prohibited from entering the workplace.

Analysis: Actionable requirements New If the facility has employees in the workplace, it ensures the employees carry out a daily health check and confirm it with the employer.

Existing The company develops a COVID-19 Safety Plan by outlining the procedures it has put in place to reduce the risk of COVID-19 transmissions (such as physical distancing, increased cleaning, and work from home policy) and reviews it regularly.

What has changed? On 16 December 2020, the Provincial Health Officer issued a [Workplace Safety Order](#). The Order introduces a novel requirement that obliges all employers to ensure that every employee performs a daily health check before entering the workplace. Health checks are mandatory self-assessments conducted by employees and includes confirming with the employer either in a written or verbal format, that they have reviewed and completed the [list of entry requirements](#). These measures have been introduced to ensure that employees with symptoms of COVID-19 are prohibited from entering the workplace.

Additional information Employee health checks "Health check" means reviewing the questions that can be found [online](#) on WorkSafeBC website, such as:

Have you travelled outside of Canada within the last 14 days?;

Have you been identified by Public Health as a close contact of someone with COVID-19?;

Have you been told to isolate by Public Health?; and

Are you displaying any symptoms of COVID-19 such as fever, cough, or sore throat?

The employers can use the following methods to confirm that the self-assessment has taken place:

a written health check declaration completed by the employee before entry;

an online health check form completed by an employee before entry; and

a verbal check in.

Additionally, facilities must review their COVID-19 safety plans to ensure that the plan is adequately protecting employees from the transmission to COVID-19 in the workplace.



1.1.2 US PHMSA to continue exercising enforcement discretion on companies offering to transport hand sanitizers manufactured and packaged before 31 October 2020

Abstract: Companies that offer to transport hand sanitizer products by highway or rail should note the enforcement discretion policy issued by the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA). Effective until 31 March 2021, PHMSA will continue to take no enforcement actions against companies offering to transport hand sanitizers manufactured and packaged before 31 October 2020. Companies offering to transport hand sanitizers manufactured and packaged after 31 October 2020 must comply with all applicable Hazardous Materials Regulations to avoid any potential enforcement actions by PHMSA.

Business Impact: The U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration's (PHMSA's) enforcement discretion policy imposes no direct requirements on the company. However, if the company offers to transport hand sanitizer products by highway or rail, it should note that PHMSA will take no enforcement actions against the transportation of such products manufactured and packaged before 31 October 2020. To be covered under this policy, the company should ensure compliance with previous notices issued by PHMSA on 10 April 2020 and 24 June 2020. The company should comply with all applicable Hazardous Materials Regulations (HMR) when the policy terminates on 31 March 2021. If the company offers to transport hand sanitizer products manufactured and packaged after 31 October 2020, it should continue to comply with all applicable HMR requirements. Failure to comply may lead to potential enforcement actions, as well as severe consequences to the environment, worker safety, and public health.

Analysis: On 7 December 2020, the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA) issued a Notice of Reinstatement and Extension of Enforcement Policy (Notice of Reinstatement) regarding the transportation of hand sanitizer products. To maximize the distribution of critical healthcare resources during the coronavirus disease 2019 (COVID-19) public health emergency, PHMSA reinstated and extended the enforcement discretion granted to companies that offer to transport hand sanitizers manufactured and packaged before 31 October 2020. Such companies are subject to PHMSA's enforcement discretion policy until 31 March 2021.

Background On 10 April 2020, PHMSA issued a notice titled "Temporary Policy for the Transportation of Certain Alcohol-Based Hand Sanitizer Products During the Public Health Emergency (COVID-19)" ([10 April 2020 Notice](#)). The 10 April 2020 Notice provided temporary relief to companies transporting or offering to transport hand sanitizers by highway transportation. Such companies were subject to relaxed requirements under the Hazardous Materials Regulations (HMR) at 49 CFR Parts 171 to 180, provided that certain criteria were met. On 24 June 2020, PHMSA issued a notice titled "Notice of Extension of Temporary Policy for the Transportation of Certain Alcohol-Based Hand Sanitizer Products During the COVID-19 Public Health Emergency" ([24 June 2020 Notice](#)). The 24 June 2020 Notice extended the temporary relief to 31 October 2020. Further, it expanded the scope of enforcement discretion to include companies that offer to transport hand sanitizers by rail.

Notice of Reinstatement The Notice of Reinstatement states that companies manufacturing hand sanitizers must comply with all applicable HMR requirements and are no longer subject to the relaxed standards. However, it acknowledges that some hand sanitizers manufactured and packaged before 31 October 2020 have not yet been delivered to end-users. Accordingly, the Notice of Reinstatement provides that PHMSA will not take enforcement actions against companies that offer to transport hand sanitizers manufactured and packaged before 31 October 2020, provided that such companies comply with the 10 April 2020 and 24 June 2020 Notices.

More Information Additional information, including the Notice of Reinstatement, is available on [PHMSA's website](#).



1.1.3 US - FLORIDA Companies that own or operate food service establishments must continue to comply with COVID-19 operational requirements until 27 February 2021

Abstract: Effective 29 December 2020, the state of emergency in Florida is extended to last until 27 February 2021. Florida is currently in Phase 2 of its 3 Phase Reopening plan. Phase 2 primarily consists of recommendations rather than requirements, aside from occupancy and social distancing requirements for restaurants and other restrictions for entertainment venues.

Business Impact: If the company owns or operates a restaurant or canteen, it must continue to comply with the 50 percent occupancy limit and social distancing measures until 27 February 2021.

Analysis: Actionable Requirements If the facility owns or operates a restaurant or canteen, it does not exceed 50 percent of its indoor capacity and ensures proper social distancing.

What Has Changed? Effective 29 December 2020, the occupancy limit and social distancing requirement were extended to last until 27 February 2021. Importantly, these requirements may be extended or cut short by another executive order.

Extension of Executive Order 20-52 - COVID-19 All orders issued under Florida's COVID-19 state of emergency were extended to last until 29 February 2021. Aside from occupancy and social distancing requirements for restaurants, there are no business applicable requirements in place in Florida. Instead, Florida issues recommendations and encourages businesses to comply with guidance issued by the U.S. Centers for Disease Control and Prevention (CDC) and the U.S. Occupational Health and Safety Administration (OSHA).

Additional Information For more information, see [Executive Order 20-316: Emergency Management - Extension of Executive Order 20-52 COVID-19](#).

1.1.4 US - MAINE Facilities operating during the COVID-19 state of emergency must continue to comply with operating and prevention measures which have been extended through 20 January 2021

Abstract: Effective 22 December 2020, Governor Mills issued an executive order extending the COVID-19 state of emergency to 20 January 2021. Companies must continue to comply with all COVID-19 operational requirements until that date, unless the orders are rescinded, modified, or extended. The order will likely be extended again in a future executive proclamation.

Business Impact: If the company operates during the COVID-19 state of emergency, it must continue to comply with all applicable COVID-19 restrictions until 20 January 2021 unless they are extended, modified, or rescinded. Previously, the restrictions were set to expire on 23 December 2020.

Analysis: Actionable Requirements If the facility operates during the COVID-19 state of emergency, it restricts the number of people on-site to no more than 50 people, unless it is a retail establishment.

If the facility operates a retail establishment, it restricts the number of people on-site to no more than 5 people per 1,000 square feet of shopping space.

If the facility operates during the COVID-19 state of emergency, it implements the applicable social distancing measures. If the facility operates a food and beverage establishment during the COVID-19 state of emergency, it implements



measures requiring customers to wear face coverings.

If the facility operates a retail facility with 50,000 square feet or more of shopping space, it implements measures requiring customers to wear face coverings.

What Has Changed As of 22 December 2020, facilities operating during the COVID-19 state of emergency must continue to comply with the requirements listed above which have been extended through 20 January 2021 unless modified, extended, or rescinded. These requirements were previously set to expire on 23 December 2020.

Additional Information For more information, see the [Proclamation by Governor Mills](#) issued on 22 December 2020.

1.1.5 US - NEW JERSEY Governor extends the COVID-19 state of emergency to 20 January 2021

Abstract: On 21 December 2020, the Governor of New Jersey issued an executive order that extended the COVID-19 state of emergency to 20 January 2021. Effective 21 December 2020, companies must continue to comply with all COVID-19 operational requirements until 20 January 2021. This date may be extended or cut short by another executive order.

Analysis: Actionable Requirements If the facility operates during the COVID-19 state of emergency, it permits employees to work from home whenever possible.

If the facility conducts in-person operations during the COVID-19 state of emergency, it complies with the minimum cleaning requirements in Executive Order 122.

If the facility owns or operates dining facilities, it complies with all applicable COVID-19 prevention requirements, including complying with physical distancing, sanitation, and facial covering requirements.

If the facility owns or operates retail facilities, it complies with all applicable COVID-19 prevention requirements, including occupancy limits, facial covering requirements, physical distancing requirements, and sanitation measures.

If the facility owns or operates fitness facilities during the COVID-19 state of emergency, it complies with all applicable COVID-19 prevention requirements, including occupancy limits, facial covering requirements, physical distancing requirements, and sanitation measures.

If the facility operates during the COVID-19 state of emergency, it requires that all attendees to an indoor gathering wear facial coverings.

If the facility operates during the COVID-19 state of emergency, it complies with the occupancy limit for all indoor gatherings.

If the facility operates during the COVID-19 state of emergency, it complies with the occupancy limit for all outdoor gatherings.

If the facility operates during the COVID-19 state of emergency, it ensures that all attendees to indoor gatherings maintain 6 feet of distance from each other and comply with other social distancing requirements.

If the facility operates during the COVID-19 state of emergency, it ensures that all physical items and equipment present at indoor gatherings are not shared between attendees unless the item is sanitized between use by different individuals.

If the facility operates during the COVID-19 state of emergency, it offers contactless options for pre-payment or donations for all indoor gatherings that require pre-payment or seek donations.

If the facility requires or permits its workforce to be physically present at a worksite, it complies with all applicable COVID-19 operational requirements, including social distancing, face mask, sanitization, health checking, and quarantine requirements.

What has changed? The requirements for operating during the COVID-19 state of emergency are now set to expire on 20 January 2021. Before this order, Executive Order 210: Extending the Public Health Emergency in New Jersey, the state's operational requirements were set to expire on 22 December 2020. The COVID-19 requirements may be extended or cut short by another executive order.



Additional Information For more information, see [Executive Order 210: Extending the Public Health Emergency in New Jersey](#).

1.1.6 US - NEW YORK Companies to continue complying with the existing social distancing measures, reopening requirements, and cluster-based restrictions, as the state disaster emergency period is extended to 29 January 2021

Abstract: Companies that operate in New York State must note that the state disaster emergency declared for the outbreak of COVID-19 has been extended until 29 January 2021. Accordingly, companies must remain in compliance with all applicable COVID-19 related requirements imposed under Executive Orders and other regulations through 29 January 2021, unless otherwise amended.

Business Impact: The New York State Governor Andrew Cuomo's Executive Order (EO) Number 202.87 does not impose any additional requirements on the company. However, if the company conducts in-person operations in New York State, it must continue implementing all applicable social distancing measures mandated under the Governor's Executive Orders. For example, if the company is located in COVID-19 hot spots, it must continue to follow the cluster-based mitigation measures enforced under EO No. 202.68. Further, the company must continue to comply with the COVID-19 Emergency Regulations provisions, such as business operations restrictions. The company must comply with any such COVID-19 related requirements until 29 January 2021, unless otherwise amended.

Analysis: Actionable Requirements If the facility is located in COVID-19 hot spots, it complies with the applicable business operations restrictions under the state's cluster action initiative.

If the facility owns or operates food establishments, it complies with the reopening requirements, such as the maximum indoor occupancy limits.

If the facility owns or operates food establishments, it ensures that its employees wear a face-covering at all times while at their place of work.

If the facility owns or operates any gym or fitness center, it complies with the reopening requirements, such as the maximum indoor occupancy limits.

If the facility conducts in-person operations during the COVID-19 public health emergency, it ensures that employees practice social distancing at the workplace.

If the facility conducts in-person operations during the COVID-19 public health emergency, it ensures that all employees who may interact with the public wear face-coverings and provides the face-coverings as necessary.

If the facility is not permitted to conduct in-person operations under the state's phased reopening plan, it requires all employees to work from home.

If the facility conducts in-person operations under the state's phased reopening plan, it reviews and implements all applicable preventive measures provided in the state's industry-specific reopening guidance.

If the facility conducts in-person operations under the state's phased reopening plan, it affirms business compliance to the state's industry-specific reopening guidance.

If the facility conducts in-person operations under the state's phased reopening plan, it develops a site-specific COVID-19 Reopening Safety Plan.

If the facility conducts in-person operations under the state's phased reopening plan, it conspicuously posts its COVID-19 Reopening Safety Plan.

If the facility has any individuals entering its premises, including the members of the public, it ensures that they comply with the face-coverings requirement, such as by denying entry of individuals without face-coverings.

If the facility has any individuals entering its premises, including the members of the public, it implements health screening practices, such as conducting temperature checks at entrances.



What Has Changed On 30 December 2020, the New York State Governor Andrew Cuomo issued Executive Order (EO) Number 202.87 as a continued effort to slow the spread of the 2019 novel coronavirus disease (COVID-19). EO No. 202.87 does not impose any new or additional requirements on companies. Instead, it requires companies to continue complying with the provisions enforced under previously issued executive orders and the COVID-19 emergency regulations.

Executive Order No. 202.87 The previously issued EO No. 202.79 declared the state disaster emergency for the outbreak of COVID-19 in New York State to last until 1 January 2021. EO No. 202.87 extends the state disaster emergency from 1 January 2021 to 29 January 2021. Accordingly, companies must continue to comply with the requirements imposed under other executive orders made during the state disaster emergency until 29 January 2021, unless further extended. Further, companies must ensure continued compliance with the COVID-19 Emergency Regulations at 10 NYCRR Subpart 66-3, which remains effective during the state disaster emergency period.

More Information For more information, see the Office of the Governor website for [EO No. 202.87](#). Additional information, including the most current COVID-19 status in New York State, is available on [DOH's website](#).

1.2 Europe

1.2.1 ESTONIA Facilities can consult the COVID-19 ventilation guidance as of 1 December 2020

Abstract: As of 1 December 2020, facilities operating during the COVID-19 pandemic can consult the guidance on requirements for ventilation of rooms in non-residential buildings, such as ensuring that the ventilation system operates at the maximum designed productivity level during the use of the building or a part thereof and at least 2 hours before and after the use of the building. Furthermore, facilities can consult the guidance on how to switch recirculation ventilation systems to the outside air to prevent the possible return of viruses through the ventilation system. Compliance with the guidance is not mandatory.

Business Impact: If the facility is operating during the COVID-19 pandemic, it can, as of 1 December 2020, consult the guidance on requirements for ventilation of rooms in non-residential buildings including: ensuring that the ventilation system operates at the maximum designed productivity level during the use of the building or a part thereof and at least 2 hours before and after the use of the building; and switching recirculation ventilation systems to the outside air to prevent the possible return of viruses through the ventilation system by closing the return air valves and opening the fresh air valves.

Analysis: On 1 December 2020, the Consumer Protection and Technical Regulatory Authority published the [guidance](#) on ventilation systems in public buildings, with the aim of minimizing and preventing the spread of the novel coronavirus (COVID-19) indoors. The guidance provides clarifications on the requirements set out in [Regulation No.8 of the Minister of Economic Affairs and Infrastructure of 2 April 2020 on requirements for ventilation of rooms in care institutions and non-residential buildings](#) on how to implement the measures and provides guidance on how to deal with buildings where there is no adequate ventilation. Compliance with the guidance is not mandatory. Additional information on the guidance can be found [online](#). [Ventilation of buildings and parts thereof](#) Under Regulation No. 8, facilities must ensure that the ventilation system operates at the maximum designed productivity level during the use of the building or a part thereof and at least 2 hours before and after the use of the building. If there is no exhaust and supply air ventilation with heat recovery (*soojustagastusega sissepuhke- ja väljatõmbeventilatsioon*), the facility must ensure the rooms are intensively ventilated by other means. It is clarified, that this requirement also applies to bathrooms. The prolonged ventilation



requirement is necessary in order to ensure that potential virus-carrying particles are ventilated. In buildings without an indoor ventilation system, workers must ventilate the room intensively, for example within 15 minutes of entering a room where other people have previously been or at least once an hour. Recirculation ventilation systems Under Regulation No. 8, facilities must switch its recirculation ventilation systems to the outside air to prevent the possible return of viruses through the ventilation system by closing the return air valves and opening the fresh air valves. However, if this is not possible, facilities must increase the proportion of outdoor air to at least 50 per cent (%) of the supply air. Facilities are encouraged to check their return air or recirculation ventilation systems (often used in warehouses). It is strongly recommended that these systems are switched to outdoor air to prevent the return of fine particles through the ventilation system. The requirement to improve filtration means that more efficient exhaust air filters should be installed in ventilation systems that are partially operated with return air and are able to remove most of the possible virus particles. Facilities are required to use filters that are as effective as outdoor filters. This means ePM1 filters, which have a filter capacity of at least 80%. Alternative ways to prevent the spread of COVID-19 Air purifiers can be used in the same way as ventilation. What is important is the amount of airflow through the air purifier, which must be at least twice an hour, but preferably 5 times an hour, based on the volume of the room, as this improves the efficiency of removing virus particles. Effective air purifiers are usually equipped with HEPA filters.

1.2.2 GREECE Companies must continue to respect the total lockdown measures from 3 January 2021 to 11 January 2021 to prevent further spread of Covid-19

Abstract: Effective from 3 January 2021 to 11 January 2021, companies must continue to follow the total lockdown measures imposed in order to curb the spread of Covid-19 in Greece, including, among others, providing certificates to commuting employees in order to justify their movement. Movement outside the regional units or outside the Attica region continues to be prohibited, with the exception of, among others, commuting to work. This follows from Ministerial Decision Δ1α/ΓΠ.οικ. 2, which was adopted on 2 January 2021.

Business Impact: If the company continues to operate in Greece, it must continue to ensure that the total lockdown measures are respected from 3 January 2021 to 11 January 2021. These measures continue to include obligatory teleworking to the extent possible, closure of company canteens and a restriction on the amount of persons allowed in meetings. Moreover, if the employees must commute from their home to the workplace, the company must issue a certificate from the Information System "ERGANI", before their commute begins.

Analysis: Actionable requirements Following the adoption of Ministerial Decision Δ1α/ΓΠ.οικ.2, the company must continue to ensure that:
obligatory teleworking is implemented at the maximum possible rate of employees, as long as it is in line with the nature of the employees' duties, regardless of the presence of any vulnerable group
employees are provided with a certificate for their movement, if they have to commute to work
meetings are organised with only 7 participants and with the observance of 1,5 meters between the participants
only 1 person in addition to the driver is seated in private vehicles with the obligation of wearing masks. The operation of passenger service vehicles used for the commuting of staff to and from work is allowed only with the presentation of the employer's certificate and the relevant movement document, from which the vehicle route is derived, and provided that the maximum number of people is not more than 50% of the available passenger seats.
the operation of onsite canteens is suspended and take away is only allowed in accordance with the restrictive list of reasons.

What has changed? On 2 January 2021, Ministerial Decision Δ1α/ΓΠ.οικ.2 was adopted to replace Ministerial Decision [80189/2020](#). Ministerial Decision Δ1α/ΓΠ.οικ.2 does not impose additional obligations on companies, but rather extends



the deadline until when the lockdown measures stay in force. Moreover, the time for the exceptional movement of citizens has changed from 5.00-22.00 to 5.00-21.00.

Additional Information Ministerial Decision Δ1α/ΓΠ.οικ.2 "Urgent measures of public health protection against the further spread of Covid-19 in Greece from Sunday 3 January 2021 to Monday 11 January 2021" is available [online](#) in Greek.

1.2.3 POLAND Companies in Poland face prolonged restrictions combating the spread of COVID-19 until 17 January 2021

Abstract: Until 17 January 2021, companies operating in Poland must continue to comply with previously established requirements that aim to prevent the spread of COVID-19. Among others, the measures include providing workers, irrespective of the basis of their employment, with disposable gloves and hand sanitisers. This follows from the adoption of the Ordinances of the Council of Ministers of 21 December 2020 and 30 December 2020.

Business Impact: The facility must continue to comply with all the measures previously introduced in order to curb the spread of the coronavirus (COVID-19) until 17 January 2021, including an obligation for facilities to provide workers, irrespective of the basis of their employment, with disposable gloves and hand sanitisers. If the company fails to meet the requirement, it can be subject to a fine of PLN 5 000 to 30 000 (approximately EUR 1 100- EUR 6 800).

Analysis: If the facility has workers present onsite, it provides workers, irrespective of the basis of their employment, with disposable gloves and hand sanitisers. (requirement unchanged)

If the facility has a gym onsite, it ensures it is closed until further notice (COVID-19). (requirement unchanged)

The facility ensures workers which drive in the same car, cover their mouths and noses, for instance with a face mask (COVID-19). (requirement unchanged)

If the facility has workers present onsite, until further notice, it ensures that the workers keep a distance of at least 1.5 meters between their workplaces(COVID-19). (requirement unchanged)

If the facility operates a canteen, it ensures that the canteen is opened only for the preparation of food and is only serving food to go (COVID-19). (requirement unchanged)

What has changed The above requirements are not new and apply to all facilities operating in Poland. However, with the adoption of the [Ordinance of the Council of Ministers of 21 December 2020 on establishing certain limitations, requirements and prohibitions with regards to the outbreak of the epidemic](#), measures introduced in order to curb the spread of the coronavirus (COVID-19) have been extended until 17 January 2021. The new Ordinance repeals [the Ordinance of the Council of Ministers of 1 December 2020 on setting limitations, prohibitions and requirements related to the outbreak of the epidemic](#).

Background information The following additional information is not new and continues to apply together with the requirements. *Masks requirements*

Workers must cover their noses and mouths. It is possible to use clothing or parts of it, a visor or a protective helmet as a substitute for the mask.

The requirement that obliges workers that drive in the same car, cover their mouths and noses, does not apply to drivers on the same driving crew. The new Ordinance does not provide a definition of a driving crew.

Closure of canteens

The new Ordinance prohibits to consume food in the canteen.

Distance between workstations

Facilities are obliged to ensure that workers keep a distance of at least 1.5 meters between their workplaces unless this is impossible due to the nature of the activities carried out in the facility, and this facility provides personal protective



equipment against the spread of infectious diseases. The new Ordinance does not provide further guidelines on the meaning of 'nature of the activities'.

Fines

Facilities that fail to meet the requirements, can be subject to a fine of PLN 5 000 to 30 000 (approximately EUR 1 100- EUR 6 800).

1.2.4 POLAND Companies are subject to new biological risk assessment and risk mitigation obligation as novel Coronavirus (SARS-CoV-2) is classified as a biological agent

Abstract: From 29 December 2020, employers must carry out a biological risk assessment and implement measures to eliminate or at least minimize the risk of the employees' exposure to biological agents, such as the novel coronavirus at workplaces. In addition, they must update risk assessment plans, as well as measures of containment in laboratories. This follows from the inclusion of the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) the list of biological agents known to infect humans established by the Ordinance of the Minister of Health of 11 December 2020 amending Ordinance on harmful biological agents at work and the protection of workers against risks linked to exposure to them.

Business Impact: If the facility has employees who are or can be exposed to the SARS-CoV-2 as a result of their work, it is required, among other things, to:

assess workers' health and safety risks from exposure to SARS-CoV-2 in the workplace; and
put in place appropriate preventive and hygienic measures.

In addition, the company must update an assessment of the occupational risk to which the employees are or may be exposed, as well as update measures and degrees of containment in laboratories, taking into account the classification and list of harmful biological agents specified in Annex I of the new Ordinance:

until 29 January 2021 with regards to SARS-CoV-2; and

until 20 November 2021 with regards to the rest of the list.

Analysis: Actionable requirements The company assesses the biological risks of the employees' exposure to the biological agents listed in Annex I to the Ordinance of the Minister of Health of 11 December 2020. (application amended) If there is a risk of the employees' exposure to any of the listed biological agents, the company implements measures to eliminate or minimize the risk of such exposure. (application unchanged) The company updates an assessment of the occupational risk to which the employees are or may be exposed, taking into account the classification and list of harmful biological agents specified in Annex I of the new Ordinance. (new) The company updates measures and degrees of containment in its laboratories, taking into account the classification and list of harmful biological agents specified in Annex I of the new Ordinance. (new)

What has changed The [Ordinance of the Minister of Health of 11 December 2020 amending Ordinance on harmful biological agents at work and the protection of workers against risks linked to exposure to them](#) (the new Ordinance) amends the [Ordinance of the Minister of Health of 22 April 2005 on harmful biological agents at work and the protection of workers against risks linked to exposure to them](#) on to supplement the list of biological agents with the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2)virus that caused the COVID-19 pandemic. More specifically, SARS-CoV-2 has been classified in group 3 of the biological agent classification and is considered as an agent that can cause severe human disease and are a hazard to workers, that is very likely to spread to the community and there is usually effective prophylaxis or treatment available with regards to it. It means, for instance, that companies that operate a laboratory, where the virus is placed on purpose, must provide that the access to this laboratory is granted only to the authorised personnel and isolate the laboratory from other areas in the same building. In the light of the above, companies must update an assessment of the occupational risk to which the employees are or may be exposed, as well as update measures and degrees of containment in laboratories, taking into account the classification and list of harmful biological agents



specified in Annex I of the new Ordinance:
until 29 January 2021 with regards to SARS-CoV-2; and
until 20 November 2021 with regards to the rest of the list.

Additional information The new Ordinance transposes the [Commission Directive \(EU\) 2020/739 of 3 June 2020 amending Annex III to Directive 2000/54/EC of the European Parliament and of the Council as regards the inclusion of SARS-CoV-2 in the list of biological agents known to infect humans and amending the commission Directive \(EU\) 2019/1833](#). *Risk assessment and precautionary measures*

The risk assessment carried out by companies takes into consideration in particular:

the classification and the list of biological agents;

the type, level and duration of exposure; and

information on possible allergic or toxic effects of biological agents, illnesses which resulted or are likely to result from contacts with biological agents;

the instructions of the Sanitary Inspection (*inspekcji sanitarnej*), the Labour Inspection (*inspekcji pracy*) and occupational health service.

Companies should be aware that if the risk assessment would lead to the conclusion that employees are exposed to any of the biological agents listed in Annex I to the new Regulation, it will trigger additional obligations such as:

training employees on matters such as health risks resulting from professional activities with harmful biological agents and preventive measures and hygiene requirements to reduce exposure;

maintaining a register of works involving the exposure of workers to groups 3 and 4 of biological agents and a register of workers exposed to these agents;

prepare an emergency plan in case of accidents with group 3 and 4 agents;

marking of places where there is a risk to employees' health related to the presence of biological agents;

provide collective and individual protective and hygienic measures, such as personal protective equipment.

1.2.5 PORTUGAL Companies must continue to comply with stricter health and safety rules in the more affected regions due to the COVID-19 epidemic

Abstract: Between 31 December 2020 and 31 March 2021, at least, companies operating in the municipalities that are more affected by COVID-19 (municipalities considered to be of high, very high or extreme risk) in Portugal must continue to comply with mandatory teleworking. If not possible, companies with more than 50 workers must define rotation systems for the groups of workers to enter and leave the premises at different times. In the remaining municipalities (moderate risk), companies must continue to ensure that workers who have proven to be immuno-compromised, chronically ill, have a disability of 60% or higher or who have under their supervision a child of less than 12 years of age can, upon their request, work from home.

Business Impact: If the company is located in a municipality that is considered of high, very high or extreme risk due to its high number of COVID-19 infections, it must continue to ensure that its workers work from home, unless the workers carry out activities that do not allow it. In this case, and if the company has more than 50 workers, it must ensure that it has a rotation system in place, defining different schedules for the groups of workers to enter and leave company's premises. This is applicable for companies in moderate risk municipalities regardless of their number of workers. If the company is located in a municipality considered to be of moderate risk, it must continue to ensure that any worker who has proven to be immuno-compromised, chronically ill, has a disability of 60% or higher or has under its supervision a child of less than 12 years of age, can, upon request, work from home. The company must also continue to ensure that all persons onsite use a face mask or face shield and that workers maintain at least 1.5 metres of distance between themselves.



Analysis: Actionable requirements (Existing) The company allows any worker who has proven to be immuno-compromised, chronically ill, who has a disability of 60% or higher or who has under its supervision a child of less than 12 years of age to work from home.

(Existing) If the company is in one of the municipalities most affected by the COVID-19 pandemic (municipalities considered to be of very high and extreme risk), it must ensure that its workers work from home.

(Existing) The company ensures that all employees use a face mask or a face shield when the distance of 1.5 metres cannot be complied with at the workplace.

What has changed? The actionable requirements mentioned above are existing ones, and they were created by [Decree Law 79-A/2020, establishing an exceptional and transitional regime of work reorganisation and of minimisation of risk of transmission of the infection of the disease COVID-19 within the labour relations](#). The requirement for the company to continue to allow any worker who has proven to be immuno-compromised, chronically ill, who has a disability of 60% or higher or who has under its supervision a child of less than 12 years of age to work from home continues to apply despite the location of the company (if it is located in a moderate, high, very high or extreme risk municipality or not). This requirement has been consistently reenacted by the Portuguese Government in various legislations regulating the state of emergency in Portugal. Companies that are located in municipalities with less positive COVID-19 cases per 100 000 inhabitants (located in the moderate and high risk municipalities) and despite their number of workers will have to continue to comply with the requirements of Decree Law 79-A/2020, such as ensuring the distance of 1.5 metres between workers. Furthermore, companies located in one of the municipalities considered to be of very high and extreme risk continue to ensure its workers work from home.

Additional information [Decree Law 106-A/2020 of 30 December 2020](#) is integrated into the Portuguese Government's legislative and regulatory response to fighting COVID-19. It amends Decree Law 79-A/2020, and is applicable between 31 December 2020 and 31 March 2021, at least. The Council of Ministers will continue to draft 4 lists, dividing the municipalities over 4 different risk levels: moderate, high, very high and extreme. Teleworking is mandatory in the municipalities of high, very high and extreme risk of spreading the COVID-19 pandemic, despite the number of workers of the company. Companies with 50 or more workers in municipalities considered to be of high, very high or extreme risk and where it is not possible to comply with the mandatory teleworking, must also continue to implement rotation systems for the groups of workers to enter and leave the premises of the company, with the interval being between 30 minutes and 1 hour. As before, companies not complying with the requirements of Decree Law 79-A/2020 can be subject to fines ranging between EUR 2,040 and EUR 61,200 per infraction and per worker.

1.3 Latina America

1.3.1 BRAZIL PARANÁ State of public calamity in the State of Paraná caused by the new coronavirus (COVID-19) extended until 30 June 2021

Abstract: From 17 December 2020, the state of public calamity in the State of Paraná caused by the new coronavirus (COVID-19) is extended until 30 June 2021.

Analysis: Actionable requirements [Decree 6.543 of 15 December 2020](#) does not establish direct requirements for companies.

What has changed Decree 6.543/2020 extends the validity of the state of public calamity caused by the new coronavirus (COVID-19) in the State of Paraná until 30 June 2021. Before, [Decree 4.319 of 23 March 2020](#) declared the state of public calamity in the State of Paraná until 31 December 2020.

Analysis Decree 6.543/2020 extends the validity of the Decree 4.319/2020, which declared the state of public calamity in the State of Paraná to:

enable response measures to the public disaster classified as caused by viral infectious diseases; and
exempt the state government from meeting fiscal responsibility targets as provided for in [federal Complementary Law 101 of 4 May 2000](#).

The validity of Decree 6.543/2020 was recognized by the Legislative Assembly of the State of Paraná, which was approved by the [Legislative Decree 29 of 16 December 2020](#), entering into force on 17 December 2020. Even though the declaration of the state of public calamity does not itself establish direct requirements for companies, further requirements can follow from this declaration, such as suspension of activities and implementation of sanitary measures.

1.3.2 PANAMA Companies not carrying out essential or expressly exempted activities must stop operations between 7 PM and 5 AM

Abstract: As of 18 December 2020, companies not carrying out essential or expressly exempted activities must cease operations between 7 PM and 5 AM. This is due to Executive Decree 1683 of 2020 which reintroduced a curfew, due to the increase in the number of COVID-19 cases. The Executive Decree does not include an ending date for the implementation of the curfew.

Business Impact: If the company does not carry out expressly exempted activities (such as pharmaceutical sector, food related industries, energy sector or financial services), it ceases its operations or continues them remotely between 7 PM and 5 AM.

Analysis: Actionable requirements If the company does not carry out an essential or expressly exempted activity, it ceases operations between 7 PM and 5 AM every day.

What has changed? [Executive Decree 1683 of 2020 reintroduces a curfew in Panama](#) under the conditions imposed in [Executive Decree 507 of 2020](#), which originally imposed a 24 hours curfew in March 2020. The duration of the curfew 24 hours (as the one implemented in March), but only between 7 PM and 5 AM. The Executive Decree does not establish a deadline for the implementation of the curfew. As such it will continue indefinitely until further notice.

Additional information The following activities are exempted from the curfew, among others:

- pharmaceutical sector;
- companies involved in the manufacture, import or distribution of hygienic and disinfection products;
- agricultural sector and food related industries;
- energy sector;
- internet and communication sectors;
- financial services;
- call-centers; and
- companies involved in waste management and disposal.

During the curfew, companies can remain operational by implementing teleworking.



1.4 Asia & Oceania

1.4.1 AUSTRALIAN CAPITAL TERRITORY Companies whose employees are heading back to work amidst the Covid-19 pandemic can consult the latest Guidance on returning to work

Abstract: As of 4 January 2021, companies whose employees are heading back to work amidst the Covid-19 pandemic can consult the latest Guidance on returning to work. Though compliance with the guidance is not mandatory, employees and employers are nonetheless urged to remain vigilant and follow all Covid-related recommendations issued by the national authorities.

Business Impact: Companies whose employees are heading back to work amidst the Covid-19 pandemic can, as of 4 January 2021, consult the latest Guidance on returning to work. Though compliance with the guidance is not mandatory, employees and employers are nonetheless urged to remain vigilant and follow all Covid-related recommendations issued by the national authorities.

Analysis: Returning to work [ACT Health](#) would like to remind Canberrans to be COVID-safe as they start heading back to work. While many people are planning to return to work over the next few weeks, it is important to remember to behave in a COVID-safe way. If employees are not feeling well, they are advised to remain at home and not go back to work. Instead, they should get tested and self-isolate until they receive a negative result and their symptoms resolve. ACT Health also asks that employees that have been travelling outside the ACT continue to monitor the COVID website of the state or territory they have visited for at least two weeks after and follow the website's advice about testing and self-isolation. Moreover, employees who are residents in the ACT that have recently been in the Greater Sydney (including the Northern Beaches), Central Coast or Wollongong local government areas are required to quarantine for 14 days upon returning to the ACT, and should have notified ACT Health of their return to the ACT via our [online declaration form](#). Non-ACT residents who have been in these COVID-affected areas of NSW are not allowed to enter the ACT without an exemption. Lastly, it is also important to remember the ABC's of COVID-safe travel no matters where one goes:
Avoid COVID-affected areas— check the COVID website of the state or territory you are travelling to.
Behave in a COVID-safe way— be vigilant with hand and respiratory hygiene, maintain physical distancing from other groups, and stay home if feeling unwell.
Check back when you get home— monitor the COVID website of the state or territory you visited to see if they had any cases for two weeks after your return. Follow the website's advice about testing and self-isolation. If you feel unwell with COVID symptoms while away or when you return, please get tested immediately and self-isolate until you get the result. More information about travel restrictions into the ACT is on the [Travel advice page](#).



2. January 18, 2021

2.1 The US & Canada

2.1.1 US Companies can satisfy the notice requirements under various federal labor laws through electronic notices based on DOL's guidance on workplace flexibilities through virtual communication during COVID-19

Abstract: Employers are allowed to electronically notify their employee's statutory rights under a variety of federal labor laws according to the United States Department of Labor's Wage and Hour Division's (WHD's) guidance. On 29 December 2020, WHD published guidance on supporting workplace flexibilities through virtual communication to aid employers in overcoming the challenges presented by COVID-19. Pursuant to the guidance, WHD will allow employers to employ electronic notice to satisfy the notice requirements under a variety of federal labor laws and will deem telemedicine as an "in-person" visit under the Family and Medical Leave Act (FMLA).

Business Impact: On 29 December 2020, the U.S. Department of Labor's Wage and Hour Division (WHD) published guidance, in the form of Field Assistance Bulletins (FABs), in order to aid employers with utilizing telework arrangements and virtual communication during COVID-19. Pursuant to FAB 2020-7, the company will be allowed to use forms of electronic notice to satisfy the notice requirements under various federal labor laws, including the Fair Labor Standards Act (FLSA) and the Family and Medical Leave Act (FMLA). The company must refer to FAB 2020-7 in order to decide the appropriate forms of electronic notice. Also, pursuant to FAB 2020-8, WHD will qualify telemedicine as an "in-person" visit for protection under the FMLA, which provides eligible employees of covered employers with unpaid, job-protected leave for specified family and medical reasons.

Analysis: The U.S. Department of Labor's Wage and Hour Division (WHD) published guidance in order to aid employers with utilizing telework arrangements and virtual communication during COVID-19. The guidance came in the form of two Field Assistance Bulletins (FABs), each addressing different issues. FABs provide WHD investigators and staff with guidance on enforcement positions and clarification of policies of WHD. These bulletins are developed under the general authority to administer the various laws enforced by WHD. They typically provide positions reflecting changes or clarifications in the administration of these laws and related regulations based upon court decisions, legislative changes, and opinions of the WHD Administrator. *FAB 2020-7* describes when WHD will consider forms of electronic notice to satisfy the notice requirements under the following federal labor laws: the Fair Labor Standards Act (FLSA), the Family and Medical Leave Act (FMLA), Section 14(c) of the FLSA, the Employee Polygraph Protection Act (EPPA), and the Service Contract Act (SCA). According to *FAB 2020-7*, electronic notices, through the use of email or postings on an internet or intranet website, will satisfy the notice requirements under those laws but do not replace the requirements that require employers to post a hard-copy notice. When a labor law requires employers to continuously post a notice at a worksite, WHD will allow electronic posting if:

- all of the employer's employees exclusively work remotely;
- all employees customarily receive information from the employer via electronic means, and
- all employees have readily available access to the electronic posting at all times.

Also, when employers use electronic means, such as an intranet site, website, or shared drive, to comply with worksite posting requirements, the electronic notice must be as effective as a hard-copy posting. *FAB 2020-8* Under *FAB 2020-8*, telemedicine qualifies as an "in-person" visit for protection under the FMLA, which provides eligible employees of covered employers with unpaid, job-protected leave for specified family and medical reasons. The telemedicine visit must:

- include an examination, evaluation, or treatment by a health care provider;
- be permitted and accepted by state licensing authorities; and



generally, should be performed by video conference.

Additional Information FAB 2020-7 is available [here](#). FAB 2020-8 is available [here](#). More information can be found on WHD's [website](#).

2.1.2 US - NEW YORK Food establishments and gyms or fitness centers to continue to close operations from 10 PM to 5 AM until 6 February 2021

Abstract: Companies that own or operate food-service establishments and gyms or fitness centers in New York State must continue to cease all on-premises services from 10 PM to 5 AM. The operating hour restrictions are now in effect until 6 February 2021, unless otherwise amended.

Business Impact: If the company owns or operates any food-service establishment, such as a business cafeteria or onsite canteen, it must continue to prohibit in-person dining from 10 PM to 5 AM. The company is permitted to continue providing food and beverage for off-premises consumption, for example, through curbside takeout and delivery service. Further, if the company owns or operates a gym or fitness center in its building, it must continue to cease the operation from 10 PM to 5 AM. The company must comply with these additional COVID-19 restrictions until 6 February 2021, unless otherwise amended.

Analysis: Actionable Requirements If the facility owns or operates food establishments, it ensures that no food or beverage is served for on-premises consumption from 10 PM to 5 AM. If the facility owns or operates any gym or fitness center, it ceases operation from 10 PM to 5 AM.

What Has Changed On 7 January 2021, the New York State Governor Andrew Cuomo issued Executive Order (EO) Number 202.89 as a continued effort to slow the spread of the 2019 novel coronavirus disease (COVID-19). Specifically, EO No. 202.89 extends the operating hour restrictions imposed on food-service establishments and gyms or fitness centers through 6 February 2021. Accordingly, companies that own or operate food-service establishments and gyms or fitness centers in New York State must continue complying with the above-listed actionable requirements, effective until 6 February 2021.

Additional Information For more information, see the Office of the Governor website for [EO No. 202.89](#). Additional information, including the most current COVID-19 status in New York State, is available on [DOH's website](#).

2.1.3 US - NORTH CAROLINA Facilities operating during the COVID-19 state of emergency must continue to comply with Phase 3 reopening requirements, which have been extended through 29 January 2021

Abstract: As of 6 January 2021, all facilities operating in North Carolina during the COVID-19 state of emergency must continue to comply with the operational requirements issued as part of Executive Order No. 188, which extends existing requirements for the reduction and prevention of the spread of COVID-19. The COVID-19 state of emergency requirements are set to expire on 29 January 2021 unless they are modified, extended, or rescinded.





Business Impact: If the facility operates during the COVID-19 state of emergency, it must continue to comply with general and industry-specific prevention requirements. These requirements are set to expire on 29 January 2021 unless modified, extended, or rescinded.

Analysis: Actionable Requirements If the facility operates a retail business with more than 15,000 square feet of interior space during the COVID-19 state of emergency, it has an employee at each entrance accessible to the public who enforces the applicable maximum occupancy and face-covering requirements.

If the facility operates during the COVID-19 state of emergency, it does not allow for indoor gatherings larger than 10 people who are not members of the same household.

If the facility operates a gym or other exercise facility during the COVID-19 state of emergency, it requires all employees and customers to wear face coverings when they are or may be within 6 feet of another person.

If the facility operates a food establishment, it requires all employees and customers to wear face coverings unless seated at a table.

If the facility is open to the public during the COVID-19 state of emergency, it complies with applicable Core Signage, Screening, and Sanitation Requirements.

If the facility requires employees to work outside of their homes during the COVID-19 state of emergency and has not already provided employees with face coverings, it makes good-faith efforts to provide at least a one-week supply of reusable face coverings or a daily supply of new disposable face coverings as soon as possible at their place of employment.

If the facility conducts manufacturing, construction, or other listed operations where social distancing is difficult, it requires all workers wear face coverings when they are or may be within 6 feet of another person, unless they are required to wear more protective respiratory protection.

If the facility operates a retail business during the COVID-19 state of emergency, it limits customers inside the store to 50 percent of its stated fire capacity, or if no such capacity is established, to no more than 12 customers for every 1,000 square feet of total square footage.

If the facility operates a retail business during the COVID-19 state of emergency, it complies with the applicable prevention measures, such as marking 6 feet of spacing for all customer lines.

If the facility operates a retail business during the COVID-19 state of emergency, it requires all employees and customers to wear face coverings when they are or may be within 6 feet of another person.

If the facility operates a gym or other exercise facility during the COVID-19 state of emergency, it limits the number of patrons to the applicable Emergency Maximum Occupancy.

If the facility operates a gym or other exercise facility during the COVID-19 state of emergency, it implements the applicable prevention measures, such as spacing out seating and equipment so that patrons can stay at least 6 feet apart.

If the facility operates a food establishment during the COVID-19 state of emergency, it limits customers inside the establishment to the applicable Emergency Maximum Occupancy.

If the facility operates a food establishment during the COVID-19 state of emergency, it implements the applicable prevention measures, such as increasing disinfection during peak times or high customer density times.

What Has Changed The requirements listed above have been reissued and extended as part of Executive Order 188. These requirements are now set to expire on 29 January 2021 unless modified, extended, or repealed. Previously the requirements were set to expire on 8 January 2021.

Additional Information For more information, see the [6 January 2021 Executive Order](#) issued by Governor Cooper.





2.1.4 US - NORTH DAKOTA Facilities operating during the COVID-19 state of emergency are subject to less stringent indoor gathering restrictions due to a reduced state-wide risk level and amended standards for food establishments

Abstract: As of 8 January 2021, facilities operating during the COVID-19 state of emergency may operate under less stringent indoor gathering restrictions because the risk level for all North Dakota counties (which determines the applicable capacity restrictions) has been reduced from high-risk to moderate-risk. Additionally, facilities that operate food establishments, such as workplace canteens, are subject to less stringent occupancy restrictions.

Business Impact: If the company has in-person operations during the COVID-19 state of emergency, it is now subject to less stringent indoor capacity and food establishment restrictions. It may allow for indoor gatherings up to 65 percent of a room's certified occupancy. The company may also operate food service establishments, such as workplace canteens, at up to 65 percent of their licensed seating capacity, up to 200 people.

Analysis: Actionable Requirements

If the facility operates during the COVID-19 state of emergency, it operates at no more than the applicable maximum occupancy based on the county in which it is located.

If the facility operates a food establishment during the COVID-19 state of emergency, it limits occupancy to no more than 65 percent of its licensed seating capacity, up to 200 patrons.

What Has Changed Effective 8 January 2021, all counties in North Dakota have been reclassified as being at moderate-risk for the transmission of COVID-19. As a result of the reduction from high-risk to moderate-risk, facilities may allow for indoor gatherings up to 65 percent of a room's certified occupancy. The most updated map of county risk designations is available on the [ND Response webpage](#). In addition, under a new executive order issued by Governor Burgum, facilities that operate food service establishments, including office canteens, must limit their occupancy to no more than 65 percent of their licensed seating capacity, up to 200 patrons at a time. Previously, food service establishments were required to restrict occupancy to no more than 50 percent of their licensed capacity, up to 150 patrons, regardless of the risk level of the county in which they operate. Companies must continue to comply with the food service occupancy restriction even if the county risk level would allow for larger gatherings.

Additional Information For more information, see the [7 January 2021 Executive Order](#) issued by Governor Burgum.

2.2 Europe

2.2.1 CATALONIA Current prevention and hygiene measures due to the COVID-19 extended until 18 January 2021

Abstract: Until 18 January 2021, companies operating in Catalonia must continue to comply with the current prevention and hygiene measures within their facilities (such as the compulsory adoption of telework when possible and providing workers with appropriate protective equipment) due to the COVID-19 outbreak. This follows from Resolution SLT/2546/2020 of 15 October 2020 whose measures have been subsequently extended, being Resolution SLT/1/2021 the last extension. These measures are likely to be further extended.





Business Impact: The company must continue to comply with the hygienic and prevention measures (such as implementing telework when possible, providing workers with appropriate protective equipment and ensuring the use of masks) until 18 January 2021, to prevent the COVID-19 contagion.

Analysis: Actionable requirements - (existing) The company implements telework to limit the labour mobility of workers as much as possible during the COVID-19 health crisis or, where this is not possible, it staggers the entrance and exit times, sets out flexible working hours or other similar measures; - *(existing)* The company ensures that the minimum interpersonal safety distance of 1,5metres is maintained within their facilities to prevent infection with COVID-19; - *(existing)* The company provides workers with personal protective equipment to protect workers from exposure to COVID-19 at the workplace which is appropriate to the level of risk (such as masks); - *(existing)* The company adopts cleaning and disinfection measures to protect workers from COVID-19; - *(existing)* The company ensures the ventilation of its premises, restricts or staggers their access to avoid crowds, intensifies the cleaning of surfaces, ensures that the rest areas allow a safety distance between people and sets differentiated entry and exit areas to prevent the risk of COVID-19 infection. - *(existing)* The company provides workers with water and soap, or hydroalcoholic gels or disinfectants with authorized viricidal activity for cleaning their hands to protect them from COVID-19; and - *(existing)* The company ensures that everyone uses masks in the work environment when the workspace is for public use or open to the public or when there are movements inside the workplace (in the case of workspaces closed to the public, once the worker is at his desk or performing tasks that do not involve mobility, its use is not mandatory).

What has changed [Resolution SLT/1/2021](#) extends the prevention and hygiene measures to prevent the spread of the COVID-19 outbreak in companies originally established in [Resolution SLT / 2546/2020](#), until 18 January 2021. These measures include, among others, the mandatory use of masks, the implementation of social distancing measures, and disinfecting the workplace and apply to all companies operating in Catalonia. Many of the mentioned requirements have already been implemented at the Spanish national level following the national [Royal Decree-law 21/2020](#).

Additional Information On 16 October 2020 Resolution SLT/2546/2020 was published, since then, the validity of its measures has been subsequently extended by [Resolution SLT/2700/2020](#), [Resolution SLT/2875/2020](#), [Resolution SLT/2983/2020](#), [Resolution SLT/3177/2020](#), [Resolution SLT/3268/2020](#), [Resolution SLT/3354/2020](#) and Resolution SLT/1/2021 until 18 January 2021. Resolution SLT/1/2021 concludes that after the Christmas period, the epidemiological situation in Catalonia has experienced a general deterioration; therefore, it is necessary to keep extending the measures for the control of the emergency. Non-compliance with the requirements contained in this Resolution is subject to a sanctioning regime set in [Legislative Decree 30/2020 of 4 August 2020](#), which establishes fines of up to 600.000 Euros and complementary measures such as the closure of the facility. [Resolution SLT/1/2021, of 4 January, extending and modifying public health measures to contain the epidemic outbreak of the COVID-19 pandemic in the territory of Catalonia](#), is available online in Spanish and [Catalan](#).

2.2.2 GREECE Companies must continue to respect the total lockdown measures from 11 January 2021 to 18 January 2021 to prevent further spread of Covid-19

Abstract: Effective from 11 January 2021 to 18 January 2021, companies must continue to follow the total lockdown measures imposed in order to curb the spread of Covid-19 in Greece, including, among others, providing certificates to commuting employees in order to justify their movement. Movement outside the regional units or outside the Attica region continues to be prohibited, with the exception of, amid others, commuting to work. This follows from Ministerial Decision Δ1α/ΓΠ.οικ.: 1293/2021, which was adopted on 8 January 2021.



Business Impact: If the company continues to operate in Greece, it must continue to ensure that the total lockdown measures are respected from 11 January 2021 to 18 January 2021. These measures continue to include obligatory teleworking to the extent possible, closure of company canteens and a restriction on the amount of persons allowed in meetings. Moreover, if the employees must commute from their home to the workplace, the company must issue a certificate from the Information System "ERGANI", before their commute begins.

Analysis: Actionable requirements Following the adoption of Ministerial Decision Δ1α/ΓΠ.οικ.: 1293/2021, the company must continue to ensure that:
obligatory teleworking is implemented at the maximum possible rate of employees, as long as it is in line with the nature of the employees' duties, regardless of the presence of any vulnerable group;
employees are provided with a certificate for their movement, if they have to commute to work;
meetings are organised with only 7 participants and with the observance of 1,5 meters between the participants;
only 1 person in addition to the driver is seated in private vehicles with the obligation of wearing masks. The operation of passenger service vehicles used for the commuting of staff to and from work is allowed only with the presentation of the employer's certificate and the relevant movement document, from which the vehicle route is derived, and provided that the maximum number of people is not more than 50% of the available passenger seats; and
the operation of onsite canteens is suspended and take away is only allowed in accordance with the restrictive list of reasons.

What has changed? On 8 January 2021, Ministerial Decision Δ1α/ΓΠ.οικ.: 1293/2021 was adopted to replace Ministerial Decision [2 Δ1α/ΓΠ.οικ.: 2](#). Ministerial Decision Δ1α/ΓΠ.οικ.: 1293/2021 does not impose additional obligations on companies, but rather extends the deadline until when the lockdown measures stay in force.

Additional Information Ministerial Decision Δ1α/ΓΠ.οικ.: 1293/2021 "Urgent measures of public health protection against the further spread of Covid-19 in Greece from Monday 11 January 2021 to Monday 18 January 2021" is available [online](#) in Greek.

2.2.3 WALES Companies must adhere to COVID-19 Alert Level restrictions which impose obligations on businesses, services and gatherings

Abstract: As of 18 December 2020, companies must adhere to local level restrictions, with areas that fall within 'level 1' being subject to the least strict measures whilst those that are located in 'level 4', being subject to the most stringent measures. In all areas, there is an obligation to self-isolate if a person tests positive for COVID-19 and a requirement for work-related events to comply with maximum person limits. Further obligations concerning face covering and closure of workplace canteens, are laid out. The Regulations shall cease to have effect on 31 March 2021.

Business Impact: The company, must implement social distancing measures throughout the workplace, by adjusting the layout, installing barriers, and providing adequate information on how to minimize the risk of COVID-19 throughout the workplace. Government guidance on how best to manage the workplace and workplace gatherings during COVID-19 must be followed and face coverings should be worn in all workplace areas which have public access. The company must assess under which 'alert level' they fall under, as this will determine if the workplace canteen is subject to opening hour restrictions or closure. If the company is located in alert level 1, indoor events of no more than 50 must proceed, for outdoors this is limited to 100. In level 2, 3 and 4, this is limited to 15 persons for indoors and 30 persons if held outdoors. Before such a work event can take place, Welsh Ministers must authorise the event, and a risk assessment must have taken place. Lastly, should the company be issued with an improvement or closure notice, they must follow the directions issued in the notices.



Analysis: Actionable Requirements

The company has social distancing measures in place to prevent the spread of COVID-19.

The company has followed government guidance on how best to continue business during COVID-19 and how to adequately organise gatherings.

The company has ensured that every person who enters the workplace that has public access, wears a face covering at all times.

If the company organises a work-related event, it has received authorisation from the Welsh Ministers.

If the company is located in area level 1, indoor work-related events are limited to 50 persons and 100 persons if held outdoors.

If the company is located in area level 2, 3 or 4, indoor work-related events are limited to 15 persons and 30 persons if held outdoors.

If the company has a workplace canteen in level 4, it remains shut.

If the company has been issued with a closure or improvement notice, it has abided by the terms of this notice.

What has changed? The above actionable requirements have been introduced through [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) Regulations 2020](#) (the Regulations). These requirements reinforce pre-existing requires that are presently in place. This is to help contain and circumvent the spread of COVID-19. Requirements which are applicable to *all* the Alert Levels are laid out below.

General Requirements *Isolation requirements* Should anyone receive a positive COVID-19 result, or notification that they have been in close contact with a positive individual, a self-isolation period of **10 days** must ensue. The start date of the self-isolation period will depend on whether or not the person in question displays COVID-19 symptoms (cough, loss of smell and taste, fever etc.). As such, the day at which the individual displays symptoms will be the start date for self-isolating. In the case that someone is asymptomatic, self-isolation shall start on the day that an individual was notified of their positive COVID-19 test or been made aware of their close contact with a positive individual. "Close contact" is referred to as having face-to-face contact with someone at a distance less than 1 meter, spending more than 15 minutes within 2 meters of an individual, or having travelled in close proximity with the infected individual. "Self-Isolate" means when a person is bound to their place of residence for the duration of their COVID-19 period of isolation. Individuals may leave their designated self-isolation locations for certain reasons as laid out below:

seek medical assistance;

fulfil legal obligations;

avoid risks;

attend funerals;

obtain basic necessities; and

if the individual is part of a coronavirus research study which permits such deviation.

Minimise the risk of exposure to coronavirus All companies must follow Welsh guidance on how best to [adjust the workplace in light of coronavirus](#). Workplace areas, such as canteens, must ensure a distance of 2 metres is maintained between persons at all times. To limit face-face interactions and maintain hygiene the Regulations propose the following measure which companies can take:

changing the layout of premises including the location of furniture and workstations;

controlling the use of entrances, passageways, stairs, lifts, shared facilities such as toilets and kitchens;

installing barriers or screens;

providing or requiring use of personal protective equipment, and

provide information to those entering or working at the premises about how to minimise the risk of exposure to coronavirus

Furthermore, companies may partake in the [contact tracing program](#) by:

collecting contact information from each person at the premises and retaining it for 21 days; and

providing this information to the Welsh Ministers or contact tracer on request.



Furthermore, the Area Level restrictions and requirements are laid out below. **Level 1** Alongside the general requirements laid out above, companies which fall within Alert Level Area 1 are limited to 50 people for **work events** that are held indoors and 100 persons for those held outdoors. Before proceeding with such an event, authorisation must have been provided by the Welsh Ministers and organisers of the event must have carried out a risk assessment which would satisfy the requirements of regulation 3 of the [Management of Health and Safety at Work Regulations 1999](#). Persons that fall under this level may not travel to Alert Level 3 or 4, unless it is reasonably necessary. Such examples include:

- obtaining medical assistance;
- essential work purposes;
- meeting legal obligations; and
- moving home.

Level 2 Similarly, authorisation from the Welsh Ministers and the need to carry out a risk assessment before holding work events is applicable to this level. The difference, however, is that in level 2, indoor **work-related events** are limited to 15 persons for indoors, and 30 persons if held outdoors. The travel restrictions and exemptions as laid out in level 1 also apply in level 2. **Level 3** All the requirements and restriction laid out in level 2, apply in level 3. All individuals who fall under level 3 may not leave the area unless reasonably necessary (examples laid out in level 1). The only difference being that in level 3, **workplace canteens** must remain shut between 06:00 and 18:00, unless there is no alternative way for individuals to obtain food or drink. **Level 4** Under this level, no person may leave their place of residence without a reasonable excuse. For example:

- to obtain food and medical supplies, or supplies for upkeep and maintenance;
- for work; and
- accessing or receiving educational services.

Restriction relating to work events and travel as laid out in level 3, is applicable to this level. **Workplace canteens** and **gyms** must remain shut at all times if they fall within level 4.

Additional information Fines and offences Local officers will check to ensure the Regulations are adhered to, for example, random road checks will take place. Contravening the Regulations and directions issued by the local authorities, such as when issued with a [closure](#) or [improvement](#) notice, can lead to a first fixed penalty amounting to GBP 1,000, a second to GBP 2,000, a third to GBP 4,000 and fourth and subsequent fine to GBP 10,000. Moreover, if any fixed penalty has been issued under any of the regulations below, this will account for a second fixed penalty and vice versa.

[The Health Protection \(Coronavirus Restrictions\) \(Wales\) Regulations 2020 \(S.I.353\)](#).

[The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) Regulations 2020 \(S.I.752/W.162\)](#).

[The Health Protection \(Coronavirus Restrictions\) \(No. 3\) \(Wales\) Regulations 2020\(S.I.1149\)](#).

[The Health Protection \(Coronavirus Restrictions\) \(No. 4\) \(Wales\) Regulations 2020 \(S.I.1219\)](#)

[The Health Protection \(Coronavirus Restrictions\) \(Functions of Local Authorities etc.\) \(Wales\) Regulations 2020 \(S.I.1011\)](#)

2.3 Latin America

2.3.1 AGUASCALIENTES Current general health safety due to the COVID-19 pandemic extended until 31 January 2021

Abstract: Until 31 January 2021, companies operating in Aguascalientes must continue to implement prevention and hygiene measures within their facilities (such as ensuring the use of masks and the maintenance of a safety distance) due to the COVID-19 outbreak. This follows from a Government's Agreement published on 2 November 2020, whose measures



have been extended by an Agreement with the same name of 28 December 2020. These measures are likely to be further extended.

Business Impact: The company must continue to comply with the current prevention and hygiene measures within its facilities (such as ensuring the use of masks and the maintenance of a safety distance) due to the COVID-19 outbreak, until 31 January 2021.

Analysis: Actionable requirements (Existing) The company ensures that its workers wash their hands frequently to prevent any possible infection or spread of the COVID-19;

(Existing) The company ensures its workers apply the respiratory etiquette (covering their nose and mouth with a disposable tissue or with the inner part of the forearm when sneezing or coughing) to prevent any possible infection or spread of the COVID-19;

(Existing) The company ensures its workers maintain the safety distance measures recommended by the federal and state health authorities (1.5 meters) to prevent any possible infection or spread of the COVID-19;

(Existing) The company makes hydro-alcoholic gel available with a minimum concentration of 70% to prevent any possible infection or spread of the COVID-19;

(Existing) The company ensures its workers wear a mask to prevent any possible infection or spread of the COVID-19.

(Existing) The company prevents access of employees who have symptoms associated with the COVID-19 disease (such as fever or dry cough);

(Existing) The company displays within its premises in full view of all workers, the signs alluding to hand washing, use of alcohol gel, sneezing on the inside of the elbow and keeping the minimum safety distance of 1.5 meters to prevent any possible infection or spread of the COVID-19; and

(Existing) The company places sanitizing mats at the entrances to the establishment, as well as installs protective barriers in any area where employees can interact with external people (for instance, the reception) to prevent any possible infection or spread of the COVID-19.

What has changed [The Government's Agreement of 28 December 2020](#), by which safety measures are issued in terms of general health to reduce the transmission of the COVID-19 in the State of Aguascalientes extends the validity of the health measures to prevent the spread of the COVID-19 outbreak in companies until 31 January 2021. These measures were originally established by the [Government's Agreement with the same name of 2 November 2020](#). These measures include, among others, the mandatory use of masks and the implementation of social distancing measures and apply to all companies operating in Aguascalientes.

Additional Information Non-compliance with the requirements contained in this agreement is subject to a sanctioning regime established in Articles 417 of [the General Health Law](#), and 276 of [the Health Law of the State of Aguascalientes](#) will be imposed, which may consist of: - Reprimand with a warning; - Penalty fee; - Temporary or permanent closure, which may be partial or total; and - Arrest for up to 36 hours. [The Agreement by which safety measures are issued in terms of general health to reduce the transmission of the SARS-COV2 virus \(COVID-19\) in the State of Aguascalientes](#), is available online in Spanish.



2.4 Asia & Oceania

2.4.1 JAPAN NATIONAL Japan announced the state of emergency in 4 Prefectures until 7 February 2021 in response to the COVID-19 pandemic

Abstract: Companies in Japan must be aware that a state of emergency has been announced for Saitama Prefecture, Chiba Prefecture, Tokyo Metropolitan area and Kanagawa Prefecture. The state of emergency will last one month from 8 January to 7 February 2021.

Business Impact: If the company is located in Saitama Prefecture, Chiba Prefecture, Tokyo Metropolitan area or Kanagawa Prefecture, it should be aware that the state of emergency has been declared from 8 January to 7 February 2021. As a result, the company is requested to comply with more stringent restrictions against the spread of COVID-19.

Analysis: On 7 January 2021, the Japanese government declared a [state of emergency](#) in Saitama Prefecture, Chiba Prefecture, Tokyo Metropolitan area and Kanagawa Prefecture from 8 January to 7 February 2021. Accordingly, the Basic Policy on Countermeasures Against Novel Coronavirus Infection (hereafter the "Basic Policy": 新型コロナウイルス感染症対策の基本的対処方針) was also amended. The [amended Basic Policy](#) restates the requests on citizens and companies in the abovementioned 4 prefectures to:

- implement basic countermeasures (such as social distancing, wearing masks and washing hands);
- avoid the places where are enclosed, crowded, and with close scenes of conversations (三つの密);
- self-restrain from going out at night or for unnecessary purposes after 8 pm;
- promote teleworking and staggered working, aiming at reducing 70% attendance of employees in the workplace (for workplaces requiring attendance, promote rotation work);
- for essential businesses (the list of which is provided in the annex of the Basic Policy), avoid the places where are enclosed, crowded, and with close scenes of conversations while operating.
- follow the [new lifestyle](#) which includes example measures that individuals and employers can take in daily life and in the workplace;
- avoid the [5 scenarios where the risk of infection will increase](#) (感染リスクが高まる「5つの場面」), which include, for example, social gatherings with drinking, conversation without masks, and switching locations; and
- follow the latest [guidelines of COVID-19 spread prevention for each industry](#), such as the manufacturing industry, office work, and logistics industry;
- install and use the COVID-19 Contact-Confirming Application (COCOA); and
- hold events in accordance with the latest restrictions provided in the [document regarding restrictions on holding events, restrictions on the use of facilities associated with the state of emergency](#) (緊急事態宣言に伴う催物の開催制限、施設の使用制限等に係る留意事項等について).

Companies should be aware that in the prefectures other than the abovementioned 4 prefectures, the Prefectural governors have the competence to implement more stringent restrictions when deemed necessary.

Further Information Companies can also refer to the [latest measures on all travelers leaving and entering Japan](#) during the period of state of emergency. There is also a [document on the prevention of infection of new coronavirus and health management in the workplace based on the issuance of the state of emergency](#) (緊急事態宣言の発出を踏まえた職場における新型コロナウイルス感染症への感染予防及び健康管理について), which can be referred by companies to prevent the spread of COVID-19 in the workplace.

2.4.2 THAILAND Public gatherings are prohibited and facilities may be ordered to close under a new Covid-19 regulation

Abstract: As of 25 December 2020, facilities must not require employees to participate in crowded public gatherings and must screen employees who have travelled outside of Thailand for Covid-19 symptoms. Additionally, facilities may be subject to temporary closure orders if authorities determine that the facility presents a risk of Covid-19 infection and transmission.

Business Impact: If the facility is operating during the Covid-19 emergency situation, it must comply with new requirements prohibiting public gatherings and requiring Covid-19 screening for foreign employees. The facility may also be subject to a closure order if authorities determine that it is a risky area for infection or transmission of Covid-19.

Analysis: Actionable Requirements If the facility operates during the declaration of an emergency situation in response to Covid-19, it does not require employees to assemble, conduct activities, or have group gatherings in a crowded manner. If the facility operates during the declaration of an emergency situation in response to Covid-19 and has foreign employees, it screens employees for symptoms and exposures to Covid-19. If the facility is ordered to close by local authorities after determining it is a risky area for infection or transmission of Covid-19, it does not operate until allowed to reopen.

What Has Changed On 25 December 2020, Prime Minister Prayut Chan-o-cha issued a new regulation ("Regulation") under his authority under Section 9 of the Emergency Decree on Public Administration in Emergency Situations in response to the increase in reported cases of Covid-19 in Thailand. As a result, the requirements listed above, which were previously required under earlier orders but were repealed as part of the phased reopening of Thailand, are in effect once again. These requirements are in addition to existing prevention and sanitation requirements to reduce the spread of Covid-19. The emergency situation declaration in response to Covid-19 and the associated requirements are currently set to expire on 15 January 2021 unless they are modified, extended, or rescinded.

Additional Information The Regulation does not specify what qualifies as a crowded gathering. However, subsequent orders from local and national officials may define the limits of the prohibition on gatherings. Facilities operating during the Covid-19 pandemic should limit the in-person gathering of employees and members of the public as much as possible to reduce the transmission of the disease. For more information, see the full [Regulation issued by Prime Minister Prayut Chan-o-cha](#) (currently only available in Thai).

2.4.3 VIETNAM Companies must continue applying necessary measures to prevent and control COVID-19 and assuring OHS conditions at the workplaces

Abstract: Starting from 5 January to 5 February 2021, heads of companies must continue applying measures to prevent and control the 2019 novel coronavirus disease (COVID-19) and assure occupational health and safety (OHS) conditions at the workplaces, as stated in Prime Minister's Directive no. 01/CT-TTg released on 5 January 2021. Further, companies must ensure that their employees keep a safe distance (i.e., a minimum distance of 1 meter) when communicating and wear masks. Companies must not organize unnecessary mass meetings and conferences, as affirmed under this Directive.

Business Impact: If the company operates in Vietnam, it must continue applying measures to prevent and control the 2019 novel coronavirus disease (COVID-19), such as providing personal protective equipment (PPE) and temporarily suspending non-urgent operations. Further, the company must prepare a working plan to assure occupational health and safety conditions at the workplace, as specified under the Prime Minister's Directive no. 01/CT-TTg dated 5 January 2021.



Lastly, the company must ensure that its employees keep a safe distance (i.e., a minimum distance of 1 meter) when communicating and wear masks. The company must not organize unnecessary mass meetings and conferences, as affirmed under Directive no. 01/CT-TTg.

Analysis: On 5 January 2021, the Prime Minister released Directive no. 01/CT-TTg on strengthening the prevention and control of 2019 novel coronavirus disease (COVID-19). Accordingly, starting from 5 January to 5 February 2021, heads of the companies must continue applying measures to prevent and control COVID-19 and assure occupational health and safety (OHS) conditions at the workplace. **Background** Vietnam carried out nationwide quarantine for 15 days due to COVID-19 starting from 1 April 2020, as confirmed under the Prime Minister's Directive No. 16/CT-TTg of 31 March 2020. Under Directive no. 16/CT-TTg (as implemented by the Legal Document no. 2601/VPCP-KGVX of 3 April 2020), heads of companies were required to apply measures to prevent and control COVID-19, ensuring OHS conditions at the workplaces. Additionally, companies were prohibited from assigning employees suffering, or suspected of suffering, from an infectious disease (i.e., COVID-19) to works that potentially transmit agents of infectious disease, as required under the Law on Prevention and Control of Infectious Diseases ("the Law") (Article 8). Furthermore, companies were to restrict employee and vehicle access to epidemic areas. If necessary, medical examination and supervision were to be applied, as stated under the Law (Article 53). **Directive no. 01/CT-TTg dated 5 January 2021** According to Directive no. 16/CT-TTg, companies must ensure that their employees keep a safe distance (i.e., a minimum distance of 1 meter) when communicating and wear masks. Companies must also implement specific measures to prevent and control COVID-19, which include the following, among others:

Preparing a working plan to assure OHS conditions at the workplaces;

Providing personal protective equipment (PPE) for the prevention and control of COVID-19;

Ensuring that the employees have been carried out health declaration and are complying with measures to restrict movement, contact, and communication;

Temporarily suspending non-urgent activities;

Ensuring that events gathering people with large numbers comply with the requirements and guidance of the Ministry of Health;

Reducing the concentration of employees;

Organizing and managing the transportation of employees, if any, to the workplaces to prevent disease transmission risks; and

Organizing works at home for certain employees in accordance with the specific conditions of the companies.

In terms of the reporting requirements, the Law establishes that companies must submit an infectious disease surveillance report with the required contents specified in Article 21 of this Law to competent authorities (e.g., Department of Health).

In case of an emergency, the infectious disease surveillance report can be transmitted by fax, e-mail, telegraph, telephone, or verbally with a written version to be submitted within 24 hours afterward (Article 22).

Additional Information [Directive no. 01/CT-TTg dated 5 January 2021 of the Prime Minister on strengthening the prevention and control of COVID-19 disease](#) is available in Vietnamese online.



2.5 Africa & Middle East

2.5.1 ISRAEL Companies must comply with Israel's third lockdown due to COVID 19

Abstract: As of 27 December 2020, the Israeli government approved a national lockdown in connection with the outbreak of coronavirus (COVID 19). The lockdown period is 14 days, and this government decision will apply until 9 January 2021. The government already agreed to extend and approve a total lockdown including shut down of all non-vital workplaces as of 7 January 2021 at midnight for a period of another 14 days until 21 January 2021.

Business Impact: The company must comply with the lockdown requirements effective until 21 January 2021 in connection with the outbreak of the coronavirus (COVID 19). At the same time, they are required to maintain the emergency measurements enforced by the Special authorities Law adopted 23 July 2020. The company must identify which of its facilities are considered vital, and not allow employees to enter workplaces which are not considered vital between 7 January 2021 and 21 January 2021. Moreover, physical meetings during the lockdown period is limited for up to 10 people nationwide. Companies with more than 10 employees must comply with 50% of the personnel or a maximum of 10 people at the company premises. Furthermore, the company must continue to comply with the social distancing requirements, masks wearing obligation and limiting the number of allowed workers at a workspace and relevant hygiene and safety requirements introduced in order to curb the spread of the coronavirus (COVID 19).

Analysis: Actionable requirements The company is required to comply with the lockdown requirements effective 27 December 2020 in connection with the outbreak of the coronavirus (COVID 19) while maintaining the emergency measurements enforced by the Special authorities Law adopted 23 July 2020.

If the facility has ongoing public interaction it must physically shut down as of 27 December 2020 for the whole period (until 21 January 2021) unless it has been declared vital.

If the facility has not been declared vital, employees may not enter the workplace from 7 January 2021 to 21 January 2021.

The facility must ensure that physical meetings are limited to 10 people.

If the facility employs more than 10 workers, it does not have more than 50% of their workforce, or 10 workers whichever is higher, present in the workplace at the same time.

The facility must continue to comply with social distancing and mask-wearing obligations.

Additional information According to the Government notice, as of 27 December 2020 at 1700 PM and until 21 January 2021 a national lockdown is imposed. As a general rule, employees are not allowed to enter their workplace, unless any of the provided exemptions apply, such as the facility being considered vital. Furthermore, people are not allowed to leave a radius of 1 kilometre of the person's home address - unless for a specific set of reasons, such as in order to work. The government may extend the measures, depending on the development of the COVID-19 infection. Which businesses are considered vital is available online in English in the [COVID-19 Guidance by the Ministry of Health](#). Workplaces with ongoing interaction with the public and certain sectors must physically shut down for the whole period. Workplaces without ongoing public interaction may continue to work while complying with the social distancing requirements until 7 January by midnight and must shut down until 21 January 2021 unless declared vital. Workplaces declared vital may continue to work while complying with the social distancing requirements. Under any circumstances, physical meetings during the lockdown period are limited for up to 10 people nationwide. Companies with more than 10 employees must comply with 50% of the personnel or a maximum of 10 people at the company premises. Moreover, companies nationwide must continue to comply with the social distancing requirements as enforced by Emergency Limitations 8402 of 22 March 2020 regarding the introduction of restrictions on business activities adopted in order to prevent the spread of the Coronavirus (התש"ף פעילות) (הגבלת פעילות) (התש"ף): https://www.nevo.co.il/Law_word/law06/tak-8402.pdf



Masks wearing obligation is still relevant as determined by the [Amendment 8469 to the Public Health Decree of 26 April 2020 regarding the use of face masks in public spaces](#), and limiting the number of allowed workers at a workspace and relevant hygiene and safety requirements introduced in order to curb the spread of the coronavirus (COVID 19) via Emergency limitations 8589 of 21 March [link: \(https://www.gov.il/BlobFolder/news/emergency-reulations-2020/he/emergency-reulations-2020-employees-number.pdf\)](#)

חוק סמכויות מיוחדות (COVID-19) להגבלת מספר העובדים במקום עבודה לשם צמצום התפשטות נגיף הקורונה החדש (התש"ף להתמודדות עם נגיף הקורונה החדש) הוראת שעה (התש"ף) The Special authorities Law adopted 23 July 2020 to prevent the spread of the Coronavirus (COVID-19) חוק סמכויות מיוחדות (COVID-19) להגבלת מספר העובדים במקום עבודה לשם צמצום התפשטות נגיף הקורונה החדש (התש"ף להתמודדות עם נגיף הקורונה החדש) הוראת שעה (התש"ף) https://he.wikisource.org/wiki/חוק_סמכויות_מיוחדות_להתמודדות_עם_נגיף_הקורונה_החדש will cease to apply 30 June 2021 unless decided earlier.





3. January 25, 2021

3.1 The US & Canada

3.1.1 CANADA - BRITISH COLUMBIA Companies can consult the Covid-19 guidance on the risks of disinfectants at the workplace

Abstract: As of 9 December 2020, companies operating during the COVID-19 pandemic can consult the guidance on the risks of disinfectants and how to reduce the risks at the workplace, including avoiding products that contain hazardous ingredients, such as phenols (CAS 108-95-2), Didecyltrimethylammonium chloride (CAS 7173-51-5) and glutaral (CAS 111-30-8), and reviewing the product label, safety data sheet, and manufacturer's instructions.

Business Impact: If the company operates during the COVID-19 pandemic, it can consult the guidance on the risks of disinfectants and how to reduce the risks at the workplace, including avoiding products that contain hazardous ingredients (such as phenols, Didecyltrimethylammonium chloride, and glutaral), and reviewing the product label, safety data sheet, and manufacturer's instructions.

Analysis: On 15 December 2020, WorkSafeBC published a [guidance](#) on how employers can protect their employees from the risks associated with the use of disinfectants during the novel coronavirus (COVID-19) pandemic. Companies are required to develop a COVID-19 Safety Plan under the [Workplace COVID-19 Safety Plans Order](#). As part of the COVID-19 safety plans, most employers regularly use cleaners, disinfectants, and sanitizers to help reduce the spread of the virus. However, disinfectants recommended for the virus which causes COVID-19 often contain chemicals that can cause adverse health effects. The workers using these products may be unfamiliar with their hazards and risks. The following ingredients which have concerning health effects are addressed in the guidance document:

Concentrated hydrogen peroxide (CAS 7722-84-1), hydrochloric acid (CAS 7647-01-0), and sodium hypochlorite (7681-52-9) cause severe skin burns;

Didecyltrimethylammonium chloride (DDAC) (CAS 7173-51-5) causes severe skin burns and eye damage;

Glutaral (glutaraldehyde) (CAS 111-30-8) causes respiratory tract and skin allergies;

Peracetic acid (CAS 79-21-0) causes severe skin burns and eye damage;

Phenol (CAS 108-95-2) irritates the respiratory tract and causes lung damage; and

Quaternary ammonium compounds (QUATs) (CAS 68002-61-9) causes respiratory irritation.

How to reduce the risk at the workplace Under Part 5 of the [Occupational Health and Safety Regulation](#), companies must eliminate or minimize the exposure to hazardous chemicals by implementing engineering and administrative controls and ensuring workers use personal protective equipment (PPE). Health Canada published a [list](#) of hard surface disinfectants appropriate for use and likely to be effective against the COVID-19 virus, including Mikro Quat, Citrus Disinfectant, and Detergicide Liquid. To reduce the risk to workers using cleaners, disinfectants and sanitizers, companies are recommended to:

avoid products that contain hazardous ingredients (such as phenols, DDAC, and glutaral);

choose a product that has been pre-diluted;

review the product label, safety data sheet, and manufacturer's instructions;

avoid using a stronger or higher percentage solution than is recommended;

develop written procedures for the dilution and application of the products;

only use spray (aerosolization) methods if a risk assessment has been carried out;

provide workers with the necessary PPE to safely apply the product;

provide workers with information and training about the hazards of the product they are using;



label decanted products with the product identifier and safe handling information;
provide emergency washing facilities for workers who are diluting concentrated products;
not mix disinfectants with cleaners or other chemicals; and
store the products in well-ventilated areas.

Furthermore, companies are reminded to ensure that workers understand the purpose of cleaning the workplace. Additional information and guidance on cleaning and disinfecting can be found [online](#).

3.1.2 US - NEW JERSEY Companies must continue complying with COVID-19 State of Emergency requirements until 18 February 2021

Abstract: On 19 January 2021, the Governor of New Jersey issued an executive order that extended the COVID-19 state of emergency to 18 February 2021. Effective 19 January 2021, companies must continue to comply with all COVID-19 operational requirements until 18 February 2021. This date may be extended or cut short by another executive order.

Business Impact: If the company operates during the COVID-19 state of emergency, then it must continue to comply with all applicable COVID-19 restrictions until 18 February 2021. This date may be extended or cut short by another executive order.

Analysis: Actionable Requirements If the facility operates during the COVID-19 state of emergency, it permits employees to work from home whenever possible.

If the facility conducts in-person operations during the COVID-19 state of emergency, it complies with the minimum cleaning requirements in Executive Order 122.

If the facility owns or operates dining facilities, it complies with all applicable COVID-19 prevention requirements, including complying with physical distancing, sanitation, and facial covering requirements.

If the facility owns or operates retail facilities, it complies with all applicable COVID-19 prevention requirements, including occupancy limits, facial covering requirements, physical distancing requirements, and sanitation measures.

If the facility owns or operates fitness facilities during the COVID-19 state of emergency, it complies with all applicable COVID-19 prevention requirements, including occupancy limits, facial covering requirements, physical distancing requirements, and sanitation measures.

If the facility operates during the COVID-19 state of emergency, it requires that all attendees to an indoor gathering wear facial coverings.

If the facility operates during the COVID-19 state of emergency, it complies with the occupancy limit for all indoor gatherings.

If the facility operates during the COVID-19 state of emergency, it complies with the occupancy limit for all outdoor gatherings.

If the facility operates during the COVID-19 state of emergency, it ensures that all attendees to indoor gatherings maintain 6 feet of distance from each other and comply with other social distancing requirements.

If the facility operates during the COVID-19 state of emergency, it ensures that all physical items and equipment present at indoor gatherings are not shared between attendees unless the item is sanitized between use by different individuals.

If the facility operates during the COVID-19 state of emergency, it offers contactless options for pre-payment or donations for all indoor gatherings that require pre-payment or seek donations.

If the facility requires or permits its workforce to be physically present at a worksite, it complies with all applicable COVID-19 operational requirements, including social distancing, face mask, sanitization, health checking, and quarantine requirements.



What has changed? The requirements for operating during the COVID-19 state of emergency are now set to expire on 18 February 2021. Before this order, Executive Order 210: Extending the Public Health Emergency in New Jersey, the state's operational requirements were set to expire on 20 January 2020. The COVID-19 requirements may be extended or cut short by another executive order.

Additional Information For more information, see [Executive Order 215: Extending the Public Health Emergency in New Jersey](#).

3.1.3 US – NEW JERSEY Retail premises to continue following existing COVID-19 spread prevention measures until 31 January 2021

Abstract: Until 31 January 2021, all facilities that are retail premises and operate during COVID-19 must follow existing measures, for instance, ensuring that all visitors and workers cover their mouths and noses with a protective mask, as well as maintain a distance of at least 2metres between people. This follows from the adoption of the COVID-19 (Workplace - Eighteenth Extension) (Jersey) Order 2020.

Business Impact: If the facility is a retail premise and operates during COVID-19, it must continue following existing measures until 31 January 2020. For instance, the facility must ensure that all visitors and workers cover their mouths and noses with a protective mask, as well as maintain a distance of at least 2metres between people.

Analysis: Actionable requirements

If the facility is a retail premise and operates during COVID-19, it ensures that all visitors and workers cover their mouths and noses with a protective mask. (requirement unchanged, application extended until 31 January 2021)

If the facility is a retail premise and operates during COVID-19, it ensures that people maintain a distance of at least 2metres between them. (requirement unchanged, application extended until 31 January 2021)

What has changed [COVID-19 \(Workplace - Eighteenth Extension\) \(Jersey\) Order 2021](#) amends the [COVID-19 \(Workplace Restrictions\) \(Jersey\) Order 2020](#) to extend the application of the existing requirements for retail premises until 31 January 2021.

Background information All visitors aged 12 or older, as well as all workers must wear a mask covering their mouths and noses while in retail premises, meaning a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, excluding food and drink premises. **Visitors** A visitor is a person who does not live in the workplace and is in the workplace for a purpose other than carrying out work
A visitor is exempted from an obligation to wear a mask if he or she:

has a physical or mental disability or illness that renders the visitor unable to put on a mask, or unable to take a mask off;
has a respiratory or other physical condition, other than symptoms of Covid-19, that would involve a significant risk of harm to any person if the visitor wore a mask;

has a psychological condition, or other fear or distress, that would involve a significant risk of harm to any person if the visitor wore a mask;

is a carer of another visitor;

is receiving a service, such as dentistry or diagnosis, that has to be delivered by touching or inspecting the visitor's mouth or nose; or

is receiving a service that briefly requires the person providing the service to see the visitor's face for the identification or similar purposes.

Workers



The worker is not required to wear a mask when:
interacting with a visitor who has a psychological condition that would involve a significant risk of harm to any person if the worker wore a mask; or
communicating with a visitor who needs to see the worker's mouth or full face, whether for lipreading or other reasons.
The obligation to maintain at least 2 metres distance from people at the facility does not apply if both are workers.
Nevertheless, where it is not practicable for people to maintain a distance of at least 2 metres from each other, the facility must take alternative steps that are reasonable to assist in controlling the spread of Covid-19. No further guidance has been provided in this field. Facilities can operate only if the above requirements are satisfied

3.1.4 US – MAINE Facilities operating during the COVID-19 state of emergency must continue to comply with operating and prevention measures which have been extended through 17 February 2021

Abstract: Effective 19 January 2021, Governor Mills issued an executive order extending the COVID-19 state of emergency to 17 February 2021. Companies must continue to comply with all COVID-19 operational requirements until that date, unless the orders are rescinded, modified, or extended. The order will likely be extended again in a future executive proclamation.

Business Impact: If the company operates during the COVID-19 state of emergency, it must continue to comply with all applicable COVID-19 restrictions until 17 February 2021 unless they are extended, modified, or rescinded. Previously, the restrictions were set to expire on 29 January 2021.

Analysis: Actionable Requirements If the facility operates during the COVID-19 state of emergency, it restricts the number of people on-site to no more than 50 people, unless it is a retail establishment.
If the facility operates a retail establishment, it restricts the number of people on-site to no more than 5 people per 1,000 square feet of shopping space.
If the facility operates during the COVID-19 state of emergency, it implements the applicable social distancing measures.
If the facility operates a food and beverage establishment during the COVID-19 state of emergency, it implements measures requiring customers to wear face coverings.
If the facility operates a retail facility with 50,000 square feet or more of shopping space, it implements measures requiring customers to wear face coverings.

What Has Changed As of 19 January 2021, facilities operating during the COVID-19 state of emergency must continue to comply with the requirements listed above which have been extended through 17 February 2021 unless modified, extended, or rescinded. These requirements were previously set to expire on 20 January 2021.

Additional Information For more information, see the [Proclamation by Governor Mills](#) issued on 19 January 2021.





3.1.5 US - MASSACHUSETTS COVID-19 capacity limits for certain establishments are extended through at least 24 January 2021

Abstract: Effective 7 January 2021, companies that own or operate a restaurant, office space, retail businesses, or fitness center must continue to adhere to the 25 percent capacity limit. This capacity limitation will remain in effect until at least noon on 24 January 2021.

Business Impact: If the company owns or operates a restaurant, fitness center, or office space, it must reduce its capacity limit to 25 percent until at least 24 January 2021.

Analysis: Actionable Requirements If the facility is permitted to be open during Phase III, Step 1 of the COVID-19 reopening plan, it operates its physical workspace according to the Phase III, Step 1 restrictions, such as limited occupancy and sanitation requirements.

What has changed? Effective 7 January 2021, the capacity limit reduction of 25 percent for restaurants, office spaces, retail businesses, and fitness centers is extended to at least 24 January 2021. Previously, this capacity limit was set to expire on 10 January 2021. Workers and staff do not count towards the occupancy count for restaurants or retail businesses.

More Information The full text of [COVID-19 Order No. 60](#) can be found online. The [press release](#) announcing the new order can be found online.

3.1.6 US - VERMONT Companies must continue complying with COVID-19 State of Emergency requirements until 15 February 2021

Abstract: Effective 15 January 2021, the Governor of Vermont issued an executive order that extended the COVID-19 state of emergency to 15 February 2021. Companies must continue to comply with all COVID-19 operational requirements until 15 February 2021. This date may be extended or cut short by another executive order.

Business Impact: If the company operates during the COVID-19 state of emergency, then it must continue to comply with all applicable COVID-19 restrictions until 15 February 2021. This date may be extended or cut short by another executive order.

Analysis: Actionable Requirements

If the facility operates during the COVID-19 state of emergency, it complies with all sanitation, social distancing, and occupancy requirements issued by the Vermont Agency of Commerce and Community Development (ACCD).

If the facility operates during the COVID-19 state of emergency, it (1) implements measures to notify all customers and clients that they must wear masks or cloth facial coverings and (2) denies entry or service to customers or clients who decline to wear mask or cloth facial coverings.

If the facility hosts nonessential activities, it maintains an easily accessible, legible log of all employees, customers, and guests on-site, including their contact information, and provides that information to the Vermont Department of Health on request.

What has changed? The requirements for operating during the COVID-19 state of emergency are now set to expire on 15 February 2021. Before this order, which is titled Addendum 10 to Amended and Restated Executive Order 01-20:



Extension of State of Emergency Declared March 13, 2020, the state's operational requirements were set to expire on 15 January 2021.

Additional Information For more information, see [Addendum 10 to Amended and Restated Executive Order 01-20: Extension of State of Emergency Declared March 13, 2020](#).

3.2 Europe

3.2.1 CATALONIA Ongoing prevention and hygiene measures due to the COVID-19 extended until 25 January 2021

Abstract: Until 25 January 2021, companies operating in Catalonia must continue to comply with the current prevention and hygiene measures within their facilities (such as the compulsory adoption of telework when possible and providing workers with appropriate protective equipment) due to the COVID-19 outbreak. This follows from Resolution SLT/2546/2020 of 15 October 2020 whose measures have been subsequently extended, being Resolution SLT/67/2021 the last extension. These measures are likely to be further extended.

Business Impact: The company must continue to comply with the hygienic and prevention measures (such as implementing telework when possible, providing workers with appropriate protective equipment and ensuring the use of masks) until 25 January 2021, to prevent the COVID-19 contagion.

Analysis: Actionable requirements - *(existing)* The company implements telework to limit the labour mobility of workers as much as possible during the COVID-19 health crisis or, where this is not possible, it staggers the entrance and exit times, sets out flexible working hours or other similar measures; - *(existing)* The company ensures that the minimum interpersonal safety distance of 1,5metres is maintained within their facilities to prevent infection with COVID-19; - *(existing)* The company provides workers with personal protective equipment to protect workers from exposure to COVID-19 at the workplace which is appropriate to the level of risk (such as masks); - *(existing)* The company adopts cleaning and disinfection measures to protect workers from COVID-19; - *(existing)* The company ensures the ventilation of its premises, restricts or staggers their access to avoid crowds, intensifies the cleaning of surfaces, ensures that the rest areas allow a safety distance between people and sets differentiated entry and exit areas to prevent the risk of COVID-19 infection. - *(existing)* The company provides workers with water and soap, or hydroalcoholic gels or disinfectants with authorized viricidal activity for cleaning their hands to protect them from COVID-19; and - *(existing)* The company ensures that everyone uses masks in the work environment when the workspace is for public use or open to the public or when there are movements inside the workplace (in the case of workspaces closed to the public, once the worker is at his desk or performing tasks that do not involve mobility, its use is not mandatory).

What has changed [Resolution SLT/67/2021](#) extends the prevention and hygiene measures to prevent the spread of the COVID-19 outbreak in companies originally established in [Resolution SLT / 2546/2020](#), until 25 January 2020. These measures include, among others, the mandatory use of masks, the implementation of social distancing measures, and disinfecting the workplace and apply to all companies operating in Catalonia. Many of the mentioned requirements have already been implemented at the Spanish national level following the national [Royal Decree-law 21/2020](#).

Additional Information On 16 October 2020 Resolution SLT/2546/2020 was published, since then, the validity of its measures has been subsequently extended by [Resolution SLT/2700/2020](#), [Resolution SLT/2875/2020](#), [Resolution](#)

[SLT/2983/2020](#), [Resolution SLT/3177/2020](#), [Resolution SLT/3268/2020](#), [Resolution SLT/3354/2020](#), [Resolution SLT/1/2021](#), and Resolution SLT/67/2021 until 25 January 2021. Resolution SLT/67/2021 concludes that the extension of the ongoing measures for the control of the emergency is necessary to modify the current trend and stabilize and bend the pandemic curve. Non-compliance with the requirements contained in this Resolution is subject to the sanctioning regime set in [Legislative Decree 30/2020 of 4 August 2020](#), which establishes fines of up to 600.000 Euros and complementary measures such as the closure of the facility. [Resolution SLT/67/2021, of 16 January, extending and modifying public health measures to contain the epidemic outbreak of the COVID-19 pandemic in the territory of Catalonia](#), is available online in Spanish and [Catalan](#).

3.2.2 FEDERATION OF BiH COVID-19 has been added to the list of occupational diseases in the Federation of BiH

Abstract: Companies operating in the Federation of FBiH must be aware that, as of 1 January 2021, the Coronavirus (COVID-19) has been added to the list of occupational diseases. This follows from the adoption of Rulebook 92/2020 which does not impose any new requirements on companies.

Business Impact: As an office, if the company operates in the Federation of BiH, it must be aware that the Coronavirus (COVID-19) has been added to the list occupational diseases. This has no direct impact on the company, however, the latter is recommended to comply with COVID-19 measures (for example, obligatory masks, disinfectants and temperature screening) to avoid a possible COVID-19 occurrence.

Analysis: Actionable Requirements The Rulebook does not impose requirements on companies.

What Has Changed [Rulebook 92/2020](#) amending [Rulebook 45/19 on the list of occupational diseases](#) was adopted on 18 December 2020 to add the Coronavirus (COVID-19) to the list of occupational diseases (lista profesionalnih bolesti). This means that infected or injured employees can benefit from additional rights and benefits, such as the right to a compensation for damages if the employer was negligent.

Additional Information Pursuant to Rulebook 45/19 occupational diseases are caused by prolonged and direct harm of an employee in the work environment at a level known to cause health damage (for example, jobs in which employees are exposed to chemical, physical and biological hazards). The list contains 51 diseases, including, among others, diseases caused by exposure to copper, aluminum or cobalt, as well as diseases related to the exposure to ionising and non-ionising radiation.

3.2.3 GREECE Companies must continue to respect the total lockdown measures from 18 January 2021 to 25 January 2021 to prevent further spread of Covid-19

Abstract: Effective from 18 January 2021 to 25 January 2021, companies must continue to follow the total lockdown measures imposed in order to curb the spread of Covid-19 in Greece, including, among others, providing certificates to commuting employees in order to justify their movement. Movement outside the regional units or outside the Attica region continues to be prohibited, with the exception of, among others, commuting to work. This follows from Ministerial Decision Δ1α/ΓΠ.οικ.: 3060/2021, which was adopted on 16 January 2021.



Business Impact: If the company continues to operate in Greece, it must continue to ensure that the total lockdown measures are respected from 18 January 2021 to 25 January 2021. These measures continue to include obligatory teleworking to the extent possible, closure of company canteens and a restriction on the amount of persons allowed in meetings. Moreover, if the employees must commute from their home to the workplace, the company must issue a certificate from the Information System "ERGANI", before their commute begins.

Analysis: Actionable requirements Following the adoption of Ministerial Decision Δ1α/ΓΠ.οικ.: 3060/2021, the company must continue to ensure that:
obligatory teleworking is implemented at the maximum possible rate of employees, as long as it is in line with the nature of the employees' duties, regardless of the presence of any vulnerable group;
employees are provided with a certificate for their movement, if they have to commute to work;
meetings are organised with only 7 participants and with the observance of 1,5 meters between the participants;
only 1 person in addition to the driver is seated in private vehicles with the obligation of wearing masks. The operation of passenger service vehicles used for the commuting of staff to and from work is allowed only with the presentation of the employer's certificate and the relevant movement document, from which the vehicle route is derived, and provided that the maximum number of people is not more than 50% of the available passenger seats; and
the operation of onsite canteens is suspended and take away is only allowed in accordance with the restrictive list of reasons.

What has changed? On 16 January 2021, Ministerial Decision Δ1α/ΓΠ.οικ.: 3060/2021 was adopted to replace Ministerial Decision [1293/2021](#). Ministerial Decision Δ1α/ΓΠ.οικ.: 3060/2021 does not impose additional obligations on companies, but rather extends the deadline until when the lockdown measures stay in force.

Additional Information Ministerial Decision Δ1α/ΓΠ.οικ.: 3060/2021 "Urgent measures of public health protection against the further spread of Covid-19 in Greece from Monday 18 January 2021 to Monday 25 January 2021" is available [online](#) in Greek.

3.2.4 IRELAND Companies operating in Ireland must not open unless they are essential services or retail outlets and must comply with gathering prohibitions in order to prevent COVID-19

Abstract: Until 31 January 2021, companies operating in Ireland must not organise events and must not allow workers or members of the public to access their premises unless they are providing an essential service or operating an essential retail outlet, in order to prevent the spread of COVID-19. Essential services include certain manufacturing services, administrative support services, information and communication services and storage services, among others.

Business Impact: Since 31 December 2020, if the company operates a business in Ireland, it must not organise or cause a relevant event to be organised. A relevant event is defined as an event held, or to be held, for social, recreational, exercise, cultural, entertainment or community reasons. If the company operates a premises that is a non-essential service or non-essential retail outlet, it must not allow members of the public or workers to access the premises where the business or service is carried out. If the company operates a premises that is an essential service or essential retail outlet, it must only permit workers to access the premises where that access is necessary for the provision of the service or retail outlet, and must only permit members of the public to access the premises where the access is to the part of the premises that is operating solely as an essential retail outlet or essential service. Examples of essential services include, among other things: -certain manufacturing services, such as for chemicals, chemical products, electronics and food/beverage processing; -services necessary to support essential services, including industrial cleaning activities; and -essential health



and safety training that cannot be done remotely. Essential retail outlets include staff canteens operating for the exclusive use of persons working in, or at, a particular premises.

Analysis: Actionable requirements -Until 31 January 2021, if the company operates a business in Ireland, it does not organise or cause a relevant event to be organised. -Until 31 January 2021, if the company is a premises controller, occupier, manager, or any other person in charge of a premises, it does not allow members of the public or workers to access the premises where a business or service is carried out. -Until 31 January 2021, if the company is the premises controller, occupier, manager, or any other person in charge of a premises that is an essential service or essential retail outlet, it only permits workers to access the premises where that access is necessary for the provision of the service or retail outlet. -Until 31 January 2021, if the company is the premises controller, occupier, manager, or any other person in charge of a premises that is an essential service or essential retail outlet, it permits members of the public to access the premises only where the access is to the part of the premises that is operating solely as an essential retail outlet or essential service.

What has changed The [Health Act 1947 \(Section 31A - Temporary Restrictions\) \(Covid-19\) \(No. 10\) Regulations 2020](#) (the Principal Regulations) were published on 5 January 2021 and came into force on 31 December 2020. The Regulations revoked the previous Health Act 1947 (Section 31A - Temporary Restrictions) (Covid19) (No. 9) Regulations 2020 (S.I. No. 560 of 2020) and created stricter restrictions on the organising of relevant events and the operation of non-essential services and retail outlets. Under the Principal Regulations, the organising of relevant events is prohibited and companies which are not essential services and/or essential retail outlets will not be permitted to grant workers or members of the public access to their premises. Exceptions to these restrictions have been set out, meaning that essential services and retail outlets may grant access to workers where that access is necessary to provide the service or operate the outlet, or access to the public to the part operating as an essential service or retail outlet. The Principal Regulations were further amended on 8 January 2021, by the [Health Act 1947 \(Section 31A - Temporary Restrictions\) \(Covid-19\) \(No. 10\) \(Amendment\) Regulations 2021 \(S.I. No. 4 of 2021\)](#), which added additional categories of construction and development services that would be considered essential services. This included construction and development projects necessary for the maintenance of supply chains in respect of: -certain manufacturing services, including the refining of alumina (aluminium oxide) and the manufacture of chemicals and chemical products, among others; -certain information and communications services including data centres; but not -general-purpose facilities such as office accommodation and car parks. Finally, on 8 January 2021, the [Health Act 1947 \(Fixed Payment Notice and Dwelling Event Provisions\) \(Covid-19\) \(Amendment\) \(No.4\) Regulations 2020 \(S.I. No. 703 of 2020\)](#) came into force and amended the Health Act 1947 (Fixed Payment Notice and Dwelling Event Provisions) (Covid -19) Regulations 2020 (S.I. No. 536 of 2020) to prescribe a fixed payment penalty of 500 EUR for persons who fail to comply with the prohibition on organising relevant events under the Principal Regulations.

Additional information *Relevant events* According to the Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 10) Regulations 2020 (the Principal Regulations), a relevant event refers to an event held, or to be held, for social, recreational, exercise, cultural, entertainment or community reasons. These do not include events to be held in dwellings, sporting events (in relation to competitive sporting events authorised by national governing bodies of sports, schools or universities), or training events (held for the purposes of sporting events), which are dealt with separately under the Principal Regulations. *Essential retail outlets* Essential retail outlets include: -outlets selling food or beverages insofar as they sell food or beverages on a takeaway basis or for consumption off the premises; and -staff canteens operating for the exclusive use of persons working in, or at, a particular premises. *Essential services* Essential services include a number of categories of services. These include, among others, services related to manufacturing, construction and development, transport, storage and communications, information and communications and administrative and support activities. Manufacturing services include, among others: -the manufacture of chemicals and chemical products; -the manufacture of products necessary for the supply chain of essential services; -the manufacture of computers, electronic and optical products (including semi-conductors); -the manufacture of electrical equipment, machinery and other equipment (including agricultural and forestry machinery); and -the manufacture, production or processing of food and beverage



products. Transport, storage and communications services include, among others: -warehousing and support activities (including cargo-handling, postal and courier activities) for the transportation of goods; and -any service required for the safe provision of warehousing and support activities. Information and communications services include, among other things, the provision of data centre services and related services. Administrative and support activities include, among others: -payroll and payment services necessary for the operation of undertakings and bodies; -employment placement and human resources services associated with the recruitment and deployment of workers engaged in the provision of essential services; and -data processing, website hosting and related activities. They also include, where such services are necessary to support any other essential service, the cleaning of buildings and industrial cleaning activities. Essential health and safety training (that cannot be done remotely) will also be regarded as an essential service.

3.2.5 PORTUGAL Companies must now comply with mandatory teleworking in the whole territory due to the extension of the declaration of the state of emergency in Portugal

Abstract: From 15 January and until 30 January, companies operating in Portugal must comply with the mandatory teleworking in all municipalities and the hygiene and social distancing rules for workplaces. The state of emergency in Portugal will likely be renewed after 31 January 2021.

Business Impact: If the company resumes its operations during the COVID-19 outbreak, it ensures its workers work from home regardless of the municipality, unless the activity carried out does not allow it (such as in-person services). Furthermore, the company must also continue to comply with the applicable measures, such as ensuring the use of face mask every moment when the distance between workers is not guaranteed. These measures are applicable until 30 January 2021.

Analysis: Actionable requirements

(Modified) The company ensures that its workers work from home, despite its location, providing the necessary work and communication equipment.

(Existing) If teleworking is not possible and the company has more than 50 workers onsite, the company creates teams within the workplace, so that the same workers only maintain contact with that group.

(Existing) If teleworking is not possible and the company has more than 50 workers onsite, the company implements rotation systems, so workers can have different time slots to enter and to leave the building.

What has changed? The actionable requirements mentioned above are both modified and existing ones. [Decree 3-A/2021 of 14 January 2021](#) modifies the requirement regarding teleworking, establishing that all companies must ensure its workers work from home, unless carrying out activities that do not allow it. Before, this was only mandatory for the companies located in the municipalities that were more affected by the COVID-19 pandemic (municipalities of very high and extreme risk). The existing requirements were created by [Decree Law 79-A/2020 of 1 October 2020](#), that remains applicable until at least 31 March 2021, and remain unchanged. Decree 3-A/2021 also states that companies must provide their workers with the necessary equipment to telework. When this is not possible and if the worker consents, telework can be carried out with the worker's own equipment, with the employer having to programme it to meet the necessities of the job, if necessary. According to Decree 3-A/2021, the use of face masks continues to be mandatory in every situation when the social distancing between workers does not allow it, meaning that, when workers are in separate offices or rooms, face masks are not mandatory. Companies must continue to observe the rules of occupation, permanence, physical distance and making hand sanitiser available in places that are open to the public. Companies must also continue to ensure that people use a face mask or a face shield to access and stay in commercial spaces and establishments and public buildings or buildings of public use.

Additional information Decree 3-A/2021 of 14 January 2021 is integrated into the Portuguese Government's legislative

and regulatory response to fighting COVID-19 and executes the state of emergency declared by the [Decree of the President of the Republic 6-B of 13 January 2021](#), that applies to the whole territory of Portugal. The state of emergency applies from 15 January to 30 January 2021, and it is likely that it will be renewed after 31 January 2021. Examples of the activities that are not compatible with working from home include:

workers who provide in-person services; and
workers for whom it is so determined by the Government.

Failure to comply with the mandatory health and safety rules constitutes a criminal act, punishable by the imposition of fines or even prison, under the relevant Portuguese criminal legislation.

3.2.6 SCOTLAND Companies situated in level 4 areas must implement home working where possible

Abstract: Since 5 January, companies must impose home working where possible. This is in light of the increasing rise of infected COVID-19 individuals and the need hereof, to contain further spreading.

Business Impact: If the company is situated in Level 4 area, it must implement home working where possible.

Analysis: Actionable requirements If the company is situated in Level 4 area, it has implemented home working where possible.

What has changed? The above actionable requirement has been introduced via [The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Amendment \(No. 10\) Regulations 2021](#) (hereafter the 'Regulations'), which amends regulation 3 and 4 of [The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Regulations 2020](#). The Regulations oblige those who are situated in a Level 4 area to not leave their homes. Scotland currently has a 4 Level area system in place, imposing different restrictions on businesses, gatherings, and services depending on the area's rate of coronavirus transmission. Companies situated in a Level 0 area- thus with lowest rates of transmission- are subject to moderate coronavirus measures. Whilst those situated in Level area 4 are obliged to adhere to the strictest coronavirus measures. An individual may leave their place of residence under the following circumstances:

to receive medical assistance;
to go to work, if work commitments can only be carried out at the workplace;
if a person is to receive training or education; and
to exercise, however only if alone.

Additional information In light of the rising COVID-19 cases, the Regulations have been introduced to help mitigate the impact of the rising numbers as well as the new COVID-19 strain. Companies can consult the Scottish Government guidance on [Local Protection Levels](#), to establish which Level of restriction they fall under. Work commitments that are not possible to be performed from one's home includes, for example, those working at a manufacturing site, distribution centre or for the health care service.

3.2.7 SCOTLAND Companies must adhere to COVID-19 local level restrictions which impose opening hours on business and services, and requirements pertaining gatherings.



Abstract: As of 2 November 2020, companies must adhere to local level restrictions, with areas that fall within 'level 0' being subject to the least strict measures whilst those that are located in 'level 4', being subject to the most stringent measures. Workplace canteens and cafes must collect and keep the personal details of those who enter and, depending on where they are located, comply with different opening hour restrictions. Obligations connected to face mask-wearing and the following of government guidance on gatherings, must also be followed. The Regulation shall expire on 31 March 2021.

Business Impact: If the company, has a workplace canteen or café, it must ensure that distancing measures are put in place by admitting people in small groups, ensuring customers remain seated whilst they eat, making sure distance is kept when individual wait in line to enter, that the personal contact details of those who enter are collected and kept, and that the canteen and cafe is shut between the imposed hours. Additional distancing measures should be put in throughout the workplace, by adjusting the layout, installing barriers, and providing adequate information on how to minimize the risk of COVID-19 throughout the workplace. Government guidance on how best to manage workplace and workplace gatherings during COVID-19 must be followed and face-covering must be worn unless distance can be maintained between employer and employee and if work tasks permit otherwise. The company must also assess under which 'local level' they fall under, as this will determine if the workplace canteen is subject to opening hour restrictions or other requirements.

Analysis: Actionable Requirements The company's employees remain seated when they eat or drink in the workplace cafes and canteens.

The company has social distancing measures in place to prevent the spread of COVID-19.

The company has followed government guidance on how best to continue business during COVID-19 and how to adequately organise gatherings.

The company has obtained the personal details of the persons who make use of the workplace cafe and canteen and has retained this information for at least 21 days after their entrance.

The company ensures that every person entering and moving around the workplace wears a face mask.

Every person who enters the workplace canteen wears a face mask until they are seated and proceed with eating and drinking.

What has changed? The above actionable requirements are in line with Scotland's new Local Level restrictions and requirements which have been imposed to contain and circumvent the spread of COVID-19. These level restrictions and requirements shall be laid out below. **Level 0 Restrictions** Companies must ensure that employees who make use of workplace canteens and cafes remain seated, are admitted to the premises in small numbers and that sufficient distance is maintained between customers who are waiting to enter the cafe or canteen. Additional measures must be put in place throughout the workplace to ensure distance is maintained, examples being:

modifying the layout of the workplace;

controlling the use of entrances, passageways, stairs and lifts;

installing screens or barriers; and

provide adequate information on how to minimise the risk of exposure to the coronavirus.

In addition, companies must follow government guidance on how to sufficiently [manage workplaces during COVID-19](#) and incorporate code of practice or any other documents published by the trade association, body representatives, or of an industry or a trade union. Moreover, companies must obtain either electronically or via hand, the personal details of the employees who make use of the workplace canteens of cafes, storing this information for at least 21 days and if requested by the public health officer, provided to them within 24 hours. Furthermore, indoor gatherings must not exceed more than 8 people from 3 different households and must be for the purpose of work, education, or training. For outdoor gatherings, the maximum limit consists of no more than 15 people from no more than 5 households and similarly, is for the purpose of work, education, and training. In both cases, guidance on [organising gatherings during COVID-19](#) must be followed. **Level 1 Restrictions** All of the above requirements are applicable in this level restriction, with the exception of gatherings, which is lowered to 6 persons from 2 households for indoor gatherings and 8 persons from 3 households for outside gatherings. An additional requirement referring to canteen opening hours is incorporated. As such, between the



hours of 21:30 and 06:00, customers must no longer be allowed to enter the workplace canteen or cafe and between the hours of 22:30 and 06:00, they must remain shut. However, if there is no alternative way for employees to obtain food or drink, they may remain open so long as the two metres distance can be maintained between customers. **Level 2**

Restrictions Similarly, all the restrictions and requirements laid out in level 0 apply to this level restriction, with the exception of gatherings, that are limited to 6 people from 2 households for indoor and outdoor gatherings. An additional requirement referring to canteen opening hours is incorporated. As such, between the hours of 19:00 and 06:00, customers must no longer be allowed to enter the *indoor* workplace canteen or cafe and must remain shut between the hours of 20:00 and 06:00. For those canteens and cafes which are located outside, no customers must be admitted between the hours of 21:30 and 06:00, and the premises must remain shut between 22:30 and 06:00. However, if there is no alternative way for employees to obtain food or drink, they may remain open so long as the two metres distance can be maintained between customers. Moreover, alcohol must only be provided to customers if they order it alongside the main meal. **Level 3 restrictions** Similarly, all the restrictions and requirements laid out in level 0 apply to this level restriction, whilst gathering restrictions are the same as those specified in level 2 (6 people from 2 households for indoor and outdoor gatherings). An additional requirement referring to canteen opening hours is incorporated. As follows, between the hours of 17:00 and 06:00, no additional customers must be admitted to the premises, and between 18:00 and 06:00, they must remain shut. However, if there is no alternative way for employees to obtain food or drink, they may remain open so long as the two metres distance can be maintained between customers. Moreover, alcohol is prohibited from being sold and consumed. **Level 4 restrictions** All restrictions laid out in level 0 are applicable in this area, however, additional restrictions and requirements are imposed. Workplace indoor gyms, canteens, cafes, and businesses that offer goods for sale, must remain shut until further notice. Workplace canteens can remain open if there is no alternative way for workers to obtain food or drink. Storage and distribution facilities, such as delivery drop-off or collection points are allowed to remain open. **Face covering requirement** Employers and employees of retail shops, workplaces (including canteens/cafes) are not obliged to wear face masks, so long as the required distance of two metres can be kept. Every other person who enters and remains within these areas, must wear a face covering, except when eating or drinking or, if work tasks permit otherwise.

Additional information If companies have been found to be in contravention with Regulations a first fixed penalty will amount to GBP60, a second fixed penalty is GBP 120, and the third and subsequent is GBP 960. Moreover, if any fixed penalty has been issued under any of the regulations below, this will account for a second fixed penalty and vice versa. Health Protection (Coronavirus) (Restrictions and Requirements)(Scotland) Regulations 2020; Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020; Health Protection (Coronavirus, Restrictions) (Aberdeen City) Regulations 2020; Health Protection (Coronavirus, Restrictions) (Directions by local authorities) (Scotland) Regulations 2020; and Health Protection (Coronavirus) (Restrictions and Requirements)(Additional Temporary Measures) (Scotland) Regulations 2020.

[The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Regulations 2020](#) can be found online.

3.2.8 SWEDEN Companies obliged to contribute to prevent COVID-19 and limit private and public events

Abstract: As of 10 January 2021, companies operating in Sweden are required to take appropriate measures when conducting certain activities (such as organising public events) to prevent the spread of the coronavirus. Companies that within their professional activities use or provide places for private events, must also limit the number of participants to a maximum of 8 persons in such an event. This follows from the new Covid-19 Act (SFS 2021:4) and Restrictions Ordinance (SFS 2021:8) adopted by the Swedish Government on 9 January 2021.



Business Impact: If the company conducts certain activities (such as organising public or private events) in Sweden, it is required to take appropriate measures to prevent the spread of the coronavirus as of 10 January 2021. In addition, it must comply with a new restriction on the number of participants for certain private events. Particularly, if the company within its professional activities uses or provides venues or other places for private events or similar private gatherings, it must limit the number of participants to a maximum of 8 persons in such an event. These new requirements follow from the Covid-19 Act (SFS 2021:4) and Restrictions Ordinance (SFS 2021:8) published on 9 January 2021. The company must also continue to comply with the existing restrictions regarding the organising of public gatherings and public events, as before.

Analysis: Actionable requirements - If the company conducts activities referred to in Sections 7–11 of the Covid-19 Act (such as organising public events, or uses or provides a space for private events) it takes appropriate measures to prevent the spread of the coronavirus and organises these activities in a way that crowds are avoided and that people can keep a safe distance from each other.

What has changed Due to the current coronavirus circumstances, on 9 January 2021, the Swedish Government published a new temporary [Act \(SFS 2021:4\) on Special Restrictions to Prevent the Spread of Covid-19 Disease](#), the so-called "Covid-19 Act" or "Pandemic Act" (*Pandemilagen*) to counteract the spread of COVID-19 more effectively. The Covid-19 Act insists on the general requirement of every individual to contribute to preventing the spread of COVID-19 and requires companies to take appropriate measures when conducting certain activities (referred to in Sections 7-11 of the Covid-19 Act) to prevent the coronavirus. At the same time, it allows for special restrictions to be introduced by separate regulations or decisions with regards to, for example, public gatherings and public events, leisure and market places that are open to the public as well as venues for private gatherings. In the same vein, the Government introduced a new [Ordinance \(SFS 2021:8\) on Special Restrictions to Prevent the Spread of Covid-19 Disease](#), referred to as "the Restrictions Ordinance" (*begränsningsföreläggningen*) which contains new binding restrictions for gyms and sports facilities, pools, shops and shopping malls as well as places for private gatherings. In particular, it establishes a limit of 8 participants for private events. In addition, the Restrictions Ordinance repealed the [Ordinance \(SFS 2020:114\) on Prohibition to Hold Public Meetings and Public Events](#) and incorporated its provisions without changes. Thus, companies must continue to comply with the existing restrictions regarding the organising of public events, as before. Both, the Covid-19 Act and the Restrictions Ordinance entered into force immediately on 10 January 2021. They are set to expire at the end of September 2021.

Brief analysis The Covid-19 Act is intended to enable the government to decide on more effective measures to control the spread of the coronavirus but not to unnecessarily prevent activities that could be carried out in a safe manner. According to the Covid-19 Act, special restrictions can be imposed on the following activities and locations: - public gatherings and public events; - places for leisure (such as gyms, sports venues, pools) or cultural activities that are open to the public; - trading venues that are open to the public (such as shops and malls); - public transport and domestic air transport; and - venues for private gatherings. The Covid-19 Act also imposes a requirement on companies conducting any of the above-mentioned activities, such as public events, **to take appropriate measures to prevent the spread of the coronavirus**. The activity must, as far as possible, be conducted in a safe manner so that crowds are avoided and that people can keep a safe distance from each other from an infection control point of view. In this regard, companies can also be required to provide the County Administrative Board (*Länsstyrelsen*) with the necessary information and documents for the purposes of supervision. The County Administrative Board has also the right to access premises, areas, and spaces where the activity takes place. The Restrictions Ordinance introduces new requirements for gym and sports facilities, pools, shops and shopping malls as well as for places for private gatherings regarding, for example, the number of participants and customers allowed. Companies should note that the provisions regarding gym and sports facilities and pools only apply to such facilities that are open to the public. For example, **gyms at workplaces that are not accessible to outsiders are not intended to be covered** by the present restrictions. The Restrictions Ordinance establishes **a new limit of 8 participants for certain private events**. With a view to the continued increase in the spread of the coronavirus in large parts of



Sweden, the Government has decided to restrict also private social occasions, such as festive events and other private gatherings, where there is a higher risk of the disease to spread. According to the Restrictions Ordinance, using or providing a place in a professional context for a private event or another similar private gathering may only take place if the number of participants in the event is at most 8. This could affect companies that have, for example, a conference room or a party location that they use or lease for private events. The term "in a professional context" can be understood comprehensively as it could even refer to places that are leased only a couple of times a year. Moreover, the Swedish Government has previously decided to temporarily **ban public gatherings and public events with more than 8 participants**, with some exceptions. This means that at present companies are not allowed to hold large public events. The prohibition does not apply, however, to such events with a maximum of 300 participants, where each participant is assigned a seat with at least a one-meter distance to other participants and social distancing can be respected.

3.3 Latin America

3.3.1 BRAZIL – FEDERAL Flexible inspection rules and procedures from INMETRO applicable to facilities holding a valid conformity certificate to remain in force for the duration of the state of emergency of public health due to the COVID-19 pandemic

Abstract: From 11 December 2020, companies manufacturing products subject to certification and which hold a valid conformity certificate (*Certificado de Conformidade*), such as insulating liquid distribution transformers, must be aware of the flexible inspection rules and procedures from the National Institute for Meteorology, Quality Control and Technology (*Instituto Nacional de Meteorologia, Qualidade e Tecnologia – INMETRO*), in particular, concerning the extension of the deadline for completion of the power tests. Furthermore, the validity of the flexible inspection rules will remain in force for the duration of the state of emergency of public health due to the COVID-19 pandemic.

Analysis: Actionable requirements [INMETRO Ordinance 377 of 10 December 2020](#) does not establish direct requirements for companies.

What has changed? [INMETRO Ordinance 377 of 10 December 2020](#) amends [INMETRO Ordinance 111 of 27 March 2020](#), which establishes extraordinary conditions for Product Certification Bodies (*Organismos de Certificação de Produtos - OCP*) to carry out conformity assessments in manufacturing plants located in countries affected by the new coronavirus (COVID-19) epidemic, including Brazil. As before, companies manufacturing products subject to certification and which hold a valid conformity certificate (*Certificado de Conformidade*), such as distribution transformers in an insulating liquid can be exceptionally subject to more flexible inspection rules and procedures from the National Institute for Meteorology, Quality Control and Technology (*Instituto Nacional de Meteorologia, Qualidade e Tecnologia – INMETRO*). INMETRO Ordinance 377/2020 provides that the flexible rules and procedures will remain in force for the duration of the state of emergency of public health due to the COVID-19 pandemic (instead of 31 December 2020, as initially established).

Brief analysis [INMETRO Ordinance 377 of 10 December 2020](#) amends [INMETRO Ordinance 111 of 27 March 2020](#). It came into force on 11 December 2020. INMETRO Ordinance 111/2020 establishes extraordinary conditions for Product Certification Bodies (*Organismos de Certificação de Produtos - OCP*) to carry out conformity assessments in manufacturing plants located in countries affected by the new coronavirus (COVID-19) epidemic, including Brazil. OCPs are bodies responsible for performing assessment activities of conformity in manufacturing plants, whose products are regulated by the INMETRO. INMETRO Ordinance 377/2020 establishes that the deadline for manufacturers of insulating liquid distribution transformers (which are covered by [INMETRO Ordinance 378 of 28 September 2010](#)) to complete the tests in

at least 80% of the power thresholds listed in the Energy Efficiency Table (*Tabela de Eficiência Energética*) will be postponed by 6 months, so until 30 June 2021.

3.3.2 BRAZIL - RIO DE JANEIRO Packaging manufacturers and importers to support waste collectors in measures against the spread of COVID-19 under State contingency plan

Abstract: As of 1 December 2020, companies manufacturing, importing, or placing packaging or packaged products subject to reverse logistic programs must comply with specific measures to ensure the continuation of the take-back measures during the COVID-19 pandemic. This follows from the State contingency plan against COVID-19 for the management of urban cleaning services and the management of solid waste to be elaborated and activated in the State of Rio de Janeiro.

Business Impact: If the company manufactures or places on the market for sale packaging or packaged products subject to the State system of reverse logistics in the State of Rio de Janeiro, during the activation of the State contingency plan against the COVID-19 for the management of urban cleaning services and management of urban solid waste, it must take a series of measures to ensure the protection of waste collectors during the COVID-19 pandemic, including, for example, providing technical and financial support to associations or cooperatives of collectors of reusable or recyclable materials operating in the reverse logistics system.

Analysis: Actionable requirements (new) If the facility manufactures, imports, or places on the market packaging and or packaged products in the State of Rio de Janeiro, it promotes information and communication campaigns on waste sorting, storage, and sanitizing of packaging or packaged products during the period preceding the elaboration of the State contingency plan against the COVID-19 for the management of urban cleaning services and management of urban solid waste. (new) If the facility manufactures, imports, or places on the market packaging and packaged products in the State of Rio de Janeiro, it provides technical and financial support to associations or cooperatives of collectors of reusable or recyclable materials operating in the reverse logistics system, during the period preceding the elaboration of the State contingency plan against the COVID-19 for the management of urban cleaning services and management of urban solid waste. (new) If the facility manufactures, imports, or places on the market packaging and packaged products in the State of Rio de Janeiro, it ensures the return of recyclable materials, in case of a suspension of reverse logistics activities, during the period preceding the elaboration of the State contingency plan against the COVID-19 for the management of urban cleaning services and management of urban solid waste.

What has changed? [Law 9.115 of 30 November 2020](#) provides for new requirements concerning packaging and packaged products in the context of the elaboration of the State contingency plan against the COVID-19 for the management of urban cleaning services and management of urban solid waste. Such requirements apply to companies manufacturing, importing, or placing on the market packaging and packaged products in the State of Rio de Janeiro subject to the State system of reverse logistics.

Brief analysis [Law 9.115 of 30 November 2020](#) authorizes the State of Rio de Janeiro, in cooperation with local governments, to create a State contingency plan against the COVID-19 for the management of urban cleaning services and management of urban solid waste, whose main objectives are allowing communication campaigns to prevent the proliferation of the coronavirus in household waste management and ensure the continuous operation of the reverse logistics system for packaging and packaged products during the pandemic, among others. It came into force on 1 December 2020. Law 9.115/2020 and the State contingency plan against the COVID-19 in the management of urban cleaning services and management of urban solid waste is mostly directed to: individuals and companies, public or private, directly responsible for the management of urban cleaning and urban solid waste management services in the State of Rio de Janeiro; and

users of urban cleaning and urban solid waste management services in the State of Rio de Janeiro.

It also sets specific obligations towards manufacturers, importers, distributors, and retailers of packaging and packaged products in the State of Rio de Janeiro subject to the State system of reverse logistics, as per [article 33, paragraph 1 of Federal Law 12.305 of 2 August 2010](#) (regarding the National Policy on Solid Waste) and [article 3 of State Law 8.151 of 1 November 2018](#) (which establishes the system of reverse logistics of packaging and packaging residues in the State of Rio de Janeiro).

Responsibilities of companies According to [Law 9.115 of 30 November 2020](#), in the course of the activation of the State of Rio de Janeiro State contingency plan against the COVID-19 for the management of urban cleaning services and management of urban solid waste, manufacturers, importers, distributors, and retailers of packaging and packaged products must:

promote information and communication campaigns to the population of Rio de Janeiro to guide the segregation at the origin of packaging or packaged products, their packaging, and hygiene;

provide technical and financial support to associations or cooperatives of collectors of reusable or recyclable materials operating in the reverse logistics system regarding compliance with the actions and protocols to be established by the state contingency plan and the reorganization of production and their work practices in the context of the COVID-19 pandemic, including the decontamination of the collectors, quarantine of recyclable solid waste, sanitization of recyclable solid waste; and

ensure the return of recyclable materials, even when there is a suspension of reverse logistics activities.

Law 9.115/2020 does not provide further information on the technical support to be rendered to associations and cooperatives. In the case of the suspension of the reverse logistics activities is authorized, companies must suspend service contracts with associations and cooperatives of collectors of reusable or recyclable materials operating in the reverse logistics system. In these circumstances, the companies subject to reverse logistics system will be responsible, during the period that the contracts are suspended, for the payment of emergency aid for collectors of reusable or recyclable materials.

Additional information - Non-compliance The non-compliance with Law 9.115/2020 can be considered an environmental administrative offense as described by [State Law 3.467 of 14 September 2000](#), subject to the penalties set therein, as well as to potential criminal and civil prosecution. Law 9.115/2020 does not provide for the specific penalties that can apply in case of non-compliance to the obligations it imposes on operators. Law 9.115/2020 would also apply in case of eventual and future pandemics or health emergency events declared by the State of Rio de Janeiro's governmental authorities.

Additional information - The State contingency plan The State contingency plan against the COVID-19 for the management of urban cleaning services and management of urban solid waste must be aligned with the guidelines and strategies established in the coronavirus emergency response plan (*Plano de Resposta de Emergência ao Coronavírus*), issued by the State of Rio de Janeiro focusing on the prevention and protection of the population vulnerable to threats. At a minimum, its content must include, among others:

the hypothesis of exceptional suspension of selective waste collection services and reverse logistics activities of packaging or packaged products in the State of Rio de Janeiro taking into account the level of contamination of COVID-19 and the evolution of the epidemiological picture;

mechanisms of control and responsibilities applicable to companies and individuals to whom Law 9.115/2020 and the plan is applicable; and

actions and response protocols for coping with COVID-19 when executing urban cleaning and urban solid waste management services, especially selective waste collection.

3.3.3 BRAZIL - SÃO PAULO Companies to continue to comply to restrictions to some non-essential activities until 7 February 2021

Abstract: Until 7 February 2021, companies operating in the state of São Paulo must continue to comply with quarantine measures, such as restrictions on some business activities (for example bars, restaurants, and gyms) and recommended limits to the movement of people.

Business Impact: If the company operates facilities in the state of São Paulo, it must be aware that the quarantine is extended until 14 July 2020. Still, it does not apply to some activities, such as the industrial sector. During the quarantine, the company must comply with measures to prevent the spread of the COVID-19, such as ensuring the use of face masks continuously on its premises.

Analysis: Actionable requirements (*existing*) If the facility provides essential services, such as in the healthcare and food sectors, or if it open to the general public during the quarantine, it ensures that employees, suppliers, customers, and collaborators wear face masks continuously on its premises.

What has changed? [Decree 65.437 of 30 December 2020](#) extends the quarantine established by [Decree 64.881 of 22 March 2020](#), without imposing new requirements on companies. As a consequence, the operation of non-essential activities remains suspended.

Brief analysis [Decree 65.437 of 30 December 2020](#) extends the quarantine established by [Decree 64.881 of 22 March 2020](#) until 7 February 2021. As a result, the full operation of non-essential activities, listed below, remains suspended. Decree 65.437/2020 came into force on 31 December 2020.

The quarantine in the State of São Paulo Decree 64.881/2020 established the quarantine in the State of São Paulo, determining the continued suspension of the following non-essential activities: commercial establishments and service providers, especially nightclubs, shopping centers, galleries and similar establishments, gyms, and fitness centers, except for internal activities; and local consumption in bars, restaurants, bakeries, and supermarkets, without prejudice to delivery and drive-thru services. As before, this suspension does not apply, however, to the following services: health: hospitals, clinics, pharmacies, laundries and cleaning services, and hotels; food: supermarkets and similar, as well as delivery and drive-thru services of bars, restaurants, and bakeries; supply: carriers, gas stations and similar, warehouses, mechanical workshops, and newsstands; security: private security services; social communication: media, including electronic media, carried out by journalistic and radio sound and image companies; and other activities related to the [Federal Decree 10.282 of 20 March 2020](#), such as industrial activities and data centers that support other essential activities.

Decree 64.881/2020 also recommended limiting the movement of people within the state to the immediate needs of obtaining food, health care, or carrying out essential activities. Whereas essential activities remain allowed to operate during the quarantine, companies carrying out essential activities and allowed to operate must continue to respect the measures against the spread of the COVID-19.

3.3.4 BRAZIL - SÃO PAULO Non-essential services and facilities to continue to comply with stricter restrictions under the São Paulo Plan



Abstract: Since 12 December 2020, operators of non-essential services and facilities located in the State of São Paulo open to the public, such as retail shops and service providers, can be required to comply with stricter conditions to continue their operations during the COVID-19 pandemic. These can include reduced operating hours or compliance with health and security protocols, as established by the competent municipal authorities.

Business Impact: If the company has non-essential facilities open to the public in the State of São Paulo, such as service facilities, it can be required by the competent municipal authorities to comply with stricter requirements to be allowed to remain in operation. Among other conditions, the company can be required to adopt general and sector-specific safety protocols even under Phase 4 of the São Paulo Plan.

Analysis: Actionable requirements There are no new actionable requirements for companies.

What has changed? [Decree 65.319 of 30 November 2020](#) provides for updated technical criteria to be observed by the state authorities in defining the prevailing phase of the São Paulo Plan. [Decree 65.357 of 11 December 2020](#) updates the maximum capacity and operating conditions of non-essential activities (such as shopping malls, retail shops, and other service facilities) in the State of São Paulo, during the COVID-19 pandemic, according to the epidemiological classification of the area where they are located.

Brief analysis Respectively, [Decree 65.319 of 30 November 2020](#) and [Decree 65.357 of 11 December 2020](#) amend [Decree 64.994 of 28 May 2020](#) by updating its Annexes II and III. Annex II refers to the technical criteria to be observed by the state authorities in defining the prevailing phase of the São Paulo Plan (*Plano São Paulo*), whereas Annex III sets up the maximum capacity and operating conditions of non-essential activities (such as shopping malls, retail shops, and other service facilities) in the State of São Paulo according to the prevailing epidemiological and structural conditions observed by the public authorities in the course of the COVID-19 pandemic. The updated criteria under Decree 65.319/2020 came into force on 1 December 2020. As per Decree 65.357/2020, for example, even during Phase 4 (or green) under the São Paulo Plan, which is the lightest in terms of restrictions, the service facilities are subject to the adoption of general and sector-specific safety protocols to be established by municipal authorities since 12 December 2020.

The São Paulo Plan Decree 64.990/2020 established the São Paulo Plan to implement and assess measures to deal with the COVID-19 pandemic since 1 June 2020. Under São Paulo Plan, each State Regional Health Departments classify their respective coverage areas into red, orange, yellow, or green zones, according to the structural and epidemiological conditions in the State of São Paulo, as per the methodology detailed in its Annex II. This classification is relevant to authorize the re-opening of non-essential services and activities, and the conditions they must comply with, such as the maximum number of persons on-site. The competent municipal authorities use the criteria established in Decree 64.994/2020 to establish the conditions to be complied with by non-essential services and facilities within their territory.

3.3.5 COLOMBIA Companies in compliance with the sanitary protocols for preventing COVID-19 spread can request a Biosafety Certificate

Abstract: As of 14 December 2020, companies complying with the sanitary protocols for preventing COVID-19 contagion at workplaces (such as social distancing, use of facemasks and sector specific protocols) can request the Biosafe Company Certificate Colombia (*Certificado Empresa Biosegura Colombia*). It is not mandatory for companies to hold the certificate, but it serves as a proof of compliance and of their commitment to prevent COVID-19 and protect their workers.



Business Impact: If the company has correctly implemented the requirements set out by the General Protocol for preventing COVID-19 contagion at workplaces and the applicable sector-specific sanitary protocol, it can now request the Company Biosafe Certificate Colombia to any authorized certifier institution. The request of the biosafe certificate is not mandatory, but would serve to the company for demonstrating commitment and compliance with COVID-19 preventive measures and protection of their workers' health and safety.

Analysis: Actionable requirements Resolution 1288 of 2020 does not impose or modify any actionable requirement. **What has changed?** Although the Resolution does not impose mandatory requirements on companies, if the company has correctly implemented the protocols for preventing COVID-19 contagion at the workplace, it can now request the Company Biosafe Certificate Colombia. [Resolution 1288 of 2020](#) has created the Company Biosafe Certificate Colombia (*Certificado Empresa Biosegura Colombia*) for recognizing companies that have adequately implemented the protocols and companies can profit from obtaining such certification. By obtaining the certificate, companies are entitled to use it as a marketing seal to demonstrate commitment to COVID-19 preventive measures and workers' protection. The Ministry of Commerce, Industry and Tourism (*Ministerio de Comercio, Industria y Turismo*) will promote the seal for raising awareness with consumers, companies, providers and society in general. Therefore, the certificate would cause a positive impact on companies obtaining it. For obtaining the certificate, companies will have to prove compliance with the requirements set out in [Resolution 666 of 2020, approving the General Protocol for preventing COVID-19 contagion at workplaces](#), among others:

- social distancing (at least 2 meters between workers);
- use of facemasks;
- provision of disinfection kits and provision of elements for properly washing hands; and
- promotion of teleworking.

In addition, depending on their sector, companies will also have to prove compliance with the sector specific protocols, such as:

- [pharmaceutical and food industries](#);
- [construction sector](#);
- [energy sector](#); and
- [manufacture industries](#).

Additional information The Biosafe Certificate is administrated by the Ministry of Commerce, Industry and Tourism. Companies can request their certification from any [certifier institution authorized by the Colombian National Certification Body \(Organismo Nacional de Acreditación de Colombia -ONAC\)](#) by submitting, among other documents:

- company's name, address and tax identification number;
- a document stating the sector in which the company operates; and
- documents proving that the company has successfully implemented the protocols.

Within 45 days after having requested the certificate, the authority will decide whether to issue the Biosafe Certificate or not. Companies will be subject to an annual audit for the renewal of the certificate. The certificate can be removed if any infringement to the protocols is detected.

3.3.6 ECUADOR Companies manufacturing, packaging, storing, importing, exporting, distributing and transporting products for human use must obtain additional certifications during the COVID-19 outbreak

Abstract: As of 21 December 2020, companies preparing, manufacturing, conditioning, storing, importing, exporting, distributing and transporting specific products for human use and consumption (such as medicines, hygienic products, cosmetics and pesticides) must obtain a sanitary certificate (*Certificado Sanitario/Registro Sanitario/ Certificado en Buenas*



Prácticas) from the National Agency for sanitary regulation, control and surveillance (ARCSA) to perform their activities and for their products due to the COVID-19 outbreak. This follows from Resolution ARCSA-DE-032-2020-MAFIG. An official version of the Resolution is not yet publicly available.

Business Impact: If the company prepares, manufactures, conditions, and transports products for human use and consumption (such as medicines, hygienic products, cosmetics and pesticides), it must obtain the respective permits and certifications from the National Agency for sanitary regulation, control and surveillance (ARCSA) to perform these activities (such as a Certificate on Good Practices - *Certificado en Buenas Prácticas*), during the health emergency caused by the COVID-19.

Analysis: Actionable requirements (New) Companies preparing, manufacturing, conditioning, storing, importing, exporting, distributing and transporting specific products for human use and consumption (such as medicines, hygienic products, cosmetics and pesticides) must obtain the respective sanitary certificate from the National Agency for sanitary regulation, control and surveillance (ARCSA) for said products (*Sanitary Certificate/Registry - Certificado Sanitario/Registro Sanitario*), during the health emergency caused by the COVID-19; and (New) Companies preparing, manufacturing, conditioning, storing, importing, exporting, distributing and transporting specific products for human use and consumption (such as medicines, hygienic products, cosmetics and pesticides) must obtain the respective permits and certifications from the National Agency for sanitary regulation, control and surveillance (ARCSA) to perform these activities (*Certificate on Good Practices - Certificado en Buenas Prácticas*), during the health emergency caused by the COVID-19.

What has changed For the first time, during the health emergency caused by the COVID-19, certain products for human use and consumption (such as medicines, hygienic products, cosmetics and pesticides), must have the sanitary certificate (*Certificado Sanitario/Registro Sanitario*) issued by the ARCSA, to be imported, marketed, dispensed and sold in Ecuadorian territory. In addition, companies that prepare, manufacture, condition, store, import, export, distribute and transport products for human use and consumption (for instance, medicines, hygienic products, cosmetics and pesticides), must obtain the permits and certifications (*Certificado en Buenas Prácticas*) that the ARCSA grants, to exercise their activities during the health emergency caused by the COVID-19.

Additional information The ARCSA will keep updated on its [website](#) the list of products for human use and consumption authorized during the health emergency. Holders of the sanitary certificate and the certificate on good practices must at all times keep the information and requirements declared in the processes of registration, re-registration, modification of the sanitary certificate and in the processes in the field of certification in good practices updated. [Resolution ARCSA-DE-032-2020-MAFIG](#) repeals and replaces Resolution ARCSA-DE-009-2020-LDCL and Resolution ARCSA-DE-012-2020-LDCL. An official version of the Resolution ARCSA-DE-032-2020-MAFIG is not yet publicly available. An unofficial version is available online in Spanish at the following link: <https://www.derechoecuador.com/registro-oficial/2020/12/registro-oficial-no354-lunes-21-de-diciembre-de-2020-segundo-suplemento>

3.3.7 PARAGUAY Companies must ensure the use of masks in spaces accessible to the public or for collective use within their premises during the COVID-19 outbreak

Abstract: Since 22 December 2020, companies operating in Paraguay must ensure that workers and visitors wear a mask in spaces accessible to the public or for collective use within their facilities as a protective measure against the COVID-19. This requirement is not compulsory for people who have a duly justified contraindication for health reasons. This follows from Law No. 655 and its requirements are valid while the emergency for the COVID-19 pandemic persists.



Business Impact: The company must continue to ensure the use of masks in spaces accessible to the public or for collective use with its premises while the emergency for the COVID-19 pandemic persists.

Analysis: Actionable requirements (Existing) The company ensures that everyone uses masks in spaces accessible to the public or for collective use within its premises during the COVID-19 health emergency.

What has changed [Law No. 6699 of 2020](#), repeals and replaces [Law No. 6655 of 2020](#). Law No. 6655, established for the first time the direct and general obligation for all companies operating in Paraguay, to ensure the use of masks within their premises (by both workers and visitors) due to the COVID-19 Pandemic. Law No. 6699 of 2020, further specifies this requirement to apply only in spaces accessible to the public or for collective use within the company premises. This requirement is applicable for the duration of the declaration of a health emergency decreed by the Executive Power due to the COVID-19.

Additional Information According to Law No. 6699 of 2020, the requirement to use mask applies to the following spaces within the companies' premises:

enclosed spaces accessible to the public or for collective use; and
open spaces accessible to the public or for collective use when a minimum safety distance of 2 meters (m) cannot be ensured.

Law No. 6655 of 2020, states that the use of masks is not required:
for people who have it contraindicated for duly justified health reasons;
for people with a disability that makes its use unfeasible; and
in activities that by their very nature are incompatible with the use of masks.

Non-compliance with the requirements contained in this Law is subject to a sanctioning regime that could lead to monetary fines and to the closure of the site. [Law No. 6699 of 2020, that provides for the mandatory use of hygienic masks in the framework of the emergency due to the COVID-19 pandemic or Coronavirus](#), is available online in Spanish.

3.4 Asia & Oceania

3.4.1 JAPAN NATIONAL Periods for fire prevention related inspections and deadlines for reporting the inspection results can be extended

Abstract: As of 25 December 2020, Management Entitled Parties (管理権原者) of Specified Fire Prevention Properties (特定防火対象物) or Disaster Management Properties (防災管理対象物), and concerned parties (関係者) of Fire Prevention Properties (防火対象物) may be provided with extended periods for the periodic inspections and extended deadlines for submitting the inspection result reports, when they face difficulty in complying with the inspection and reporting requirements within the prescribed period. The exact extended periods and deadlines are not specified. They will be determined by the Commissioner of the Fire and Disaster Management Agency case by case.

Business Impact: If the company is subject to the requirements of Fire Prevention Property Periodic Inspection (防火対象物定期点検) or the Disaster Management Periodic Inspection (防災管理定期点検), periodic inspections for the Firefighting Equipment and others (消防用設備等) or Special Firefighting Equipment and others (特殊消防用設備等), or

inspection result reporting requirement for the Firefighting Equipment and others or Special Firefighting Equipment and others, it can consult the Fire and Disaster Management Agency regarding the extension for the inspection periods and the reporting deadline. The Commissioner of the Fire and Disaster Management Agency will decide case by case if such extension should be granted and for how long it should be granted.

Analysis: Actionable Requirement If the facility is a Management Entitled Party (管理権原者) of Specified Fire Prevention Properties (特定防火対象物) or Disaster Management Properties (防災管理対象物), it conducts an annual Fire Prevention Property Periodic Inspection (防火対象物定期点検) or a Disaster Management Periodic Inspection (防災管理定期点検), respectively, by qualified inspectors, complies with the inspection standards (点検基準), and displays an inspection certificate onsite. (modified)

If the facility is a concerned party (関係者) of Fire Prevention Properties (防火対象物) that is required to install Firefighting Equipment and others (消防用設備等) or Special Firefighting Equipment and others (特殊消防用設備等), it undergoes periodic inspections by a Firefighting Equipment Qualified Inspector (消防設備点検資格者) or by itself, and reports to the head of jurisdictional fire department(消防長又は消防署長) of the inspection results at various frequencies. (modified)

What has changed The [Amendment to the Enforcement Ordinance of Fire Services Law](#) (hereafter the "Amendment": 消防法施行規則の一部を改正する省令) does not introduce new requirements on companies. However, it provides the possibility to extend:

the periods for the Fire Prevention Property Periodic Inspection (防火対象物定期点検) or the Disaster Management Periodic Inspection (防災管理定期点検);

the periods for the periodic inspections for the Firefighting Equipment and others (消防用設備等) or Special Firefighting Equipment and others (特殊消防用設備等); and

the deadline for submitting the inspection result reports of the Firefighting Equipment and others or Special Firefighting Equipment and others.

The extension for the inspection periods and reporting deadline is to accommodate the COVID-19 pandemic and other reasons (not specified) determined by the Commissioner of the Fire and Disaster Management Agency (消防庁長官). The Amendment does not specify until when the inspection periods and reporting deadline will be extended. It will be decided by the Commissioner of the Fire and Disaster Management Agency case by case depending on the reason. Therefore, facilities subject to the abovementioned inspection and reporting requirements are recommended to consult the Fire and Disaster Management Agency regarding the extension for the inspection periods and reporting deadline.

Additional Information *Fire Prevention Property Periodic Inspection/Disaster Management Periodic Inspection Specified Fire Prevention Properties (特定防火対象物)* are listed in Para.1 to 4, Para.5 Item1, Para.6, Para.9 Item1, Para.16 Item 1 and Para.16-2 of Anx.1 of the [Enforcement Order of Fire Service Law](#). Specified Fire Prevention Properties that meet any of the following conditions are subject to the requirement of Fire Prevention Property Periodic Inspection (防火対象物定期点検) or a Disaster Management Periodic Inspection (防災管理定期点検):

Specified Fire Prevention Properties (e.g. retail industry facilities, multi-purpose facilities) with an occupancy of at least 300 people; or

Specified Single-Floor Fire Prevention Properties (特定一階段等防火対象物): Specified Fire Prevention Properties that occupies a single floor that is not the evacuation floor (i.e. first or second floor) and has only one evacuation stairway, including those with at least 2 evacuation stairways but only one can be used, but excluding those with an outdoor evacuation stairway) with an occupancy of at least 30 people.

A Disaster Management Property (防災管理対象物) is determined as the following properties meeting various conditions: Condition 1: Excluding the ground floor, has at least 11 floors with a gross floor area of at least 10,000 m²; has between 5 to 10 floors with a gross floor area of at least 20,000 m²; or has 4 floors or less with a gross floor area of 50,000 m², for the following example of properties: - Department stores, markets and other retail industry facilities; - Hotels, bed and



breakfasts, and other hospitality industry facilities; - Hospitals, clinics, maternity homes, infant homes, other health or medically related facilities; - Factories and workstations; and - Other facilities not mentioned (for example, warehouses, offices, laboratories). Condition 2: Has at least 11 floors high with a gross floor area of at least 10,000 m², has between 5 and 10 floors with a gross floor area of at least 20,000 m²; or has at or less than 4 floors with a gross floor area of at least 50,000 m², for the following properties: - Multi-purpose facilities with any of the properties combined; and - Other multi-purpose facilities; Condition 3: Underground cities (地下街) with a gross floor area of at least 1,000 m². Facilities holding a Fire Prevention/Disaster Prevention Superior Certification (防火・防災優良認定証) are exempt from this inspection. Periodic inspections for the Firefighting Equipment and others/Special Firefighting Equipment and others A concerned party means the owner, manager or occupant of the Fire Prevention Properties (防火対象物). List of *Fire Prevention Properties* is provided in Anx. 1 of the Enforcement Order of Fire Services Law (except for Para. 20) and includes, for example, factories and workplaces. Properties provided in Art. 36 Para. 2 of the Enforcement Order of Fire Services Law (such as factories with a gross floor of at least 1,000 m² and designated by the head of the fire department) are required to undergo periodic inspections by a qualified Fire Prevention Installation Qualified Inspector. Other properties can undergo such inspections by themselves. In principle, Fire Prevention Installation must be inspected at least every 6 months or 1 year as outlined under the [Public Notice on Determining the Inspection Period, Inspection Methods and Inspection Result Reporting Formats in accordance with the Types and Inspection Content of Firefighting Equipment or Special Firefighting Equipment](#) (消防用設備等又は特殊消防用設備等の種類及び点検内容に応じて行う点検の期間、点検の方法並びに点検の結果についての報告書の様式を定める件).

3.4.2 JAPAN NATIONAL Japan extended the state of emergency to more Prefectures in response to the COVID-19 pandemic

Abstract: As of 14 January 2021, companies must be aware that the state of emergency has been expanded to more prefectures of Japan, including Tochigi, Gifu, Aichi, Kyoto, Osaka, Hyogo and Fukuoka. The state of emergency is effective until 7 February 2021, as previously. Moreover, employers continue being requested to take measures to protect the health of their pregnant workers till 31 January 2022.

Business Impact: If the company is located in Tochigi, Gifu, Aichi, Kyoto, Osaka, Hyogo and Fukuoka, it should be aware that the state of emergency has been declared in these Prefectures from 14 January to 7 February 2021. As a result, the company is requested to comply with more stringent restrictions against the spread of COVID-19. Moreover, if the company has pregnant employees, it continues to be requested to take measures to protect the health of the pregnant employees till 31 January 2022.

Analysis: On 13 January 2021, the Japanese government has announced to [expand the state of emergency](#) to additional 7 Prefectures, namely, Tochigi, Gifu, Aichi, Kyoto, Osaka, Hyogo and Fukuoka. Previously, a state of emergency was declared only in 4 Prefectures (Saitama, Chiba, Tokyo Metropolitan area and Kanagawa). The state of emergency will last until 7 February 2021, as previously announced. As a result, the requests applicable to individuals and companies in the Prefectures, where the state of emergency has been declared, become also applicable to the abovementioned 7 Prefectures. These requests are provided in [Basic Policy on Countermeasures Against Novel Coronavirus Infection](#) (hereafter the "Basic Policy": 新型コロナウイルス感染症対策の基本的対処方針) and include, for example: implement basic countermeasures (such as social distancing, wearing masks and washing hands); avoid the places where are enclosed, crowded, and with close scenes of conversations (三つの密); self-restrain from going out at night or for unnecessary purposes after 8 pm; promote teleworking and staggered working, aiming at reducing 70% attendance of employees in the workplace (for workplaces requiring attendance, promote rotation work); for essential businesses (the list of which is provided in the annex of the Basic Policy), avoid the places where are



enclosed, crowded, and with close scenes of conversations while operating.

follow the [new lifestyle](#) which includes example measures that individuals and employers can take in daily life and in the workplace;

avoid the [5 scenarios where the risk of infection will increase](#) (感染リスクが高まる「5つの場面」), which include, for example, social gatherings with drinking, conversation without masks, and switching locations; and

follow the latest [guidelines of COVID-19 spread prevention for each industry](#), such as the manufacturing industry, office work, and logistics industry;

install and use the COVID-19 Contact-Confirming Application (COCOA); and

hold events in accordance with the latest restrictions provided in the [document regarding restrictions on holding events, restrictions on the use of facilities associated with the state of emergency](#) (緊急事態宣言に伴う催物の開催制限、施設の使用制限等に係る留意事項等について).

Companies should be aware that in the prefectures other than the Prefectures where the state of emergency has been declared, the Prefectural governors have the competence to implement more stringent restrictions when deemed necessary. Companies can also refer to the latest measures on all travelers leaving and entering Japan ([Measures 1](#) and [Measures 2](#)) during the period of state of emergency.

In addition, according to the [Amendment to the Guidance on Measures that Employers Should Take to Enable Pregnant and Post-natal Female Workers to Comply With the Health Instructions or Instructions based on Health Checkups](#) (妊娠中及び出産後の女性労働者が保健指導又は健康診査に基づく指導事項を守ることができるようにするために事業主が講ずべき措置に関する指針の一部を改正する件), employers are requested, until 31 January 2022, to take measures to protect their pregnant employees, when they receive instruction from doctors or physicians that the mental stress of contracting COVID-19 during work will impact the health of the mother and the fetus. Such measures include, for example, restriction of work and restriction of being present in the workplace, and teleworking. Previously, these measures were only requested until 31 January 2021.



4. January 31, 2021

4.1 The US & Canada

4.1.1 US - VIRGINIA DOLI adopted a permanent COVID-19 safety standard for workplaces and sent the standard to the Governor for review

Abstract: Companies must comply with permanent workplace safety requirements related to COVID-19. Once the final standard is approved by the Governor, the effective date will be set. The permanent standard amends and adds definitions, clarifies when enforcement action would not be brought against a facility for failure to provide personal protective equipment (PPE), and amends several mandatory requirements that are applicable to all employers.

Business Impact: The company must comply with a permanent standard that imposes new and amended requirements to prevent the spread of COVID-19 in the workplace. For example, when the nature of an employee's work or the work area does not allow for physical distancing between employees or other persons, and until adequate supplies of respiratory protection and/or personal protective equipment (PPE) become readily available, the company must provide and employees must wear face coverings. Companies with very high, high, or medium risk hazards or job tasks that are required to develop and implement an infectious disease preparedness and response plan must consider situations where employees work during higher-risk activities involving potentially large numbers of people or enclosed work areas when determining the disease risk associated with the various hazards and job tasks. In addition to the amendments and new requirements, requirements that were in force under the temporary emergency standard (and therefore only during the public health emergency) are now permanent requirements imposed on the company.

Analysis: Actionable Requirements Amended Requirements The facility develops and implements policies and procedures for employees known or suspected to be infected with the SARS-CoV-2 virus, including asymptomatic employees, to return to work.

The facility discusses with subcontractors and companies that provide contract or temporary employees the importance and requirement to exclude from work employees or other persons who are known or suspected to be infected with the SARS-CoV-2 virus.

The facility establishes a system to receive reports of positive SARS-CoV-2 tests from employees, subcontractors, contract employees, and temporary employees present at the place of employment within 2 days prior to symptom onset (or positive test if the employee is asymptomatic) until 10 days after onset (or positive test).

If the facility is notified of a positive SARS-CoV-2 test of employees, subcontractors, contract employees, or temporary employees that were present at the place of employment within the previous 14 days from the date of a positive test, it notifies (as appropriate) its employees, other employer's employees, the building or facility owner, the Virginia Department of Health, and the Virginia Department of Labor and Industry (DOLI) within the appropriate time frame.

If the facility has multiple employees occupying a vehicle for work purposes, it uses the hierarchy of hazard controls to mitigate the hazards associated with SARS-CoV-2 and COVID19 to prevent employee exposures.

The facility complies with all applicable COVID-19 sanitation and disinfecting requirements.

If employees perform hazards or job tasks that are classified as very-high or high exposure risk, the facility uses appropriate engineering controls and administrative and work practice controls.

If employees perform hazards or job tasks that are classified as medium exposure risk, the facility uses appropriate engineering controls and administrative and work practice controls.

If employees perform hazards or job tasks that are classified as very-high or high exposure risk, the facility develops and



implements a written Infectious Disease Preparedness and Response Plan.

If employees perform hazards or job tasks that are classified as medium exposure risk and the facility has 11 or more employees, it develops and implements a written Infectious Disease Preparedness and Response Plan.

New Requirement

The facility ensures employees wear face coverings if employees who are solely exposed to lower risk hazards or job tasks must have brief contact with others inside 6 feet.

What has changed? The Final Permanent Standard for Infectious Disease Prevention of the SARS-CoV-2 Virus that Causes COVID-19 (the Permanent Standard) includes new and amended requirements for all workplaces and workplaces classified as very high, high, or medium risk. Further, the Permanent Standard makes the above-listed requirements, among others, permanent requirements for facilities rather than temporary emergency requirements that expire after a certain timeframe or once the COVID-19 health emergency subsides. For example, under the Permanent Standard, facilities must now notify the Virginia Department of Health (VDH) when the worksite has had 2 or more confirmed cases of COVID-19 of its own employees present at the place of employment within a 14-day period testing positive for SARS-CoV-2 virus during that 14-day time period. Further, notification to VDH is required only during a declaration of an emergency by the Governor. Facilities must continue to report all cases until the local health department has closed the outbreak. While the requirement to comply with the sanitation and disinfecting requirements has not fundamentally changed; the Permanent Standard added that common spaces, including bathrooms, frequently touched surfaces, and doors must be cleaned at least once during or at the end of each shift. Also, when there are multiple shifts, those spaces must be cleaned and disinfected no less than once every 12 hours. Similarly, the requirement to use engineering controls did not change; however, the Permanent Standard requires that, where feasible, systems are utilized in a specific way, for example, to increase total airflow supply to occupied spaces provided that a greater hazard is not created. Also, the requirement to develop and implement an Infectious Disease Preparedness and Response Plan has not changed; however, facilities must now consider situations where employees work during higher risk activities involving potentially large numbers of people or enclosed work areas in addition to the other situations the facility had to consider. A new requirement under the Permanent Standard requires employees to wear face coverings when it is necessary for employees solely exposed to lower risk hazards or job tasks to have brief contact with others inside 6 feet (e.g., passing another person in a hallway that does not allow physical distancing of 6 feet). The Permanent Standard specifies that face coverings must be worn over the wearer's nose and mouth and extend under the chin.

Additional Information *Requirements for all facilities* Applicability and enforcement Under the Permanent Standard, when determining exposure risk level, facilities must specifically consider exposure to respiratory droplets for the first time in addition to the potential exposure to the airborne transmission of the SARS-CoV-2 virus. Under the Permanent Standard, the Department of Labor and Industry (DOLI) specifies that it will not take enforcement action against a facility for failing to provide personal protective equipment (PPE) as required, if PPE is not readily available on commercially reasonable terms and the facility makes a good faith effort to acquire or provide PPE. Further, DOLI will consult with the Virginia Department of Health (VDH) as to the availability of PPE and, if there are limited supplies of PPE, whether such supplies are being allocated to high-risk or very high-risk workplaces. Definitions DOLI updated several definitions in the Permanent Standard. For example, the definition of **face covering** was changed to mean "an item made of two or more layers of washable, breathable fabric that fits snugly against the sides of the face without any gaps, completely covering the nose and mouth and fitting securely under the chin. Neck gaiters made of two or more layers of washable, breathable fabric, or folded to make two such layers are considered acceptable face coverings." Under the definition, face coverings must not have exhalation valves or vents that allow virus particles to escape and must not be made of a material that makes it hard to breathe. Further, the definition of **face shield** was updated to clarify that it is a form of PPE made of transparent impermeable materials that is primarily used for eye protection and is not a substitute for a face covering, a surgical/medical procedure mask, or a respirator. DOLI also added to the definition of **physical distancing** to include that if employees are separated by a permanent, solid, floor-to-ceiling wall (e.g., an office), that would constitute physical distancing if 6 feet of physical distance is maintained from others around the edges or sides of the wall. DOLI also added definitions for new terms, including, for example, the following: - **minimal occupational contact**, which means no or very



limited, brief, and infrequent contact with employees or other persons at the place of employment; - **severely immunocompromised**, which means being on chemotherapy for cancer, being within one year out from receiving a hematopoietic stem cell or solid organ transplant, untreated HIV infection with CD4 T lymphocyte count < 200, combined primary immunodeficiency disorder, and receipt of prednisone >20mg/day for more than 14 days; and - **symptoms of COVID-19**, which means abnormalities that are subjective to the person and not observable to others, and may include chills, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, nausea, congestion or runny nose, diarrhea, etc. Return to work policy Under the amendments, symptomatic employees must be excluded from returning to work until all 3 conditions are met: - the employee is fever-free for at least 24 hours; - respiratory symptoms improve; and - 10 days have passed since symptoms first appeared. Employees known to be infected with SARS-CoV-2 who never develop signs or symptoms must be excluded from returning to work until 10 days after the date of their first positive RT-PCR test for SARS-CoV-2 RNA.

Multiple employees occupying a vehicle for work purposes Under the previous requirements, when multiple employees occupy a vehicle for work purposes, the employer had to ensure compliance with respiratory protection and PPE standards applicable to the employer's industry. Under the Permanent Standard, facilities must use a hierarchy of hazard controls to mitigate the hazards associated with SARS-CoV-2 and COVID-19 to prevent employee exposures in the following order: (1) eliminate the need for employees to share work vehicles and arrange for alternative means for additional employees to travel to worksites; (2) provide access to fresh air ventilation (e.g., windows) and do not recirculate cabin air; (3) when physical distancing cannot be maintained, establish procedures to maximize separation between employees during travel (e.g., setting occupancy limits, sitting in alternate seats, etc.); (4) when employees must share work vehicles because no other alternatives are available, employees must be provided with respiratory protection (e.g., N95 filtering facepiece respirators); and (5) until adequate supplies of respiratory protection and/or PPE become readily available for non-medical and non-first responder employers and employees, employers must provide, and employees must wear, face coverings while occupying a work vehicle with other employees or persons. *Requirements for very high, high, or medium risk hazards or job tasks* Engineering Controls Under the Permanent Standard, facilities must ensure that air-handling systems under their control are maintained in accordance with the manufacturer's instructions and, where feasible and within the design parameters of the system, are utilized as follows: - increase total airflow supply to occupied spaces provided that a greater hazard is not created (e.g., airflow that is increased too much may make doors harder to open or may blow doors open); - for ground transportation settings, use natural ventilation to increase outdoor air dilution of inside air in a manner that will aid in mitigating the spread of SARS-CoV2 and COVID-19 virus transmission to employees, and when environmental conditions and transportation safety and health requirements allow; - inspect filter housing and racks to ensure appropriate filter fit and check for ways to minimize filter bypass; - increase air filtration to as high as possible in a manner that will still enable the system to provide airflow rates as the system design requires; - generate clean-to-less-clean air movements by re-evaluating the positioning of supply and exhaust air diffusers and/or dampers and adjusting zone supply and exhaust flow rates to establish measurable pressure differentials; - have staff work in "clean" ventilation zones that do not include higher-risk areas such as visitor reception or exercise facilities (if open); - ensure exhaust fans in restroom facilities are functional and operating continuously when the building is occupied; - if the system's design can accommodate such an adjustment and is allowed by the air handler manufacturer's installation instructions and listing, improve central air filtration to MERV-13 and seal edges of the filter to limit bypass; and - check filters to ensure they are within service life and appropriately installed. Infectious disease preparedness and response plan Facilities that are required to develop and implement an infectious disease preparedness and response plan must consider situations where employees work during higher risk activities involving potentially large numbers of people or enclosed work areas (e.g., large social gatherings, parties, restaurants, hotels, sporting events, concerts, rest stops, airports, bus stations, train stations) when determining the disease risk associated with the various hazards and job tasks.

More Information The full text of the [Permanent Standard](#) is available online. The effective date is unknown at this time, but the Governor is expected to review and approve the Permanent Standard shortly.



4.1.2 US - WISCONSIN Companies operating during the COVID-19 must continue to comply with prevention measures and face covering requirements which have been extended to 20 March 2021

Abstract: On 19 January 2021, Governor Evers issued an executive order extending the COVID-19 state of emergency to 20 March 2021. Companies operating during the state of emergency must continue to comply with all COVID-19 operational requirements until that date, unless the orders are rescinded, modified, or extended. The order will likely be extended again in a future executive order.

Business Impact: If the company operates during the COVID-19 state of emergency, it must continue to comply with all applicable COVID-19 restrictions until 20 March 2021 unless they are extended, modified, or rescinded. Previously, the restrictions were set to expire on 19 January 2021.

Analysis: Actionable Requirements If the facility conducts in-person operations, it prohibits the formation of gatherings between individuals and limits the people on the premises to no more than is strictly necessary to perform the business operation.

If the facility conducts in-person operations, it requires all employees, customers, and members of the public to wear masks.

If the facility conducts in-person operations, it ensures that employees, customers, and members of the public maintain a physical distance of at least 6 feet apart.

If the facility conducts in-person operations, it opts out on holding meetings in person and instead uses online or phone meeting to avoid staff congregating in offices, conference rooms, or shared spaces.

If the facility conducts in-person operations, it adopts policies to prevent staff from entering the premises or worksite if they display respiratory symptoms or have had contact with a person with a confirmed diagnosis of COVID-19.

If the facility conducts in-person operations, it adopts protocols to clean and disinfect high-touch areas.

If the facility conducts in-person operations, it posts signage in languages understood by employees and customers reminding them of social distancing and mask requirements.

What Has Changed As of 19 January 2021, facilities operating during the COVID-19 state of emergency must continue to comply with the requirements listed above which have been extended through 20 March 2021 unless modified, extended, or rescinded. These requirements were previously set to expire on 19 January 2021.

Additional Information For more information, see the [Executive Order extending the state of emergency](#) and the [Emergency Order reissuing the face covering and other operational requirements](#).

4.2 Europe

4.2.1 FRANCE Companies must be aware that occupational physicians can carry out COVID-19 tests

Abstract: As of 15 January 2021, companies must be aware that their occupational physicians and occupational nurses can carry out COVID-19 tests on employees and prescribe sick leaves according to the results.





Business Impact: The facility must be aware that the occupational physician and occupational nurses can carry out PCR and antigenic tests for workers and prescribe sick leaves accordingly. The facility must also pay attention to the fact that Decree No. 2021-24 does not mention if the employer can compel workers to undergo such tests or if they are left to the workers' will. In addition, the Decree does not specify if sick leaves are prescribed only to workers that start to show symptoms or to all workers infected by COVID-19.

Analysis: Actionable requirements No actionable requirements have been created or modified by Decree No. 2021-24 of 23 January 2021.

What has changed The [Decree No. 2021-24 of 13 January 2021 setting the temporary conditions for the prescription and renewal of sick leaves prescribed by the occupational physician during the covid-19 epidemic and the procedures for screening for the SARS-CoV-2 virus by occupational health services](#) (the Decree) does not create nor modify active requirements for companies. It is relevant for all companies operating in France. Pursuant to the Decree, the occupational doctor, or under his surveillance, the intern in occupational medicine and the occupational nurse can carry out examinations for the detection of COVID-19 through PCR tests and antigenic detection. Consequently, the occupational physician can prescribe medical certificate to authorise worker's sick leaves. The occupational physical either: draws up the letter of notice of the employee's work interruption according to the model mentioned in [Art. L. 321-2 of the Public Health Code](#) and sends it right away to the employee and the employer; or according to [Art. 20 of Law No. 2020-473 of 25 April 2020](#), for vulnerable workers at risk of developing a serious form of infection with COVID-19, for workers parents of children under 16 or of persons with disabilities the occupational physician draws up the letter of notice of interruption of work on a separate sheet (paper libre) which specifies the identification of the doctor, the identification of the employee, the identification of the employer and the information that the employee meets the conditions set in Art. 20 of Law No. 2020-473. In this case, the occupational physician immediately sends the letter to the employee only. The employee is then required to send it to its employer. The Decree does not mention if the employer can compel workers to undergo such tests or if they are left to the workers' will. In addition, the Decree does not specify if sick leaves are prescribed only to workers that start to show symptoms or to all workers infected by COVID-19.

4.2.2 GREECE Companies must continue to respect the total lockdown measures from 25 January 2021 to 1 February 2021 to prevent further spread of Covid-19

Abstract: Effective from 25 January 2021 to 1 February 2021, companies must continue to follow the total lockdown measures imposed in order to curb the spread of Covid-19 in Greece, including, among others, providing certificates to commuting employees in order to justify their movement. Movement outside the regional units or outside the Attica region continues to be prohibited, with the exception of, amid others, commuting to work. This follows from Ministerial Decision Δ1α/ΓΠ.οικ.: 4992/2021, which was adopted on 23 January 2021.

Business Impact: If the company operates in Greece, it must continue to ensure that the total lockdown measures are respected from 25 January 2021 to 1 February 2021. These measures continue to include obligatory teleworking to the extent possible, closure of company canteens and a restriction on the amount of persons allowed in meetings. Moreover, if the employees must commute from their home to the workplace, the company must issue a certificate from the Information System "ERGANI", before their commute begins.

Analysis: Actionable requirements Following the adoption of Ministerial Decision Δ1α/ΓΠ.οικ.: 4992/2021, the company must continue to ensure that:
obligatory teleworking is implemented at the maximum possible rate of employees, as long as it is in line with the nature of the employees' duties, regardless of the presence of any vulnerable group;



employees are provided with a certificate for their movement, if they have to commute to work; meetings are organised with only 7 participants and with the observance of 1,5 meters between the participants; only 2 people in addition to the driver are seated in private vehicles with the obligation of wearing masks. The operation of passenger service vehicles used for the commuting of staff to and from work is allowed only with the presentation of the employer's certificate and the relevant movement document, from which the vehicle route is derived, and provided that the maximum number of people is not more than 50% of the available passenger seats; and the operation of onsite canteens is suspended and take away is only allowed in accordance with the restrictive list of reasons.

What has changed? On 23 January 2021, Ministerial Decision Δ1α/ΓΠ.οικ.: 4992/2021 was adopted to replace Ministerial Decision [3060/2021](#). Ministerial Decision Δ1α/ΓΠ.οικ.: 4992/2021 does not impose additional obligations on companies, but rather extends the deadline until when the lockdown measures stay in force. Moreover, Ministerial Decision Δ1α/ΓΠ.οικ.: 4992/2021 changes the number of passengers in vehicles. In particular, 2 passengers are now allowed in addition to the driver (instead of 1 person).

Additional Information Ministerial Decision Δ1α/ΓΠ.οικ.: 4992/2021 "Urgent measures of public health protection against the further spread of Covid-19 in Greece from Monday 25 January 2021 to Monday 1 February 2021" is available [online](#) in Greek.

4.2.3 IRELAND Companies must implement home working where possible and abide by work gathering limits and measures

Abstract: As of 7 January, companies must impose home working where possible and abide by gathering limits and measures. This is in light of the increasing rise of infected COVID-19 individuals and the need to contain further spreading.

Business Impact: The company must impose homeworking where possible. If the company organises work-related gatherings, it must have a sound reason for doing so, such as for essential training purposes. Moreover, the company must carry out a risk assessment before a gathering is held and ensure no more than 6 people attend and no more than 6 persons from 2 households participate. Social distancing measures must continue to be implemented in the workplace and during gatherings.

Analysis: Actionable requirements (New) The company has imposed homeworking where possible.
(New) If the company organises a work gathering, no more than 6 people from two households attend.
(New) If the company organises a work gathering it has carried out a risk assessment.

What has changed? The above actionable requirement has been introduced via [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) Regulations \(Northern Ireland\) 2020 \(S.I.3\)](#) (hereafter the 'Regulations'), which amends regulation 2 and 8 of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) Regulations \(Northern Ireland\) 2020](#). Regulations require individuals to not leave their homes unless it is reasonably necessary. An individual may leave their place of residence under the following circumstances:

- to obtain basic necessities such as food;
- to receive medical assistance;
- to go to work, if work commitments can only be carried out at the workplace;
- if a person is to receive training or education; and
- to exercise.



Restrictions on gatherings Companies may only organise gatherings if it is not reasonably practicable for the duties of any person participating in the gathering to be carried out at a person's private dwelling. This may include, for example, training on how to use certain work equipment. If a work gathering does take place, a company must ensure: no more than 6 persons attend, and of those 6 persons, no more than two households may participate; a risk assessment which meets the requirements of the [Management of Health and Safety at Work Regulations \(Northern Ireland\) 2006](#) has been carried out; all reasonable measures to limit the risk of transmission of the coronavirus has been implemented; and government guidance [on how to deal with coronavirus in the workplace](#) has been followed.

Additional information In light of the rising COVID-19 cases, the Regulations have been introduced to help mitigate the impact of the rising numbers. Work commitments that are not possible to be performed from one's home include, for example, those working at a manufacturing site, distribution centre or for the health care service.

4.2.4 SLOVENIA Ministry of Labor, Family, Social Affairs and Equal Opportunities issues opinion on the use of rapid Covid-19 tests as a means of preventing the spread of Covid-19 at the workplace

Abstract: As of 20 January 2021, companies operating in Slovenia that have considered using rapid Covid-19 testing as a means of preventing the spread of Covid-19 at the workplace can consult the Ministry of Labor, Family, Social Affairs and Equal Opportunities opinion on the use of rapid tests as a means of preventing the spread of Covid-19 at the workplace. The opinion addresses the issue of whether such testing potentially restricts a worker's constitutional freedom on the inviolability of human physical and mental integrity. Though the Ministry does not specify whether mandatory rapid testing constitutes an excessive interference with the physical integrity of a worker, it still provides for recommendations on the use of such testing.

Business Impact: Companies operating in Slovenia that have considered using rapid Covid-19 testing as a means of preventing the spread of Covid-19 at the workplace, can, as of 20 January 2021, consult the Ministry of Labor, Family, Social Affairs and Equal Opportunities opinion on the use of rapid Covid-19 tests as a means of preventing the spread of Covid-19 at the workplace. The Opinion addresses the issue of whether such testing potentially restricts a worker's constitutional freedom on the inviolability of human physical and mental integrity. Though the Ministry does not specify whether mandatory rapid testing constitutes an excessive interference with the physical integrity of a worker, it still provides for recommendations on the use of such testing. That is, if the company still considers implementing mandatory Covid-19 rapid testing in the workplace, it should keep the following in mind: the occupational safety and health trustee should request a consultation on the revision of the risk assessment, prior to this, workers should be consulted about the necessity of the test, the employer should assess whether all possible collective preventive measures have already been introduced before deciding on rapid tests (such as prevention of interpersonal contact with customers, etc.), and the rapid tests must be performed only by qualified medical personnel.

Analysis: Ministry opinion on the use of rapid tests to prevent the spread of COVID-19 in the workplace On 6 January 2021, the ZSSS Expert Service for Safety and Health at Work [requested](#) an official interpretation from the Ministry of Labor, Family and Social Affairs as to whether the rapid testing and vaccination against COVID-19 in the workplace were considered invasive and if their use by employers is therefore limited by the constitutional freedom on the inviolability of human physical and mental integrity. Namely, from 30 December 2020 onwards, based [on the Intervention Measures Act to help mitigate the consequences of the second wave of the COVID-19 epidemic \(ZIUPOPĐVE, Official Gazette of the Republic of Slovenia No. 203/2020\)](#), employers also have the option to carry out rapid Covid-19 testing to check for



infection in their workers. In response, the Ministry of Labor, Family, Social Affairs and Equal Opportunities, stated the following:

"...in the event of a risk of infection with the SARS-CoV-2 virus in the workplace, the employer must protect the health and safety of workers by revising its risk assessment and determining preventive measures. In doing so, the employer must give priority to collective action over individual action. Among other things, the employer should also take into account the regulations for controlling the epidemic, which provide screening/testing programs for early detection of infections and testing of workers for certain activities and work processes. However, such testing may also be introduced by an employer who does not fall under these activities, if advised to do so by his occupational medicine practitioner and an occupational safety professional. Testing should only be performed by trained personnel. The employer must consult with workers or their workers' trustees for safety and health at work before accepting a revision of the risk assessment and carrying out any testing. The cost of testing must not be borne by the worker..."

However, the Ministry did not specify whether mandatory employee testing constituted an excessive interference with the physical integrity of the employee, as this allegedly exceeded the Ministry's competencies. Hence, the ZSSS has forwarded this question to the Ombudsman and will publish their response on their [website](#).

To conclude, employers should keep the following in mind when considering to implement mandatory Covid-19 testing at the workplace:

the occupational safety and health trustee should request a consultation on the revision of the risk assessment, prior to this, workers should be consulted about the necessity of the test, the employer should assess whether all possible collective preventive measures have already been introduced before deciding on rapid tests (such as prevention of interpersonal contact with customers, etc.), and the rapid tests must be performed only by qualified medical personnel.

4.3 Latin America

4.3.1 PANAMA Companies operating in Panama are now subject to stricter restrictions for preventing COVID-19 contagion

Abstract: As of 14 January 2021, companies operating in Panama must comply with stricter general measures for reducing the number of COVID-19 cases. Among others, only essential activities are now allowed in the main provinces of Panama, whereas in other provinces a total lockdown has been imposed. In addition, the government has set a curfew during the nights and weekends. The circulation of people is also restricted.

Business Impact: As of 14 January 2021, the company must cease operations from Monday to Friday between 9 PM and 4 AM. In addition, depending on where the company operates, it must cease operations during weekends, its activity could be restricted and only be allowed to continue operating remotely. None of these restrictions are applicable if the company carries out an essential or expressly exempted activity (such as being part of the pharmaceutical or food industries, or construction, energy and communication sectors).

Analysis: Actionable requirements The company ceases operations during the week between 9 PM and 4 AM. If the company operates in Panama Este or Panama Oeste provinces and does not carry out an expressly exempted activity (such as retail store, supply chain, construction sector or technical reparation services), it ceases its operations or continues them remotely. If the company operates in Panama Este, Panama Oeste, Coclé, Los Santos, Veraguas provinces, it ceases operations during the weekends. If the company operates in Coclé, Los Santos or Veraguas provinces, it stops operations at 7.30 PM during the week. If the company operates in Herrera province and does not carry out essential or expressly exempted activities, it ceases operations or continues them remotely until 1 February 2021.



What has changed? The above-mentioned requirements are new and applicable until new measures are announced. [Executive Decree 62 of 2021](#) reintroduces restrictive measures due to the increase in the number of COVID-19 cases.

Among other measures, it:

sets out a countrywide curfew between 9 PM and 4 AM from Monday to Friday;

restricts the activities allowed in Panama Este and Panama Oeste provinces;

imposes a total lockdown during the weekends; and

imposes a total lockdown in Herrera province until 1 February 2021.

Previously, Panama had only a night curfew in place (between 7 PM and 5 AM countrywide). The new measures differentiate between the different situations regarding the pandemic in the different Panamanian provinces. In the case of Panama Este and Panama Oeste provinces, despite the Executive Decree does not impose a total lockdown during working days (apart from the night curfew), it restricts the activities allowed to remain operational. Nonetheless, it exempts more activities than the general exemption mentioned afterwards, for instance:

retail commerce;

marketing companies;

construction sector;

professional services; and

outdoor sports.

The following activities can remain operational, regardless the curfews or the total lockdowns, among others:

pharmaceutical industries;

cleaning companies and companies producing hygienic or disinfection products;

agricultural and food related industries;

energy sector;

air and maritime transport of goods;

communication sector;

financial services; and

companies manufacturing, importing or commercializing medical equipment.

Additional information In addition to the mentioned restrictions, the Executive Decree aims to reduce circulation of people by setting out a gender division for grocery shopping. Moreover, it also restricts social, religious, and cultural activities.

4.4 Asia & Oceania

4.4.1 THAILAND Facilities operating during the Covid-19 emergency situation must implement additional prevention and monitoring practices

Abstract: Effective 22 December 2020, due to the increase in reported cases of Covid-19 in Thailand, employers must set up additional preventative measures and monitoring practices in their workplaces. For example, if an employee has visited an area deemed a Covid-19 controlled place or comes in contact with a person with a confirmed case of Covid-19, the facility must require that employee undergo a screening test.

Business Impact: If the facility operates during the Covid-19 emergency situation, it must comply with new prevention and monitoring requirements to reduce the spread of Covid-19. For example, facilities must now provide information (such as





training, signage, or other media) to educate employees on the prevention of Covid-19 spread, and requiring screening for any employees exposed to the disease.

Analysis: Actionable Requirements If the facility operates during the declaration of an emergency situation in response to Covid-19, it provides information, training, or signage to educate employees and members of the public on-site of the proper preventative measures to reduce the spread of Covid-19.

If the facility operates during the declaration of an emergency situation in response to Covid-19, it provides hand cleaning facilities, soap, or alcohol gel in the workplace.

If the facility operates during the declaration of an emergency situation in response to Covid-19, it requires that any employee who travels through a Covid-19 controlled area, is suspected of having a Covid-19 infection, or who comes into contact with someone with a known case of Covid-19 to undergo a screening test.

What Has Changed On 22 December 2020, the Department of Labour Protection and Welfare issued mandatory monitoring and prevention requirements for the prevention of Covid-19 in workplaces. As a result, the requirements listed above are in effect for the first time.

Additional Information For more information, see the [22 December 2020 Notification from the Department of Labour Protection and Welfare](#).

4.4.2 WESTERN AUSTRALIA Since 15 January 2021, companies must continue to comply to COVID-19 measures, including re-opening requirements, and prohibitions on gatherings and activities

Abstract: Since 15 January 2021, companies operating in Western Australia must continue to adhere to restrictive measures to prevent the spread of COVID-19. Gatherings of more than 2 persons are prohibited, meaning there must be at least 2 square metres of space for each person at any relevant gathering in a single indoor space or outdoor space. Certain exceptions are in place for example, for gatherings in offices and factories necessary for business operations. Re-opening requirements and gathering requirements remain in force for formerly affected places such as gyms. Events of more than 500 patrons continue to be prohibited, and must not be held unless these events are registered on the Events Register and have an approved COVID Event Plan.

Business Impact: If the company owns, controls or operates a premises in the State of Western Australia, it must continue to ensure that: -it does not organise or allow a prohibited gathering to occur on its premises unless the gathering falls under permitted exceptions, such as gatherings at factories and construction sites which are necessary for the normal business of these premises; and -it does not undertake, engage in, hold, conduct or allow an event consisting of a gathering of more than 500 patrons to occur on the premises unless the event is registered on the Event Register and conducted in accordance with an approved COVID Event Plan for the event. If the company is an owner, occupier or person apparently in charge of an onsite indoor gym or company canteen it must continue to ensure that: -it does not open to the public unless the reopening requirements have been met, including the completion/updating of a safety plan for the business and display of a safety plan certificate; and -it does not allow a gathering of 2 or more patrons in a single undivided indoor space or a single undivided outdoor space at the place at the same time, where there is not at least 2 square metres of space for each patron at the gathering. If the company is an occupier or person apparently in charge of a company canteen or onsite indoor gym facility, it must request that each person entering the place provides their contact information, and, if the information is provided directly to the company, it keeps the information for 28 days, or longer if required.



Analysis: Actionable requirements The following requirements are not new but will be continued under the Closure and Restriction (Limit the Spread) Directions (No 11): -Since 15 January 2021, if the company owns, controls or operates a premises in the State of Western Australia, it does not organise a prohibited gathering on the premises or allow a prohibited gathering to occur on the premises. -Since 15 January 2021, if the company owns, controls or operates a premises in the State of Western Australia, it does not undertake, engage in, hold, conduct or allow a prohibited activity meaning an event consisting of a gathering of more than 500 patrons to occur on the premises, unless the necessary requirements for that activity are met, including the registration of the event on the Department of Health's Event Register and the preparation of an approved COVID Event Plan. -Since 15 January 2021, if the company is an owner, occupier or person apparently in charge of a formerly affected place such as an indoor gym, it does not allow a gathering of 2 or more patrons in a single undivided indoor space or a single undivided outdoor space at the place at the same time, where there is not at least 2 square metres of space for each patron at the gathering. -Since 15 January 2021, if the company is an owner, occupier or person apparently in charge of a formerly affected place such as an indoor gym or restaurant/cafe it does not open to the public unless the reopening requirements have been met, including the completion or updating of a safety plan and the display of a safety plan certificate. -Since 15 January 2021, if the company is an occupier or person apparently in charge of a Schedule 1 place, which includes onsite restaurants and cafes (including workplace canteens) or onsite indoor gym facilities, it requests that each person entering the place provides their contact information, and, if the information is provided directly to the company, it keeps the information for the relevant period.

What has changed On 15 January 2021, the Closure and Restriction (Limit the Spread) Directions (No 11) (the Directions No 11), adopted under the [Emergency Management Act 2005](#) (the Act), came into force, revoking the previous Closure and Restriction (Limit the Spread) Directions (No 10). The Directions No 11 do not create new requirements for businesses operating in Western Australia, but rather continue previous obligations for the prevention of COVID-19. Companies operating in Western Australia must continue to comply with the previous obligations which include: -gathering and event restrictions; -adhering to re-opening requirements for formerly affected places such as gyms, -retaining contact information for Schedule 1 places such as gyms and cafes/restaurants; and -registering events of over 500 patrons ('prohibited activities') with the Department of Health and conducting these events in accordance with an approved COVID Event Plan. The State of Western Australia continues to be under a State of Emergency Declaration, which was recently [extended](#) to remain in force until 4 February 2021.

Additional information *Prohibited gatherings* A prohibited gathering means a gathering of 2 or more persons in a single undivided indoor space or a single undivided outdoor space at the same time, where there is not at least 2 square metres of space for each person at the gathering. *COVID Event Plans* A COVID Event Plan is a plan prepared by or on behalf of the organiser of an event that: -for the purposes of preventing the spread of COVID-19, sets out the measures the organiser of the event proposes to put in place to address and mitigate any risks of the spread of COVID-19 that the event presents; and -is approved in writing, including under any former Directions, by the Commissioner of Police and State Emergency Coordinator, or authorised person. The plan may be subject to COVID Safety Marshall Conditions meaning a specified number of COVID Safety Marshalls performing certain duties will be required to be at the event. Event registration can be done at the Department of Health website, which also provides Event Plan templates, accessible [here](#). *Safety plans and associated certificates* Safety plan templates, which include a safety plan certificate template, can be accessed [here](#). Safety plan certificates must be displayed by formerly affected places in a prominent place visible to members of the public at the place. This must be done from no later than when the place opens to the public until the end of the State of Emergency for Western Australia. *Retaining contact details - formerly affected places* Persons entering the Schedule 1 place can provide their contact details either: -directly to the occupier or other person apparently in charge of the place; or -by electronically recording their contact details by means of the app known as 'Safe WA'. Contact details, of a person who enters a place, means, among other things: -the person's name; -the person's telephone number; and -the date and time that the person enters the place. In situations where the person has provided their contact details to the occupier/person apparently in charge of the place, they must keep a record of the contact details for at least 28 days, or a longer period if it is required by the Commissioner of Police and State Emergency Coordinator, or authorised person.



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