



Enhesa Regulatory Developments

COVID-19

Monthly Updates

November 24, 2020

Ref: Reports from November 1 to November 22, 2020



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. November 10, 2020

1.1 The US & Canada

1.1.1 US - GEORGIA Companies must continue to comply with Public Health State of Emergency requirements until 15 November 2020

Abstract: Effective 1 November 2020, Georgia Governor Brian Kemp issued an Executive Order extending the Public Health State of Emergency until 9 December 2020 and required businesses to comply with COVID-19 operational requirements until 15 November 2020.

Business Impact: If the company operates a non-critical infrastructure business, it must continue to operate with strict social distancing and sanitation rules to keep employees safe through 15 November 2020. The company must comply with certain requirements, including enhancing sanitation of the workplace as appropriate, disinfecting common surfaces regularly, requiring workers to regularly wash or sanitize their hands at appropriate places within the business location, prohibiting gatherings of workers during working hours, and other industry-specific practices.

Analysis: Actionable Requirements If the facility conducts in-person operations during the COVID-19 state of emergency, it complies with all applicable COVID-19 prevention requirements, including social distancing measures of 6 feet or more between individuals.

If the facility conducts in-person operations during the COVID-19 state of emergency, it complies with the prohibition of indoor gatherings of more than 50 people.

If the facility conducts in-person operations during the COVID-19 state of emergency, it complies with the minimum cleaning requirements in Executive Order No. 10.30.20.02.

What has changed? The above requirements have been reaffirmed by Executive Order No. 10.30.20.02. The requirements for non-critical infrastructure businesses or operations are in effect until 15 November 2020.

Additional Information All non-critical infrastructure businesses or operations that are conducting in-person operations must continue to comply with workplace safety requirements including:

Screening and evaluating workers who exhibit symptoms of COVID-19;

Enhancing sanitation of the workplace as appropriate;

Disinfecting common surfaces regularly;

Requiring hand washing or sanitation by workers at appropriate places within the business location;

Prohibiting gatherings of workers during working hours;

Permitting workers to take breaks and meals outside, in their office or personal workspace, or in such other areas where proper Social Distancing is attainable;

Implementing teleworking for all possible workers;

Implementing staggered shifts for all possible workers;

Holding all meetings and conferences virtually as practicable;

Prohibiting handshaking and other unnecessary person-to-person contact in the workplace; and

Placing notices that encourage hand hygiene at the entrance to the workplace and in other workplace areas where they are likely to be seen.

For more information, see [Executive Order 10.30.20.02](#).



1.1.2 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 27 November 2020

Abstract: Effective 29 October 2020, Governor Mills issued an executive order extending the COVID-19 state of emergency to 27 November 2020. 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 27 November 2020.

Analysis: Actionable Requirements If the facility provides and requires seating for all invitees, it allows for no more than 50 percent of its permitted occupancy limit or 100 persons at a time, whichever is less. If the facility does not provide and require seating for all invitees, it limits the number of gathered members of the public to 50 people.

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 29 October 2020, facilities operating during the COVID-19 state of emergency must continue to comply with the requirements listed above which have been extended through 27 November 2020 unless modified, extended, or rescinded. These requirements were previously set to expire on 29 October 2020.

More Information For more information, see the [Proclamation by Governor Mills](#) issued on 29 October 2020.

1.1.3 US – MAINE Facilities except for retail establishments operating during the COVID-19 state of emergency must limit capacity to 50 people, a reduction from earlier limits based on permitted occupancy

Abstract: Effective 4 November 2020, facilities except for retail establishments operating in Maine during the COVID-19 state of emergency must restrict indoor gatherings to no more than 50 people at once. Owners and operators of retail facilities must continue to operate such facilities with a maximum of 5 people per 1,000 square feet of shopping space. Previously, all facilities were subject to indoor gathering restrictions based on their occupancy permits or 100 people, whichever was less.

Business Impact: If the facility operates during the COVID-19 state of emergency, it must restrict the total number of employees and members of the public to no more than 50 people at a time beginning on 4 November 2020. Previously, it was subject to higher capacity limits based on the permitted capacity and type of activities being conducted on-site. If the facility operates a retail establishment, the establishment must continue to limit capacity to no more than 5 people per 1,000 square feet of shopping space.

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.

What Has Changed Effective 4 November 2020, facilities operating during the COVID-19 state of emergency must comply with reduced indoor gathering restrictions. All facilities except for retail establishments must restrict the total number of people on-site, including both employees and members of the public, to 50 people at a time. Retail establishments must continue to limit occupancy to no more than 5 people per 1,000 square feet of shopping space. Shopping space is defined as areas to which customers typically have access, excluding employee-only spaces such as stock, supply, storage, break, and office areas. Previously, facilities open to the public for seated activities were permitted to operate at 50 percent of their capacity, up to 100 people at a time. Facilities open to the public for non-seated activities were previously allowed to operate at no more than 50 people at a time.

More Information For more information, see the [1 November 2020 announcement](#) by Governor Mills.

1.1.4 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 3 December 2020

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 3 December 2020. Accordingly, companies must remain in compliance with all applicable COVID-19 related requirements imposed under Executive Orders and other regulations through 3 December 2020, unless otherwise amended.

Business Impact: The New York State Governor Andrew Cuomo's Executive Order (EO) Number 202.72 does not impose any additional requirements on the company. However, if the company conducts in-person operations in New York State, it must continue to implement 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 remain in compliance with any such COVID-19 related requirements until 3 December 2020, 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 is not permitted to conduct in-person operation under the state's phased reopening plan, it requires all employees to work from home.

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

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

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

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

If the facility is conducting in-person operation 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 The Executive Order (EO) Number 202.72 does not impose any new or additional requirements on companies. Instead, it continues to require companies to comply with the provisions enforced under previously issued Executive Orders and the COVID-19 emergency regulations.

Executive Order No. 202.72 On 3 November 2020, the New York State Governor Andrew Cuomo issued EO No. 202.72 as a continued effort to slow the spread of the 2019 novel coronavirus disease (COVID-19). Under the previously issued EO No. 202.67, the state disaster emergency for the outbreak of COVID-19 in New York State was declared to last until 3 November 2020. EO No. 202.72 extends the state disaster emergency from 3 November 2020 to 3 December 2020. Accordingly, companies must continue to comply with the requirements imposed under other executive orders made during the state disaster emergency until 3 December 2020, unless further extended. Such requirements include, for example, complying with the workforce reduction measures and restrictions on on-premises consumption under the state's cluster action initiative. Additionally, companies must ensure continued compliance with the COVID-19 Emergency Regulations at 10 NYCRR Subpart 66-3, which is valid for the duration of the state disaster emergency.

More Information For more information, see the Office of the Governor website for [EO No. 202.72](#). Additional information, including the most current COVID-19 status in New York State, is available on [DOH's website](#).

1.1.5 US - NORTH DAKOTA Facilities operating during the COVID-19 state of emergency must comply with adjusted occupancy restrictions based on the county in which they operate

Abstract: Effective 16 October 2020, facilities operating during the COVID-19 state of emergency in North Dakota must comply with updated operating and occupancy requirements under the North Dakota Smart Restart Plan. For example, facilities operating in a county designated moderate-risk must operate at no more than 50 percent of its maximum capacity, up to 100 people. Previously, companies operating in moderate risk counties were allowed to operate with a maximum capacity of 250 people with no regard to a percentage of its maximum capacity.

Business Impact: If the facility operates during the COVID-19 state of emergency, it must comply with updated maximum capacity restrictions based on the risk designation for the county in which they are located. The facility should also note that several counties have been redesignated and should reassess the applicable capacity.

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.



What Has Changed Effective 16 October 2020, the applicable maximum occupancies for High, Moderate, and Low-risk counties have been reduced. Additionally, several counties have been reclassified. Facilities operating during the COVID-19 state of emergency should reassess their compliance with the requirement listed above based on the new maximum capacities and any potential changes to the risk designation for the county in which they operate.

Analysis *County redesignations* The county risk designations for 25 counties have been adjusted, with 16 counties being moved to high risk (from either critical or moderate risk) and 9 counties moving from low to moderate. The most updated map of county risk designations is available on the [ND Response webpage](#). *Maximum capacities by county* Under the updated North Dakota Smart Restart Plan, the applicable operating capacities based on county risk designations are: Critical (red) - non-essential businesses closed; High (orange) - 25 percent occupancy, up to 50 people; Moderate (yellow) - 50 percent capacity, up to 100 people; Low (green) - 75 percent occupancy, up to 200 people; and New Normal (blue) - no restrictions on capacity. Previously, high-risk counties did not allow for members of the public to be on-site, moderate-risk counties allowed up to 250 people, and low-risk counties allowed up to 500 people.

More Information For more information, see the [14 October 2020 announcement by Governor Burgum](#) and the [updated ND Smart Restart Plan](#).

1.1.6 US - WYOMING Companies must continue to comply with Public Health Order Continuation requirements until 15 November 2020

Abstract: Effective 1 November 2020, the Wyoming Department of Health issued a Public Health Order Continuation requiring businesses to continue operating under certain COVID-19 operational restrictions until 15 November 2020.

Business Impact: If the company conducts in-person operations, it must continue to comply with COVID-19 workplace safety standards reaffirmed in Statewide Public Health Order #15 through 15 November 2020, such as prohibiting indoor gatherings of more than 50 people, maintaining 6 feet of space between one another, requiring workers to regularly wash or sanitize their hands at appropriate places within the business location, and other industry-specific practices.

Analysis: Actionable Requirements If the facility conducts in-person operations during the COVID-19 state of emergency, it complies with the prohibition of indoor gatherings of more than 50 people.

If the facility conducts in-person operations during the COVID-19 state of emergency, it complies with all applicable COVID-19 prevention requirements, including social distancing measures of 6 feet or more between individuals.

If the facility conducts in-person operations during the COVID-19 state of emergency, it complies with the operational requirements to require protective equipment for staff.

If the facility conducts in-person operations during the COVID-19 state of emergency, it complies with CDC guidelines for cleaning, including EPA-approved disinfectants and sanitizers.

What has changed? On 30 October 2020, the Wyoming Department of Health reaffirmed indoor gathering restrictions as outlined in Statewide Public Health Order #10. The requirements for in-person operations during the COVID-19 state of emergency are now set to expire on 15 November 2020. The Order does not impose any new requirements on businesses or operations.





Additional Information More information can be found on the Wyoming COVID-19 Orders and Guidance site, under [Wyoming Public Health Orders](#).

1.2 Europe

1.2.1 PORTUGAL Companies must continue to comply with specific health and safety rules due to the declaration of the state of calamity in Portugal

Abstract: Until 19 November 2020, companies operating in Portugal must continue to comply with teleworking, hygiene and social distancing rules for workplaces. These measures follow from Resolution of the Council of Ministers 92-A/2020 and will likely be extended after 20 November 2020.

Business Impact: If the company resumes its operation during the COVID-19 outbreak, it must continue to comply with all the applicable measures, such as setting up strict regimes of daily and periodic cleaning, and disinfection of all the workspace, including any equipment, other objects and surfaces with which employees have daily direct contact. If the company is located in one of the 121 municipalities listed in Annex II of the Resolution of the Council of Ministers 92-A/2020 (such as Lisbon and Porto), it must make teleworking mandatory, unless workers carry out activities that do not allow it. When teleworking is not possible, the company must comply with all other requirements, including the implementation of rotation systems, to make sure that workers have different hours to start and finish the workday.

Analysis: Actionable requirements (New) If the facility is located in a municipality listed in Annex II to Resolution of the Council of Ministers 92-A/2020 (for example, Porto and Lisbon) and has 50 or more workers, it ensures that its workers work from home

What has changed? The actionable requirement mentioned above is a new requirement. Mandatory teleworking does not apply if workers carry out activities that do not allow it. As before, to the municipalities that are not listed in Annex II, it is only mandatory if the workplace does not allow compliance with the health measures, such as having the workers keeping 1.5 meters from each other. As before, for companies located in a municipality not listed in Annex II to Resolution of the Council of Ministers 92-A/2020, teleworking is only mandatory if the workplace does not allow compliance with the measures to prevent the further spread of COVID-19, such as having workers keeping 1.5 meters from each other. Companies that operate in Portugal must continue to ensure that the maximum number of people in a group or a meeting is 5 and continue to comply with the previously applicable requirements on the use of face masks or face shields and the minimum distance between employees. Companies must also continue to allow any worker who has proven to be immuno-compromised, chronically ill, who has a disability of 60% or higher to work from home or who has under its supervision a child of less than 12 years of age.

Additional information [Resolution of the Council of Ministers 92-A/2020 of 2 November 2020](#), extends the declaration of the state of calamity in the whole territory of Portugal. It revokes [Resolution of the Council of Ministers 88-A/2020 of 14 October](#), [Resolution of the Council of Ministers 88-B/2020 of 22 October](#) and [Resolution of the Council of Ministers 89-A/2020 of 26 October](#), and is integrated in the Portuguese Government's legislative and regulatory response to fighting COVID-19. It applies between 3 and 19 November 2020. Immuno-compromising conditions and chronic illnesses must be attested by a medical certificate and disabilities must be certified by a document issued by the health authorities (*certificado de incapacidade multuso*). Resolution of the Council of Ministers 92-A/2020 lists, in its Annex II, the municipalities that are subject to special measures, such as the residents only being allowed to leave their house for



necessary trips (that include carrying out professional or similar activities) and, to the extent that is possible, teleworking being mandatory. This list will be updated every 15 days by the Council of Ministers (*Conselho de Ministros*). For now, it includes 121 municipalities, such as Lisbon and Porto. 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.

1.2.2 SLOVENIA Companies can consult Covid 19 related guidance material on ventilation

Abstract: As of 2 November 2020, companies operating in Slovenia are recommended to consult Covid-19 related guidance material on ventilation. The guidance material provides for measures that should be taken to prevent aerosol contamination in rooms where several people are staying at the same time, such as for example, increased ventilation, minimized socializing and reduced number of attendees.

Business Impact: Companies operating in Slovenia can, as of 2 November 2020, consult Covid-19 related guidance material on ventilation. The guidance material provides for measures that should be taken to prevent aerosol contamination in rooms where several people are staying at the same time, such as for example, increased ventilation, minimized socializing and reduced number of attendees.

Analysis: Room ventilation guidance *Recommended measures*

According to the [guidance material](#), simulations carried out by scientists have shown that the following measures should be taken to prevent aerosol contamination in rooms where several people are detained (such as offices):

- good ventilation,
- shortening the duration of socializing,
- reducing the number of attendees, and
- wearing a mask.

The workers representative for safety and health at work (*Delavski zaupnik za varnost in zdravje pri delu*) should therefore warn the employer that increased ventilation must be provided in a work environment where a large number of employees work - by opening windows or with a good ventilation device. *Background information* Despite the epidemic, many workers are forced to work in common areas with a larger number of co-workers due to the nature of their work. Coronavirus also spreads through the air through aerosols. Small infectious particles exhaled by an infected person hover in the indoor air for hours. After several hours of breathing in an unventilated room, their concentration in the air can increase significantly. The longer rooms are not ventilated, the higher the concentration of aerosols in the air. Masks and a two-meter distance are no longer enough over time. An infected person emits more aerosols the more he speaks aloud or the more he breathes with full force. If a person shouts, they emit 50 times more aerosols than when they are silent. The likelihood of infection increases with the length of time persons spend in an unventilated area together with an infected person. As such, ventilation becomes an important factor in the fight against the spread of Covid-19 and has been proven to be effective in scenarios where several people spend time in a common space. The full study of the risk of Covid-19 contagion in indoor spaces is available [online](#) in English.

1.2.3 SPAIN NATIONAL State of alarm extended until 9 May 2021 to tackle the health crisis due to COVID-19

Abstract: Since 4 November 2020, companies can refer to Royal Decree 956/2020 extending the state of alarm (declared by Royal Decree 926/2020) until 9 May 2021 to contain the spread of infections caused by SARS-CoV-2 in the country.



Even if the restrictions adopted under the previous Royal Decree (namely, the overnight curfew and the limitation of public and private gatherings) do not impact companies' operations directly, companies should be aware that the state of alarm can serve as a basis for future restrictions approved by Autonomous Communities.

Business Impact: Although its operations are not directly affected, the company should note that the Spanish Congress of Deputies has extended the state of alarm (initially established until 9 November 2020) for 6 more months, that is, until 9 May 2021. This means that the current restrictive measures will remain in place (unless the regional governments decide otherwise for their particular territories), namely:

a nationwide curfew from 11 PM to 6 AM (except for commuting to work or returning home from work); and limits to public and private gatherings to a maximum of 6 people (except for workplace meetings).

In addition, the company should be aware that the Autonomous Communities remain, as before, allowed to adopt further restrictions in their territories (including total or partial lockdowns, the closure of internal borders to limit travels between provinces or regions, and stricter limits to public or private gatherings) for a minimum of 7 calendar days. As a result, the company can expect further restrictions to be adopted in the future in certain Autonomous Communities if the epidemiological situation does not improve.

Analysis: Actionable requirements Royal Decree 956/2020 does not create any direct requirements on companies.

What has changed? On 4 November 2020, the Congress of Deputies agreed to extend the state of alarm (declared by [Royal Decree 926/2020 of 25 October](#) for an initial period of 2 weeks) until 9 May 2021 in order to address the second wave of the COVID-19 pandemic in Spain. As a result, the restrictive measures adopted under Royal Decree 926/2020 (namely the overnight curfew and the limitation of public and private gatherings) will remain applicable during the extended state of alarm period. However, the Autonomous Communities are allowed to ease, modify, or suspend such rules in their particular territories according to the evolution of the health and epidemiological indicators.

Additional information In order to tackle the increase of COVID-19 infections, Royal Decree 926/220 established the following restrictions: **a nationwide curfew (from 11 PM to 6 AM):** which could be extended or reduced by regional governments by 1 hour according to the evolution of health indicators in each Autonomous Community. However, the curfew did not apply to certain situations, such as commuting to work and returning home after work, buying medicine and first need goods, and seeking medical treatment in health care facilities.

limitation of public and private gathering: to a maximum of 6 people from separate households (with some exceptions, such as workplace meetings).

In addition, Royal Decree 926/2020 granted extraordinary powers to Autonomous Communities, allowing them to establish additional restrictions in their territories (such as total or partial lockdowns, closure of internal borders to limit travels between provinces or regions, and stricter limits to public or private gatherings) for a minimum of 7 calendar days depending on their epidemiological situation. [Royal Decree 956/2020, of 3 November, extending the state of alarm established by Royal Decree 926/2020, of 25 October, declaring the state of alarm to contain the spread of infections caused by SARS-CoV-2](#) is available online in Spanish.



1.3 Latin America

1.3.1 VENEZUELA Companies operating in Venezuela must continue to comply with physical distance measures for preventing COVID-19 at workplaces

Abstract: Until at least 10 November 2020, companies must continue to comply with sanitary measures for preventing COVID-19 contagion. Among others, a state of alarm, which has been extended every 30 days, has been declared countrywide, and allows the President of the country to impose lockdowns in areas where the number of COVID-19 cases continues to increase. In addition, companies must comply with sanitary measures issued by the Ministry of Health regarding physical distance, use of facemasks and hands wash. The present forecaster summarizes the COVID-19 measures implemented in Venezuela of which the official sources have been published delayed and which are often difficult to access.

Business Impact: If the company operates in an area where a lockdown has been imposed and does not carry out essential activities (such as pharmaceutical industry, food industry or energy sector), it remains closed down and continues its operations remotely, if possible. However, if the company remains operational during COVID-19 pandemic, it ensures that all employees wear a facemask, and organizes working areas and shifts for ensuring a physical distance of 1.5 meters. In addition, the company must keep a register of employees suffering from chronic diseases, promote teleworking whenever possible, and provide hygienic kits (such as alcohol gel) to its employees.

Analysis: Actionable requirements If the company operates in an area or region where a lockdown has been imposed by the President and does not carry out exempted activities (such as pharmaceutical industries or oil production), it remains shutdown until the lockdown is eased. The company provides facemasks and ensures that all employees wear them. The company provides its employees with hygienic kits (such alcohol gel). The company ensures that employees eat and drink only in specific areas. The company has limited as much as possible the presence of external providers or visitors in its facilities. The company has elaborated a register of employees suffering of chronic diseases. The company has adapted the working areas and working shifts for ensuring the respect of physical distance (1.5 meters). The company ensures that only essential and necessary employees assist to the facility and promotes teleworking as much as possible. The company has organized turns for using the common areas of the facility (such as canteens) for ensuring social distancing.

What has changed? Since March 2020, the government of Venezuela has declared the state of alarm countrywide, which has been extended every 30 days, being now declared until 10 November 2020. During the state of emergency, some economic activities are restricted, circulation is limited, and the general population is requested to wear facemasks, regular wash their hands and keep 1.5 meters distance from each other. Regarding occupational health, on June 2020, the Ministry Health issued Resolution 90 of 2020, imposing the above mentioned requirements for controlling COVID-19 spread at workplaces.

Additional information During the state of alarm, the president of Venezuela is entitled to impose lockdowns in certain areas where there is an outbreak in the number of COVID-19 cases. If a lockdown is imposed, circulation becomes limited and companies must cease their operations or continue them remotely, unless they carry out essential activities such as: energy and communication sectors; pharmaceutical industry; food industry; and activities related to port activities.

[Decree 4160 of 2020, declaring the state of alarm in Venezuela](#) and [Resolution 090 of 2020 on compulsory measures for preventing COVID-19 spread](#) are available online in Spanish.



1.4 Asia & Oceania

1.4.1 INDIA Lockdown has been extended in COVID-19 containment zones until 30 November 2020 without making any changes to activities/operations permitted in non-containment zones.

Abstract: Until 30 November 2020, facilities (except facilities carrying out essential activities) operating in COVID-19 containment zones must cease their operations/activities. This follows from the issuance of Order No 40-3/2020-DM-I (A) of 27 October 2020 (“Order October”). However, facilities operating in COVID-19 non-containment zones can continue with their operations/activities as the Order October does not make any changes to the previous Order No 40-3/2020-DM-I (A) of 30 September 2020.

Business Impact: If the company operates in a COVID-19 containment zone, it must remain shut down until 30 November 2020, unless it carries out essential activities (e.g., manufacturing of drugs and foods). If the company operates in non-containment zones, it must continue to comply with requirements listed in Annexure I (National Directive for COVID-19 Management) of Order No. 40-3/2020-DM-I(A) of 30 September 2020 (“Order September 2020”) to prevent exposure and spread of COVID-19 at the workplace, including:

ensuring that all employees wear facemasks;

allowing telework as often as possible;

setting up thermal scanning and provide handwashing and sanitizing facilities at all entry and exit points and common areas of the workplaces ;

undertaking frequent sanitization of the workplace and shared facilities/equipment that come into human contacts, such as door handles; and

ensuring social distancing through adequate distancing between workers, adequate gaps between shifts, and staggered staff lunch breaks.

The company must know that any employer that contravenes any measures under the Order September 2020 is punishable with imprisonment of up to 1 year, or fine, or both.

Analysis: New actionable requirement If the facility operates within a COVID-19 containment zone, it must cease its operations/activities until 30 November 2020, unless it carries out essential activities (e.g., manufacturing of drugs and foods).

What has changed Order No 40-3/2020-DM-I (A) of 27 October 2020 (“Order October”) has extended lockdown in COVID-19 containment zones further until 30 November 2020. The Order October does not make any changes to requirements applicable to facilities operating in COVID-19 non-containment zones that were allowed to resume their operations under the previous [Order No. 40-3/2020-DM-I\(A\) of 30 September 2020](#) (“Order September”).

Additional information Facilities operating in COVID-19 non-containment zones must continue to comply with existing requirements under the national directives for COVID-19 management, including:

ensuring that all employees wear facemasks;

allowing telework as frequently as possible;

practicing frequent sanitization of the entire workplace and common areas;

practicing thermal scanning, hand washing, making hand sanitizer and hand wash available at all entry and exit points, and common areas; and

following staggered work schedules.



"**COVID-19 containment zone**" is an area categorized as a high-risk zone, where the number of coronavirus cases is high. The local authorities are empowered to classify areas as containment zones and notify such classifications by the respective District Collectors and State Governments or Union Territories on their websites. State Government and Union Territories, based on their assessment of the COVID-19 situation, can prohibit or restrict certain activities in the non-containment zones. Thus, operations and activities are regulated at the State or Union Territory level. [Order No 40-3/2020-DM-I \(A\) of 27 October 2020](#) is available in English on the Enhesa Knowledgebase.





2. November 17, 2020

2.1 The Us & Canada

2.1.1 US - FLORIDA Companies that own or operate food service establishments continue to comply with COVID-19 operational requirements until 2 January 2021

Abstract: Effective 3 November 2020, the state of emergency in Florida is extended to last until 2 January 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 2 January 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 3 November 2020, the occupancy limit and social distancing requirement were extended to last until 2 January 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 2 January 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 Centers for Disease Control and Prevention (CDC) and the Occupational Health and Safety Administration (OSHA).

Additional Information For more information, see [Executive Order 20-276: Extension of Executive Order 20-52 - COVID-19](#).

2.2 Europe

2.2.1 ENGLAND Companies must ensure that workplace canteens are shut and continue to implement cautionary measures when organising gatherings

Abstract: Since 5 November 2020, companies that operate onsite canteens or cafes must ensure that they remain shut until 2 December 2020 and must impose stringent measures when organising gatherings of more than 30 people, to minimise the risk of transmission of the coronavirus.

Business Impact: If the company has a workplace canteen, it must ensure that it remains shut until 2 December 2020, unless there is no alternative way for the workers to obtain food. If the company organises gatherings of more than 30 people, it must issue a risk assessment and follow government guidance pertaining to gatherings to limit the spread of COVID-19.

Analysis: Actionable Requirements If the company has a workplace canteen or cafe, it ensures that it remains shut to limit the spread of COVID-19, unless there is no practical alternative for staff at that workplace to obtain food or drink. If a gathering of more than 30 people takes place on company premises, it takes necessary measures to limit the spread of COVID-19 by taking into account a risk assessment and the government's guidance on gatherings.

What has changed? [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(No. 4\) Regulations 2020](#) develops upon pre-existing Regulations which imposed opening restrictions on workplace cafes and canteens and, required companies to take precautionary measures and issue a risk assessment when work gatherings were to take place. The stricter measures which will remain in force until 2 December 2020, in relation to the closure of workplace cafes and canteens are in light of England's newly imposed lockdown. Coronavirus Regulation that organize gatherings of more than 30 people indoors or outdoors, must carry out *a risk assessment* that would satisfy the requirements of [regulation 3](#) of the [Management of Health and Safety at Work](#). This requires employers to make a suitable and sufficient assessment of the risks to the health and safety of its employees during the course of their work and to their surrounding work environment, and impose necessary measures hereof. Moreover, companies should follow [government guidance](#) referring to gatherings.

Additional Information Enforcement and penalties If companies are found in contravention with the requirements, a first fixed penalty of GBP 1,000, a second will amount to GBP 2,000, a third GBP 4,000, and a fourth and subsequent to GBP 10,000. If the company has previously been penalised under one of the following Regulations before 5 November 2020, then a contravention pertaining to the “very high”, “high” or “medium” restrictions will be counted as a second offence and vice versa. Similarly, if companies are found in contravention with the following, this will also be accounted for when calculating the final fixed penalty.

Health Protection (Coronavirus, Restrictions) (No. 2 (England) Regulations 2020

Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020

Health Protection (Coronavirus, Restrictions) (No. 3) (England) Regulations 2020; and

Health Protection (Coronavirus, Restrictions) (Obligations of Undertakings) (England) Regulations 2020

Revocations The Health Protection (Coronavirus, Local COVID-19 Alert Level) Very High, High and Medium have been revoked, however, the penalties imposed under the regulations before 5 November 2020 still hold weight and will be accounted for when calculating the final fixed penalty. Specifically so, if companies were in contravention with the restricted cafe and canteen opening hours, did not issue a risk assessment before a work related gathering nor followed government guidance relating to gatherings. [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(No. 4\) Regulations 2020](#) can be found online.

2.2.2 SLOVENIA Companies invited to participate in free online workshop on mitigating workplace stress during the Covid-19 pandemic

Abstract: As of 3 November 2020, interested companies can participate in a free online workshop on mitigating workplace stress during the Covid-19 pandemic which will be taking place on 5 November, 12 November, 19 November and 26 November 2020, from 9.30 am to 3.00 pm. The workshop will address how stress is related to mental distress, what mood disorders are, why they occur, how to recognize them, where to find help and what a person can do on their own.

Business Impact: Interested companies can participate in a free online workshop on mitigating workplace stress during the Covid-19 pandemic which will be taking place on 5 November, 12 November, 19 November and 26 November 2020, from 9.30 am to 3.00 pm. The workshop will address how stress is related to mental distress, what mood disorders are, why they occur, how to recognize them, where to find help and what a person can do on their own.

Analysis: Workshop on stress In the free online workshop, [Stress causes distress, strengthen your strength!](#) recognized experts will address questions such as: What are mood disorders? How do they develop? How to recognize them? How to contribute to reducing stigma? How to treat mood disorders? Where and to whom to help? What can you do yourself? The workshops are intended for all those who face mental health problems and their loved ones, as well as for employers, professionals and workers who encounter people with mental health problems in their work. The workshop(s) will take place on 5 November, 12 November, 19 November and 26 November, from 9.30 am to 3.00 pm. Interested persons can register for the workshop [online](#).

2.3 Latin America

2.3.1 ARGENTINA Companies can now benefit from an extended deadline for submitting their annual report on wastewater discharges

Abstract: Until 31 December 2020, industrial facilities can submit their annual report on wastewater. This follows from Resolution 390/2020, which extends the deadline for submitting the annual report on wastewater due to COVID-19 crisis. The previous extension was until 31 October 2020. The annual report on wastewater applies to industrial facilities generating effluents and must be submitted annually between 1 and 30 April.

Business Impact: If the company generates wastewater discharges, it must submit its annual report on wastewater discharges before 31 December 2020. This is due to an extension of the deadline for submitting such report, which normally must be submitted between 1 and 30 April every year.

Analysis: Actionable requirements If the company discharges effluents generated during its industrial activities, it must submit the annual report on wastewater before 31 December 2020

What has changed? Resolution 390/2020 extends until 31 December 2020 the deadline for companies to submit their annual reports on wastewater, which normally must be submitted between 1 and 30 April every year. The deadline was previously extended until 31 October 2020 by [Resolution 239/2020](#). The deadline extension is due to the COVID-19 crisis, during which several administrative procedure and activities have been suspended.

Additional information The annual report (*declaracion jurada anual*) on wastewater discharges is required by [Decree 684/89](#) for companies carrying out industrial activities. It must be submitted through the [online platform](#) of the Ministry of Environment and Sustainable Development (*Ministerio de Ambiente y Desarrollo Sustentable*) and includes the following information, among others:

- products manufactured in the facility and their quantity;
- description of the materials used in the manufacturing processes;
- technical description of the wastewater discharges (including the amount and frequency);
- chemical substances involved (for instance, mercury, lead, hydrocarbons and arsenic); and
- type of treatment given to the wastewater. [Resolution 390/2020, extending the deadline for submitting the annual report on wastewater discharges until 31 December 2020](#) is available online in Spanish.

2.4 Asia & Oceania

2.4.1 **INDIA UTTAR PRADESH** Manufacturing facilities established after October 2020 may be exempted from complying with all or any provisions of the factories laws for a period of 1000 days.

Abstract: Starting 20 October 2020, newly established factories that commenced operations after 20 October 2020 may be granted an exemption from complying with all or part of the provisions of the factories' laws with additional conditions or unconditionally for a period of 1000 days. This follows the publication of The Factories (Uttar Pradesh Amendment) Act, 2020 ("Amendment"). The Amendment provides an ability for newly established factories to acquire relaxations specific to working conditions, safety, security, and welfare of the workers. The Amendment amends the national Factories Act 1948 within the state of Uttar Pradesh. Currently, there are no exemptions provided through the Amendment.

Business Impact: The Factories (Uttar Pradesh Amendment) Act, 2020 ('Amendment') does not have direct EHS obligations on the company's operation. However, if the company is a manufacturing facility, it must know that as per the Amendment a newly established manufacturing facility that commenced operations anytime after 20 October 2020, may avail an exemption from factories' laws and any or all of its provisions for a period of 1000 days from the day when the operation commenced.

Analysis: Actionable requirements: Factories (Uttar Pradesh Amendment) Act, 2020 does not provide any actionable requirements to facilities.

What has changed? The Factories (Uttar Pradesh Amendment) Act, 2020 ("amendment") issued on 20 October 2020 by the Uttar Pradesh legislature amends the (National) [Factories Act, 1948](#) which may in future through a notification relax working conditions, safety, security, and welfare of the workers employed within the newly established factories that commenced operations after 20 October 2020. This Amendment was issued as part of the government's response to the COVID-19 Pandemic for an economic boost, attract investment, and increase employment opportunities within newly established factories registered under the Factories Act. These exemptions can include conditions attached to it or may be granted unconditionally. **Related definitions:** "Factory" under the national level Factories Act, 1948, a factory conducts a manufacturing process with 10 or more workers using power or 20 or more workers without the use of power. "Manufacturing Processes" is defined broadly under the Factories Act, 1948, and includes the following: - treating, processing, altering, repairing, or ornamenting any article or substance for use, sale, transport, delivery, or disposal; - pumping oil, water, sewage, or any other substance; - production and transmission of power; - printing or bookbinding operations; - preservation of articles in cold storage; and - vessel construction or deconstruction. [The Factories \(Uttar Pradesh Amendment\) Act, 2020](#) is available in Hindi and English on the Enhesa Knowledgebase.

2.4.2 **PUNJAB, PAKISTAN** Employers can consult COVID-19 prevention guide for shops, stores and industrial units for workplace preparedness in light of COVID-19 Pandemic

Abstract: With immediate effect, employers within Industrial Establishments and other workplaces can refer to the COVID-19 Prevention Guide for Shops, Stores & Industrial Units ("Guide") for preventive and control measures, and direction in the event of an outbreak of coronavirus within the workplace. The guide provides preventive measures such as the regular supply of hand sanitizers, soap, and running water in the washrooms and encourage the staff to work from home reduce the impacts of the outbreak, and support control measures



Business Impact: If the company is an industrial establishment or an administrative unit of manufacturing operations, it can implement COVID-19 Prevention Guide for Shops, Stores & Industrial Units within workplace settings and follow the detailed procedure for preventive and control measures and protocol for confirmed or suspected cases. In order to prevent exposure and spread of COVID-19 at the workplace, the company, can among other procedures: follow all the general and specific preventive measures for all workplace settings such as disinfection protocol, provisions of personal protective equipment, and a need for preparedness plan for every workplace; and review policies and practices to limit them to essential processes only and provide flexible working hours and office arrangement to maintain physical distancing and telework (wherever possible) within the premises. In addition, the company should note that a suspected case of corona (SARS-CoV-2) within an industrial establishment may be considered as an accident under Section 33-N of the Factories Act, 1934. Hence, the company is advised to notify the Regional Director and the Chief Inspector of Factories.

Analysis: Effective immediately, the COVID-19 Prevention Guide for Shops, Stores & Industrial Units ("Guide") issued by the Industries, Commerce, Investment & Skills Development Department as [part 1](#) and [part 2](#) provides direction to employers of all workplaces, including industries and commercial establishments to reduce and curb the spread of the Novel Coronavirus (COVID-19) with the prevention and management of COVID-19 outbreaks in the workplace.

General steps to take to reduce worker's risk of exposure to COVID-19 All employers including commercial establishments should adopt infection control strategies based on hazard assessment using engineering and administrative controls, safe work practices, and Personal Protective Equipment (PPE) to prevent worker exposure. Some of the infection control strategies include developing an infectious disease preparedness and response plan and implementing infection prevention measures. [Infectious disease preparedness and response plan](#) Employers should develop an infectious disease preparedness and response plan to address the levels of risk associated with various worksites and job tasks performed by employees, which may include:-

- source assessment of SARS-CoV-2;
- assessment of high-risk individuals; and
- non-occupational risk factors at home or community settings.

Implementation of basic infection prevention measures Basic infection prevention measures to be implemented by employers in order to protect workers at workplaces include, among others:-

- frequent and thorough handwashing by providing a place to wash hands;
- providing alcohol-based sanitizers for areas that do not have immediate access to soap and water;
- encourage workers to stay at home if they are sick;
- encourage telecommuting and staggered shifts;
- discourage the use of other worker's items such as phones, desks, offices, and other work equipment and tools;
- maintain regular housekeeping practices include routine cleaning and disinfecting of surfaces, equipment, and other elements of the work environment; and
- consult approved disinfectant labels with claims against emerging viral pathogens for use in cleaning or disinfection protocol.

Workplace controls to be implemented by all employers:- Engineering controls Engineering controls for reducing exposure to SARS-CoV-2 include:-

- installation of high-efficiency air filters;
- increasing ventilation in the work environment; and
- installation of physical barriers, such as clear plastic sneeze guards.

Administrative controls Administrative controls for reducing exposure to SARS-CoV-2 include:-

- minimizing contact among workers, clients, and customers by replacing face-to-face meetings with virtual communications, and implementing telework if feasible;
- establish alternating days or extra shifts that reduce the total number of employees in a facility at a given time;



discontinue non-essential travel to locations with ongoing COVID-19 outbreaks; and provide workers with up-to-date education and training on COVID-19 risk factors and protective behaviors (e.g., cough etiquette and care of PPE).

Standard Operating Procedures (SOPs) for all Industrial Establishments:-

Industrial establishments are to ensure entry and exit points are monitored to restrict entry where possible;
Industrial establishments are to record the entry and exit of individuals and vehicles at the premises;
Industrial establishments are to record the temperature of all the entrants to the premises along with other COVID-19 symptoms such as flu, cough, and muscular pain; and
Industrial establishments are to maintain a holding area or quarantine area to accommodate suspected persons till the results of the test are received and take additional measures if the persons test positive.
Additionally, workplaces within the Industrial establishments are to:-
clean workspaces and shared items with disinfectants (door handles, copy machines/printers, break rooms, remotes, light switches) three times daily. Surfaces (e.g., desks and tables) and objects (e.g., telephones, keyboards) need to be wiped with disinfectant regularly;
place sanitizer at entryways and provide employees with disinfecting wipes;
ensure that clothes of every person be disinfected before entering the workplace;
provide pick and drop facilities to the workers, especially the women workers, if possible, while maintaining the standard social distance (4 to 6 feet);
refer to nearest corona hospital facility if a worker has higher than normal temperature (above 37o Celcius or 98.4o Fahrenheit);
clean and disinfect the ducts of air-conditioning systems at all times;
ensure that facemasks and/or paper tissues are available at workplaces,
ensure closed bins are provided for those who develop a runny nose or cough at work, for disposal of facemasks and paper tissues;
develop work from home routine wherever possible; and
display posters promoting good hygiene habits and respiratory hygiene (posters included within the [COVID-19 Prevention Guide for Shops, Stores & Industrial Units - Part 2](#) in pages 36-39).

Standard Operating Procedures (SOPs) for the workplace areas:- All employers (industries and other workplaces) are to ensure that industrial floor and workplaces:-

keep a hotline for the availability of ambulance for immediate transfer in case of a suspected person to the main quarantine facility;
close the premises or unit immediately on confirmation of COVID-19 person as a result of a lab test, until proper sanitization and disinfection is conducted;
display a visible mark on the floor to maintain a distance of 4 to 6 feet ask workers to remain in or around their respective mark;
display of standard SOPs of COVID-19 at industries premises in Urdu with pictorials;
ensure washrooms are kept sanitized and disinfected, re-sanitize and disinfect after each use – including drying;
ensure general chlorination spray premises is carried out once every day; and
ensure a monitoring team at each unit level carries out inspections on compliance in every shift.

Transport of goods in industrial units or premises:- While transporting goods into industrial premises, the facility among others should ensure:-

raw materials, disassembled parts of machinery and other materials which are processed for a finished product are cleaned and sanitized at the entry point;
monitoring of temperature and other indicators of corona (SARS-CoV-2) such as flu, cold and muscular pain is exhibited on drivers, loaders, or staff transporting goods into the facility; and
3 feet distance is maintained within vehicle seating arrangements.

Reporting of suspected corona cases:- A suspected case of corona (SARS-CoV-2) within the facility may be considered as an accident under Section 33-N of the Factories Act, 1934, and a notification should be sent to the Regional Director and the Chief Inspector of Factories, Punjab through Fax, Email, and by any courier service or special messenger as well. In addition to the above SOPs, the facility should follow all the provisions under Section 3 of the Punjab Occupational Safety and Health Act, 2019, which among others, include:-

training of health and safety representatives regarding COVID-19 and bear the expenses of the training;
vaccination and inoculation all the employees within the facility for prevention against occupational-related diseases including corona (SARS-CoV-2); and
informing employees in writing regarding the hazards associated with the work and the preventive measures that need to be taken in view of the outbreak.

In addition to the above-listed protocols, the guide also provides a checklist of SOPs for day to day industrial operations. This checklist can be used by the facilities to conduct the day-to-day check of their facility for compliance with the regulations. (Ref. to pages 31 and 32 of the [COVID-19 Prevention Guide for Shops, Stores & Industrial Units - Part 2](#)).

Definitions: *Telecommuting* means flexible worksites. *Staggered* shifts mean flexible hours. *Industrial Establishment* includes factories, employers of contract labours, tramway or motor omnibus service, dock wharf or jetty, inland steam-vessel, mine, quarry or oil-field, plantation, workshop or other establishments where articles are produced, adapted or manufactured, or employers of the construction industry. *Commercial Establishment* means an establishment in which the business of advertising, commission or forwarding is conducted, or which is a commercial agency, and includes a clerical department of a factory or of any industrial or commercial undertaking, the official establishment of a person who for the purpose of fulfilling a contract with the owner of any commercial establishment or industrial establishment, employs workmen, a unit of a joint-stock company, an insurance company, a banking company or a bank, a broker's office or stock-exchange, a club, a hotel, a restaurant or an eating house, a cinema or theater, and such other establishment or class thereof, as Government may, by notification in the Official Gazette, declare to be a commercial establishment for the purpose of this Ordinance

The [COVID-19 Prevention Guide for Shops, Stores & Industrial Units - Part 1](#) and [COVID-19 Prevention Guide for Shops, Stores & Industrial Units - Part 2](#) are available in English on the ENHESA Knowledge base.



3. November 24, 2020

3.1 The US & Canada

3.1.1 US - HAWAII Companies must comply with the statewide face coverings requirement and continue implementing COVID-19 safe practices as the COVID-19 emergency period is extended through 31 December 2020

Abstract: As of 16 November 2020, companies that allow individuals to enter the premises must ensure that such individuals cover their nose and mouth with face coverings in compliance with the statewide mask mandate. If necessary, companies must deny entry of non-compliant individuals. Further, companies that conduct in-person operations must continue to comply with physical distancing requirements and any other applicable industry and regulatory guidelines related to COVID-19 issued by the federal, state, and local agencies. High-risk companies must continue to cease in-person operations until 31 December 2020, unless otherwise amended.

Business Impact: If the company is conducting in-person operations, it must continue to require individuals in the workplaces, including employees and visitors, to wear face coverings. The facility must review the statewide mask mandate and take the necessary measures to ensure that individuals adequately cover their nose and mouth with face coverings. Such measures include, for example, refusing the entry of visitors who fail to wear face coverings or implementing more stringent face coverings policies. Further, if the company is conducting in-person operations, it must continue implementing safe practices at its workplaces, including physical distancing and sanitization requirements. The company must continue to follow any county guidelines and adhere to industry-specific guidance issued by federal, state, or local agencies and industry organizations. Lastly, if the company is considered a high-risk business or not otherwise permitted to conduct in-person operations under the county's reopening status, it must continue to require all employees to stay home and work from home or cease operation.

Analysis: Actionable Requirements If the facility engages in a non-essential high-risk business, it requires all employees to work from home.

If the facility engages in an essential business or operation, it ensures that its employees work from home to the fullest extent possible.

If the facility conducts in-person operation during the COVID-19 emergency period, it implements safe practices in the workplace, such as providing sanitizing products.

If the facility conducts in-person operation during the COVID-19 emergency period, it ensures that all employees who may interact with the public wear face coverings.

If the facility conducts in-person operation during the COVID-19 emergency period, it ensures that all individuals on the premises, including its employees and any visitors, comply with the statewide mask mandate, such as by denying entry of individuals without face coverings.

What Has Changed The Fifteenth Supplementary Proclamation continues to allow non-essential medium-risk businesses to conduct in-person operations and require non-essential high-risk businesses to remain closed. Additionally, it requires all persons to wear face coverings in compliance with the statewide mask mandate. Previously, face-coverings requirements were enforced under county orders, rules, or directives.

Fifteenth Supplementary Proclamation On 16 November 2020, the Hawaii State Governor David Y. Ige issued the Fifteenth Supplementary Proclamation (Proclamation) to continue protecting the state from the 2019 novel coronavirus



disease (COVID-19). The Proclamation extends the COVID-19 emergency period to 31 December 2020 and directs counties to stay in Phase 2 of the State Roadmap to Recovery and Resilience until further notice. Accordingly, companies must continue to comply with county-specific reopening guidance, safe practices under the Proclamation, and any applicable industry-specific standards published at the county, state, and federal levels. *Statewide Mask Mandate* Further, the Proclamation establishes the statewide mask mandate, which requires all persons in Hawaii to wear face coverings over their nose and mouth when in public. Additionally, it requires companies to refuse admission or service to any individual who fails to wear face coverings unless specifically exempted. The statewide mask mandate authorizes companies to implement more stringent protocols or policies related to face coverings if necessary. Companies that fail to enforce the face-coverings requirement are subject to enforcement, including fines and mandatory closure. *Exemptions to the Statewide Mask Mandate* The Proclamation provides a list of exemptions from the face coverings requirement. For example, employees working at a desk or workstation and not actively engaged with other individuals are not required to wear face coverings, provided that the desk or workstation is not in a common or shared area and physical distancing of at least 6 feet is maintained. Employees engaged in outdoor work are also not required to wear face coverings when keeping at least 6 feet from other individuals. Additionally, the Proclamation exempts individuals with medical conditions or disabilities that prevent the wearing of a face covering. However, such individuals are encouraged to wear a face shield, such as plexiglass or clear plastic shields.

More Information For more information, see the Office of the Governor website for the [Fifteenth Supplementary Proclamation](#). Additional information on the current reopening status in Hawaii, including county-specific and industry-specific reopening guidelines, is available on the [Hawaii Recovery Navigator](#) website.

3.1.2 US - MARYLAND Companies operating during the COVID-19 state of emergency must comply with more restrictive operating requirements to prevent the spread of the disease

Abstract: Effective 11 November 2020 and 20 November 2020, respectively, food service establishments and retail establishments operating during the COVID-19 state of emergency must limit their capacity to no more than 50 percent of their maximum occupancy. All companies operating during the state of emergency must continue to comply with COVID-19 restrictions, which have been extended through 29 November 2020.

Business Impact: If the facility operates during the COVID-19 state of emergency, it must continue to comply with general and industry-specific directives and local orders regarding operational, occupancy, and sanitation requirements for the duration of the state of emergency, which has been extended through 29 November 2020. Previously the state of emergency and corresponding requirements were set to expire on 5 November 2020. Further, effective 11 November 2020, the facility must also operate any food service establishments at no more than 50 percent of its maximum occupancy, down from 75 percent. Additionally, effective 20 November 2020, if the facility owns or operates a retail establishment, it must operate such facility at no more than 50 percent of its maximum occupancy.

Analysis: Actionable Requirements *Requirements with changes*

If the facility operates a food service establishment during the COVID-19 state of emergency, it operates at no more than 50 percent of its maximum occupancy.

If the facility is a retail establishment operating during the COVID-19 state of emergency, it operates at no more than 50 percent of its maximum occupancy.

If the facility has a maximum permissible occupancy larger than 10 people and operates during the COVID-19 state of emergency, it complies with the applicable handwashing and notice requirements.

Requirements extended

If the facility operates during the COVID-19 state of emergency, it complies with all applicable local orders and state-wide



general and industry-specific operating directives.

If the facility is a retail establishment operating during the COVID-19 state of emergency, it implements social distancing measures, such as sanitizing or providing customers with the means to sanitize handles of carts or baskets available to customers, to the extent possible.

If the facility operates a food service establishment during the COVID-19 state of emergency, it does not serve food in a buffet format.

If the facility operates a food service establishment during the COVID-19 state of emergency, it only serves customers who are seated.

If the facility operates a food service establishment during the COVID-19 state of emergency, it cleans and disinfects each table between each seating following the U.S. Centers for Disease Control and Prevention (CDC) and Maryland Department of Health (DPH) guidelines.

If the facility operates a fitness center during the COVID-19 state of emergency, it operates at no more than 50 percent of its maximum occupancy.

What Has Changed As of 11 November 2020, companies that own or operate food establishments, such as workplace canteens, during the COVID-19 state of emergency must limit their indoor dining capacity to 50 percent of their maximum occupancy, down from 75 percent. Effective 20 November 2020, companies that own or operate retail establishments must limit their indoor capacity to 50 percent of their maximum occupancy. Additionally, on 30 October 2020, Governor Hogan issued an emergency proclamation renewing the state of emergency in response to the ongoing COVID-19 pandemic through 29 November 2020. While the proclamation itself does not contain an expiration date for the state of emergency and corresponding operational requirements, any declaration of a state of emergency for a catastrophic health emergency is limited by statute to last for only 30 days unless renewed by the Governor. Previously, the state of emergency and related requirements were set to expire on 5 November 2020.

Analysis *Maximum occupancy* For the capacity restrictions on retail, food service establishments, and fitness centers, maximum occupancy is the maximum occupancy load for a facility under the applicable fire code as set forth on a certificate issued by a local fire code official. If no such certificate has been issued for a facility, the maximum occupancy is determined according to the applicable laws, regulations, and permits. *Signage* Any signage requirements directing facilities to make available copies of the latest executive order to building occupants must now make Executive Order 20-11-17-01 available.

More Information For more information, see the [17 November 2020](#) (amended requirements) and the [30 October 2020](#) (extending the state of emergency) Executive Orders issued by Governor Hogan.

3.1.3 US - MASSACHUSETTS Governor Baker announced a series of targeted measures to disrupt the increasing trend of new COVID-19 cases

Abstract: Effective 6 November 2020, companies operating in Massachusetts are subject to more targeted measures to prevent the spread of COVID-19. The measures are meant to disrupt the rising trend of COVID-19 cases, so Massachusetts can keep the economy open and prevent the need to roll back to Phase I or Phase II of the reopening plan.

Business Impact: If the company operates in Massachusetts, it must comply with new and updated COVID-19 executive orders. For example, if the company owns or operates a fitness center or restaurant at its facility, it will be required to close those by 9:30 PM under the new stay-at-home advisory. Further, if the company hosts a conference, it must ensure it complies with the amended gathering order. For example, gatherings must end by 9:30 PM. Finally, the company can require employees to provide proof of a medical or disabling condition that exempts them from wearing a face-covering.



Analysis: On 2 November 2020, Governor Baker announced a series of targeted measures to disrupt the increasing trend of new COVID-19 cases and hospitalizations. The measures include revising the stay-at-home advisory and face-covering and gatherings orders and issuing a new executive order that requires the early closure of certain businesses and activities.

Stay-at-home Order Effective 6 November 2020, all Massachusetts residents are advised to stay home between the hours of 10 PM and 5 AM. To comply with the advisory, residents must: - only leave home to go to work, school, or for essential needs (e.g., emergency medical care, grocery store or pharmacy, picking up take-out food, or receiving deliveries); - not have gatherings in your home with anybody outside of your household; - comply with all Governor's Orders, including orders requiring face coverings, limiting gatherings, and mandating early closure of businesses; - practice social distancing and avoid touching surfaces frequently touched by others if you go outside; and - use remote modes of communication like phone or video chat. This stay-at-home advisory will not likely impact companies because residents are allowed to leave for work. However, companies should be generally aware of these restrictions because they could become more strict if COVID-19 cases continue to rise in the state.

Early Closure of Businesses and Activities Effective 6 November 2020, certain businesses and activities must close by 9:30 PM, among others: - restaurants (in-person dining must cease at 9:30 PM, although take-out and delivery may continue for food and non-alcoholic beverages, but not alcohol); and - gyms, fitness centers, and health clubs. This early closure may not impact businesses directly unless they own or operate a gym facility or restaurant; however, companies should be aware of these restrictions because they could become more strict if COVID-19 cases continue to rise in the state.

Face Covering Order Effective 6 November 2020, all persons over the age of 5 must wear face-coverings in all public places, even where they can maintain 6 feet of distance from others. Children between 2 and 5 are encouraged to wear masks; however, it is not required. Public places include retail stores. The revised order still allows for an exception for residents who cannot wear a face-covering due to a medical or disabling condition, but it allows employers to require employees to provide proof of such a condition. Further, a facility can decline entry to any individual that refuses to wear a mask or cloth face covering for non-medical reasons.

Gathering Order Under the amended gathering order, the limit on gatherings held in private spaces (e.g., residences), but the limit in public spaces and at event venues (e.g., wedding venues) remains the same. The new order also requires that all gatherings (regardless of size or location) must end and disperse by 9:30 PM. In addition to the size limitations, all participants in indoor and outdoor gatherings must maintain at least 6 feet distance from every other participant in the gathering. The amended order also requires that organizers of gatherings report known positive COVID-19 cases to the local health department in that community and requires organizers to cooperate with contact tracing. Under this order, work is not considered a gathering; however, conferences would be considered a gathering and subject to the executive order.

More Information The full text of the [Stay-at-home Advisory](#) can be found online. The full text of the early closure order can be found in [COVID-19 Order No. 53](#). The full text of the face covering order can be found in [COVID-19 Order No. 55](#). The full text of the gathering order can be found in [COVID-19 Order No. 54](#).



3.1.4 US – NEW JERSEY Companies that permit or require employees to work onsite must comply with a standardized list of health and safety requirements meant to prevent the spread of COVID-19

Abstract: Effective 5 November 2020, companies that permit or require employees to work onsite must comply with a standardized list of requirements meant to curb the further spread of COVID-19, including facial covering, sanitization, social distancing, and health screening requirements.

Business Impact: If the company requires or permits employees to work onsite, it must comply with the new standardized set of COVID-19 requirements, including social distancing, face mask, sanitization, health screening, and quarantine requirements. Many of the requirements already applied through guidance issued by the U.S. Centers for Disease Control and Prevention (CDC) and the U.S. Occupational Safety and Health Administration (OSHA). The recent executive order compiled those requirements in one place and expanded the scope of those requirements to all companies with onsite employees, rather than specific job sectors.

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

What Has Changed? These requirements have been standardized and now apply to all employers that require or permit employees to work onsite, rather than specific job sectors. The requirements already applied to most companies through the catch-all provision in previous executive orders that require companies to comply with guidance issued by the U.S. Centers for Disease Control and Prevention (CDC) and the U.S. Occupational Safety and Health Administration (OSHA). Executive Order 192 compiled those requirements in one place and expanded their scope to all employers that require or permit employees to work onsite.

Executive Order 192: To Protect New Jersey's Workforce During the COVID-19 Pandemic Effective at 6 AM on 5 November 2020, every company that permits or requires employees to work onsite must comply with a list of standardized operation requirements meant to curb the further spread of COVID-19. Specifically, companies must:

- require all individuals at the worksite maintain at least 6 feet of distance from one another to the maximum extent possible, including during worksite meetings, orientations, in common areas such as restrooms and breakrooms, and when individuals are entering and exiting the workplace;
- if the nature of the employee's work or the work area does not allow for 6 feet of distance to be maintained at all times, ensure that each such employee wears a mask and install physical barriers between workstations wherever possible;
- require employees, customers, visitors, and other individuals entering the worksite to wear a cloth or disposable face mask while on the premises in accordance with CDC recommendations, except when the individual is under 2 years of age or where it is impracticable for an individual to wear a face mask. Employees may remove face masks when situated at their workstations and 6 feet away from other individuals in the workplace, or when an individual is alone in a walled office;
- make face masks available to employees at the company's expense;
- provide sanitization materials, such as hand sanitizer with at least 60% alcohol and sanitizing wipes approved by the U.S. Environmental Protection Agency (EPA) for COVID-19 to employees, customers, and visitors at no cost to those individuals;
- ensure employees practice regular hand hygiene, particularly when such employees are interacting with the public, and provide employees break time for repeated handwashing throughout the workday and access to adequate handwashing facilities;
- provide gloves to employees if a company requires its employees to wear gloves while at the worksite;
- routinely clean and disinfect all high-touch areas in accordance with New Jersey Department of Health (DOH) and CDC guidelines, particularly in spaces accessible to employees, customers, and other individuals. High-touch areas include



restrooms, handrails, doorknobs, other common surfaces, safety equipment, and other frequently touched surfaces including employee-used equipment;
comply with all CDC-recommended cleaning procedures following a known or potential exposure to COVID-19;
conduct daily health checks of employees prior to each shift, including temperature screenings, visual symptom checking, self-assessment checklists, and/or health questionnaires consistent with CDC guidance;
promptly notify all employees of any known exposure to COVID-19 at the worksite, consistent with the confidentiality requirements of the Americans with Disabilities Act (ADA) and other applicable laws;
clean and disinfect the worksite in accordance with CDC guidelines when an employee at the site has been diagnosed with COVID-19;
immediately separate and send home employees who appear to have COVID-19 symptoms as defined by the CDC; and continue to follow all applicable guidelines and directives issued by the New Jersey Department of Health, the CDC, and OSHA.

Additional Information For more information, see [Executive Order 192: To Protect New Jersey's Workforce During the COVID-19 Pandemic](#)

3.1.5 US - NEW YORK Additional COVID-19 restrictions imposed on food establishments and gyms or fitness centers, requiring such facilities to cease in-person service from 10 PM to 5 AM

Abstract: As of 13 November 2020, companies that own or operate food-service establishments, such as business cafeterias and onsite canteens, must cease all on-premises service and food and beverage consumption from 10 PM to 5 AM. Similarly, companies that own or operate gyms or fitness centers must prohibit members- or public-access from 10 PM to 5 AM. The operating hour restrictions are effective until 12 December 2020, 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 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 cease the operation from 10 PM to 5 AM. The company must comply with these additional COVID-19 restrictions until 12 December 2020, 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 The Executive Order (EO) Number 202.74 requires all food-service establishments and gyms or fitness centers in New York State to cease in-person service from 10 PM to 5 AM daily, beginning 13 November 2020.

Executive Order No. 202.74 On 12 November 2020, the New York State Governor Andrew Cuomo issued EO No. 202.74 as a continued effort to slow the spread of the 2019 novel coronavirus disease (COVID-19). Food-service establishments and gyms or fitness centers are currently subject to various reopening requirements, including maximum indoor occupancy limits. While EO No. 202.74 retains the current social distancing measures and cluster-based restrictions, it limits operating hours for the first time. EO No. 202.74 is effective until 12 December 2020, unless further amended.

More Information For more information, see the Office of the Governor website for [EO No. 202.74](#). Additional information, including the most current COVID-19 status in New York State, is available on [DOH's website](#).





3.1.6 US - NORTH DAKOTA Companies operating during the COVID-19 state of emergency must require face coverings indoors for the first time

Abstract: Effective 14 November 2020, companies that operate during the COVID-19 state of emergency must comply with face covering requirements and related signage requirements for the first time. Companies must require face coverings be worn by all employees and guests in indoor spaces and when waiting to enter indoor spaces, unless an exemption applies. The updated operating requirements for facilities during the state of emergency also include new capacity requirements on food service establishments requiring such facilities to operate at no more than 50 percent of their licensed capacity, up to 150 people.

Business Impact: If the company operates during the COVID-19 state of emergency, it must require that all employees and guests wear face coverings on-site, unless an exemption applies, along with related signage requirements directing employees and guests to wear appropriate face coverings. If the company operates a food service establishment, it must operate at no more than 50 percent of its licensed capacity, up to 150 people. Food service establishments must also comply with certain physical distancing and additional signage requirements.

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.

New requirements

If the facility operates during the COVID-19 state of emergency, it requires face coverings in all indoor areas and when waiting outdoors to enter, unless an exemption applies.

If the facility operates during the COVID-19 state of emergency, it conspicuously displays signs instructing employees and guests to wear face coverings, socially distance, and stay at home if they display symptoms of COVID-19.

If the facility operates a food establishment during the COVID-19 state of emergency, it limits occupancy to no more than 50 percent of its licensed seating capacity, up to 150 patrons.

If the facility operates a food establishment during the COVID-19 state of emergency, it complies with the applicable physical distancing requirements.

What Has Changed Effective 14 November 2020, companies that operate during the COVID-19 state of emergency must comply with the requirements in Executive Order 2020-43 issued by Governor Burgum and the North Dakota Department of Health Order 2020-08. For the first time, companies must require face coverings for employees and guests when they are either indoors or waiting outdoors to enter the facility. Facilities must also comply with signage requirements related to face coverings for the first time. In addition to the face-covering requirements, the Executive Order amends the existing capacity limits for food service establishments to no more than 50 percent of their licensed seating capacity (up to a maximum of 150 patrons), regardless of the county risk designation for the county in which they operate. Food service establishments must also comply with certain physical distancing requirements for the first time. Both the face-covering and food service establishment requirements will remain in effect until 13 December 2020 unless extended, modified, or rescinded.

Analysis Mandatory face coverings Companies must require that owners, managers, employees, and guests wear face coverings when in indoor areas and while waiting outdoors to enter an indoor area. For the purposes of these requirements, a face covering is worn over the nose and mouth, consists of at least 2 layers, and is any of the following:

a paper or a disposable face mask;

a cloth face mask;

a neck gaiter;

a religious face covering; or

medical-grade masks and respirators.

Masks that incorporate valves for easy exhaling, mesh masks, or masks with openings, holes, visible gaps, or vents are not



considered sufficient face coverings. *Exemptions* Face coverings must not be required for the following individuals: individuals with a mental condition, mental health condition, or disability that makes it unreasonable for the individual to maintain a face covering, including those with a condition that compromises their ability to breathe or those that are unable to remove a face covering without assistance; children who are 4 years old or younger; and individuals at their workplace when wearing a face covering would create a job hazard for the individual or others, as determined by local, state, or federal regulators, or workplace safety and health standards and guidelines. Under certain conditions, face coverings may be temporarily removed. This includes when individuals are: testifying or speaking in an indoor business or public indoor space, giving presentations, or giving a lecture, provided that physical distancing of at least 6 feet is always maintained; during activities such as showering where the face covering will get wet; when eating or drinking in an indoor business or public space, provided that physical distancing of at least 6 feet is always maintained; when asked to remove a face covering to verify an identity for lawful purposes; or when communicating with someone who is deaf or hard of hearing, provided that physical distancing is maintained to the extent possible between persons who are not members of the same household.

Requirements for food establishments Companies that operate food service establishments must operate at no more than 50 percent of their licensed seating capacity, up to a maximum of 150 patrons. Such facilities must also only provide seated services and arrange tables to allow for at least 6 feet of physical distancing between groups. In-person dining by patrons must only be allowed between 4:00 a.m. and 10:00 p.m. The orders do not define food service establishment; however, food service establishments are defined by statute as any limited restaurant or similar place in which food or drink is prepared for sale or service to the public on the premises or elsewhere with or without charge. Limited restaurants include an establishment serving only prepackaged foods, such as frozen pizza and sandwiches, which receive no more than heat treatment and are served directly in the package or on single-serve articles. *Signage requirements* All companies operating during the COVID-19 state of emergency must display one or more signs visible to all employees, customers, and visitors instructing them to wear face coverings unless an exemption applies. If the facility also includes a food service establishment, signs must include face covering and physical distancing requirements, a list of symptoms of COVID-19, and instructions that anyone experiencing symptoms stay at home.

More Information For more information, see the [13 November 2020 Executive Order](#) issued by Governor Burgum and the [13 November 2020 face covering order](#) issued by the Department of Health.

3.1.7 US - RHODE ISLAND Companies must comply with the strengthened social gathering limit and continue complying with the self-quarantine measures

Abstract: Effective 30 October 2020, companies must comply with the strengthened maximum gathering size limit, which is now decreased from 15 people to 10 people for both indoor and outdoor gatherings. Also, the state of emergency in Rhode Island is extended to last until 3 December 2020 and companies must continue to comply with the self-quarantine measures established by Executive Order 20-71 (Further Quarantine Order).

Business Impact: The company must note that, as of 30 October 2020, indoor and outdoor gatherings or events are limited to 10 people instead of 15 people. Also, the company must ensure that its employees comply with Rhode Island's self-quarantine measures such as immediately self-quarantining for 14 days after known close contact (within 6 feet) with a person who has been clinically diagnosed with COVID-19.

Analysis: Actionable Requirements

If the company operates in-person operations in Rhode Island, it ensures that its employees comply with self-quarantine



measures.

If the company holds an event or a social gathering, it complies with the maximum gathering size limit of 10 people for both indoor and outdoor social gatherings or events.

What has Changed? Rhode Island strengthened its maximum gathering size limit to suppress the spread of COVID-19. Further, the previously-imposed self-quarantine measures have been further extended until 3 December 2020.

More Information *Quarantine Measures* All individuals in Rhode Island must comply with the following quarantine and isolation requirements:

Any person who has been clinically diagnosed with COVID-19 by a licensed health care practitioner by assessment of symptoms or by laboratory testing must immediately self-isolate in accordance with the [Centers for Disease Control and Prevention \(CDC\) guidance](#); Any person who has been in known close contact (within 6 feet) with a person who has been clinically diagnosed with COVID-19 must immediately self-quarantine for 14 days following that contact;

Any person arriving from a location outside the 50 states or the District of Columbia must immediately self-quarantine for 14 days upon arrival in Rhode Island; and

Any person coming to Rhode Island for a non-work-related purpose from states with a high community spread rate as set forth on a [list](#) must immediately self-quarantine for 14 days or until they receive a negative COVID-19 test.

Office-Based Operations For office-based businesses, a maximum of 66 percent of workers may work on-site at the same time as long as physical distancing standards and COVID-19 workplace safety regulations are followed. Office-based businesses that have been conducting in-person operations with more than 66 percent of employees during Phase II are not required to reduce the number of workers working on-site during Phase III.

Additional Information [Executive Order 20-91](#), which extends various executive orders, is available online. [Executive Order 20-95](#), which revises Phase III plan, is available online.

3.2 Europe

3.2.1 BELGIUM FEDERAL Teleworking mandatory for facilities until at least 13 December 2020 (COVID-19)

Abstract: As of 2 November 2020, facilities with business to business activities must extend the current mandatory teleworking policy until at least 13 December 2020. This follows the strengthening of COVID-19 containment measures aimed to slow down a second outbreak of the coronavirus in Belgium.

Business Impact: If the facility, as a warehouse or data center, has business to business activities, it must extend the current mandatory teleworking policy until at least 13 December 2020. Furthermore, facilities must provide employees who are unable to telework with a certificate or any other evidence confirming the need for their presence at the workplace.

Analysis: Actionable requirements If the facility has employees working on its premises during the COVID-19 crisis, it implements a working from home policy (teleworking) to the extent that the continuity of business operations, activities, and services is ensured. (*existing*)

If the facility has employees working on its premises during the COVID-19 crisis, it must take appropriate preventive measures (*mesures préventives appropriées // tijdig passende preventiemaatregelen*) to ensure a social distancing of 1,5 metres at the workplace or, if this is not possible, to ensure a similar level of protection through other measures. (*existing*)

What has changed? Following the Ministerial Order of 1 November 2020 amending the Ministerial Order of 28 October 2020 on urgent measures to limit the spread of the coronavirus COVID-19 (the Ministerial Order) (available in [French](#) and [Dutch](#)), working from home remains mandatory for any facility, irrespective of its size, for every position where this is possible. This obligation remains in force until at least 13 December 2020. Teleworking stays the rule in all companies, associations and services for all employees whose function lends itself to it, to the extent that the continuity of business operations, activities and services so permits. However, organised returns to the workplace are no longer allowed. A new obligation following the Ministerial Order requires facilities to provide employees who are unable to telework with a certificate (*attest // attestation*) or any other evidence confirming the need for their presence at the workplace. Furthermore, if teleworking is not possible, and the facility has employees working on its premises, it must have appropriate preventive measures in place. These measures include health and safety measures on material, technical and/or organisational nature to ensure a social distancing of 1,5 metres at the workplace. If ensuring a social distance of 1,5 metres is not possible, a similar level of protection must be guaranteed through other measures (such as hand hygiene, cleaning of workspaces, ventilation). The preventive measures must be based on those in the [updated](#) Generic Guide version 3.0 (published on 1 November 2020) (available in [French](#) and [Dutch](#)) provided by the Federal Public Service Employment, Labour and Social Dialogue. If the facility continued its operations as an essential service provider or industry, it must use the generic guide to assess and adjust (if necessary) its internal procedures and policies.

3.2.2 CROATIA Croatian application 'Stop COVID-19' now also equipped with cross-border function

Abstract: As of 19 November 2020, companies located in Croatia should note that the "Stop COVID-19" application, aimed at reducing the transmission of Covid-19, now also works cross-border by means of data exchange with official applications of other EU member states. By installing the application, persons can ensure that they receive a notification of Covid-19 exposure in the event of travel abroad or interaction with users of other authorized COVID-19 mobile applications in Croatia.

Business Impact: Companies located in Croatia should note that, as of 19 November 2020, the "Stop COVID-19" application, aimed at reducing the transmission of Covid-19, now also works cross-border by means of data exchange with official applications of other EU member states. By installing the application, persons can ensure that they are notified of Covid-19 exposure in the event of travel abroad or interaction with users of other authorized COVID-19 mobile applications in Croatia.

Analysis: "Stop COVID-19" application In its latest [publication](#), the Croatian Institute of Public Health reported that cross-border data exchange through the Croatian application '[Stop Covid-19](#)' has been enabled. This comes as a result of the decisions and recommendation of the European Commission and the technical and safety requirements of the eHealth Network and other European bodies. This makes Croatia the seventh EU country in a row, along with Denmark, Germany, Ireland, Italy, Latvia and Spain, which exchanges "infected keys" through the federation gateway ([European Federation Gateway Service](#)) and thus enables anonymous notification of foreign contacts about the risk of infection COVID-19 disease. By installing the application, persons can ensure that they receive a notification of Covid-19 exposure in the event of travel abroad or interaction with users of other authorized COVID-19 mobile applications in Croatia. The more people use the application, the more likely it is to have a positive impact on the fight against Covid-10, and the better the Institute will be able to evaluate its effectiveness. The takeover rate in the EU is currently between 1% and 38% of the population, depending on the Member State. But even with low use, it is possible to make a difference: researchers say that at 15% it can have a significant impact on the transmission and mortality of Covid-19. Therefore, everyone who has the option to download the application is encouraged to install it and use. The application can be downloaded [online](#) for both Android and iOS phone users.

3.2.3 IRELAND Updated penalties introduced for companies that fail to comply with COVID 19 public health measures, with restrictive measures on companies set to continue in force until 1 December 2020

Abstract: Since 26 October 2020 companies operating in Ireland can be made subject to amended penalties for non-compliance with public health restrictions adopted under the Health Act 1947 for the prevention of the spread of COVID 19. This is due to amendments to the system of penalties for non-compliance, including the adoption of a graded system of penalties for offences. Companies must continue to comply with relevant public health measures including the measures set out under the Health Act 1947 (Section 31A - Temporary Restrictions) (COVID-19) (No. 8) Regulations 2020 prohibiting events and restricting the operation of non-essential services and retail operations, which have been confirmed to remain in force until 1 December 2020.

Business Impact: If the company operates in Ireland, it should be aware of amendments to the Health Act 1947 (the Act) which introduce updated offences for non-compliance with regulations made under the Act for the purposes of preventing the spread of COVID 19. These amendments provide for a graded system of offences for first, second and third-time offences, and corresponding fines and potential prison sentences. In order to avoid potential liability companies must ensure that they continue to comply with the current public health measures set out by regulations adopted under the Act, including those set out by the Health Act 1947 (Section 31A - Temporary Restrictions) (COVID-19) (No. 8) Regulations 2020 (S.I. No. 448 of 2020). These measures, which include prohibitions on the organising of events, as well as restrictions on the operation of non-essential services and retail outlets, have recently been confirmed by resolutions adopted in Ireland's houses of parliament to remain in force until 1 December 2020.

Analysis: Actionable requirements The Health (Amendment) Act 2020 (No. 19 of 2020) does not create new requirements for companies. However, companies must continue to ensure that they comply with current restrictive measures set out under the Health Act 1947 (Section 31A - Temporary Restrictions) (COVID-19) (No. 8) Regulations 2020 (S.I. No. 448 of 2020) which remain in force until 1 December 2020, or they may be made liable to new penalties prescribed under the Health Act 1947.

What has changed The [Health \(Amendment\) Act 2020 \(No. 19 of 2020\)](#) (the Amendment Act) entered into force on 26 October 2020. The Amendment Act amends the [Health Act 1947](#) to give additional powers to the Minister for Health in relation to penal provisions for non-compliance with regulations establishing public health measures to prevent the spread of COVID 19. As such, companies may be subject to amended penalties where they do not comply with measures imposed by regulations created under the Act. These amendments include the introduction of graded offences for first, second and third-time offences. The new penalties for first and second-time offences are lower than the previous penalty that had originally been in place, which had been fines of up to 2,500 EUR or a 6-month term of imprisonment, or both. This will now only apply to third-time or subsequent offences. Further, the Minister may also prescribe certain penal provisions for non-compliance to be fixed penalty provisions. In addition, the restrictive measures set out under the [Health Act 1947 \(Section 31A - Temporary Restrictions\) \(COVID-19\) \(No. 8\) Regulations 2020 \(S.I. No. 448 of 2020\)](#) will remain in force until 1 December 2020.

Additional information *Updated penalties* The Amendment Act replaces the previous penalty provisions set out under the Act for offences under section 31A, which include non-compliance with the provisions of regulations made under that section. The amendments introduce a graded offence system, wherein people who commit an offence may be made liable to: -in the case of a first offence, a fine not exceeding 1,000 EUR or imprisonment for a term not exceeding one month or both; -in the case of a second offence, a fine not exceeding 1,500 EUR or imprisonment for a term not exceeding 3 months, or both; and -in the case of a third or subsequent offence, a fine not exceeding 2,500 EUR or imprisonment for a term not exceeding 6 months, or both. However, where a court considers that there were aggravating circumstances attached to the commission of the offence it may impose the harsher penalties attached to a third/subsequent offence in



respect of an offence that is a first or second-time offence. *Restrictive measures continue in force* Companies must continue to comply with the provisions of the Health Act 1947 (Section 31A - Temporary Restrictions) (COVID-19) (No. 8) Regulations 2020 (S.I. No. 448 of 2020), adopted under section 31A of the Act. These provisions include that, among other things: -businesses must not organise relevant events; -businesses that operate non-essential retail outlets or non-essential services must not allow workers or members of the public to access the premises; and -businesses that do operate essential retail outlets or essential services must only permit workers access to the premises where this access is necessary for the operation of the essential service or essential retail outlet.

3.2.4 SLOVENIA Employers must consult the Protocol for the control of the spread of Covid-19 infection in the workplace in case of a confirmed Covid-19 infection at the workplace

Abstract: As of 28 October 2020, companies located in Slovenia must consult the Protocol for the control of the spread of Covid-19 infection in the workplace, as provided by the Ministry of Health, which lays out the procedure to be followed in the case of a confirmed Covid-19 infection at the workplace. Compliance with the protocol is mandatory.

Business Impact: Companies located in Slovenia must, as of 28 October 2020, consult and follow the measures prescribed in the Protocol for the control of the spread of Covid-19 infection in the workplace, as provided by the Ministry of Health, which lays out the procedure to be followed in the case of a confirmed Covid-19 infection at the workplace. Compliance with the protocol is mandatory.

Analysis: Protocol for the control of the spread of Covid-19 infection in the workplace Pursuant to the [Protocol for the control of the spread of SARS-CoV-2 infection in the workplace](#), an employee that is reported to be infected with SARS-CoV-2, as supported by a positive molecular (PCR) test for SARS-CoV-2, must notify the employer immediately. When the employer receives notice of an employee being covid positive, they must carry out a risky contacts inquiry and provide this information to the occupational medicine specialist (*specialist medicine dela*). The employer and the infected worker(s) then work together to ascertain whether any other persons at the workplace could have been in contact with the Covid positive employee. The occupational medicine specialist then provides all high-risk contacts with the [Guidelines of the National Institute of Public Health](#) (NIJZ) for home quarantine. Insofar as the work process allows the employer to immediately send a worker who has been in high-risk contact to work from at home, or, in cooperation with the occupational medicine, re-organizes work processes so that the transmission of the infection is not possible. This also includes coming to and from work from home. All other high-risk contacts should be instructed to stay at home immediately and should be subsequently provided with a certificate of referral to quarantine at home. Other workers who have been in contact with an infected person but are not high-risk contacts can continue to work if all hygienic measures have been strictly observed at the workplace (such as physical distancing, the consistent wearing of masks, washing and disinfecting hands and work surfaces, snacking outside common areas...). Optimally, all high-risk workers should be enabled to work from home. A worker who has had a high-risk contact outside the workplace (such as contact with a Covid positive person in the same a household) or has been notified via the #StayHealth app, must inform the employer of this. The employer will, in cooperation with the occupational medicine practitioner, determine whether the worker should perform work from home or in another safe way, or if they should immediately stay at home in quarantine. Furthermore, the employer must, in cooperation with the provider of occupational medicine (*izvajalc medicine dela*), draw up a list of all workers in quarantine at home, with their permanent or temporary residence, and electronic address, and forward this list to the NIJZ (after obtaining prior consent from the employees on the list). NIJZ will then, as proof of the exercise of the right to salary compensation or other rights from the point of view of health and social care, send to these workers a certificate of referral to quarantine at home (*potrdilo o napotitvi v karanteno na domu*) by e-mail or regular mail within 72 hours. Lastly, in case of infection in the work organization, the employer, in cooperation with the provider of occupational medicine, re-examines all other measures to reduce infection and takes any additional measures necessary to further reduce the risk of spread of Covid-19.



3.3 Latin America

3.3.1 ARGENTINA Companies operating in the Metropolitan Area of Buenos Aires are no longer affected by the lockdown, while it continues to be imposed in other regions of Argentina until 29 November

Abstract: Until 29 November 2020, companies carrying out non-essential or non-expressly exempted activities in areas affected by the lockdown must continue to cease their activities as Argentina has extended the lockdown under the same conditions as the previous extension. This follows from Decree 875/2020 which extends the lockdown in some areas of the country (such as some departments of Buenos Aires, Chubut and Santa Fe provinces), while it keeps the social distancing measures in the rest of the provinces. The lockdown has been eased in the Metropolitan Area of Buenos Aires.

Business Impact: If the company operates in an area affected by the lockdown (such as some departments of Santa Fe, Chubut, Río Negro or Cordoba provinces) and does not carry out any of the activities classified as essential or expressly exempted (such as food or pharmaceutical industries, manufacture of products for the export, or construction sector), it must continue to cease its operations until 29 November 2020. The company can remain operational remotely, if possible. If the company operates in any other area where the lockdown has been lifted, it can continue with its activities, subject to the authorization of the local authorities. Among others, the company must continue to comply with the sanitary protocols specific to its activity, ensure there is a physical distance of at least 2 meters between workers, and comply with any decision of local authorities regarding opening hours and operating days. In addition, the company can organize employees in turns for granting the physical distance in rooms used for resting or eating.

Analysis: Actionable requirements If the company carries out activities in areas under lockdown (such as some municipalities inside Buenos Aires Province and some departments of Santa Fe and Chubut provinces) and does not carry out essential or expressly exempted activities, it remains shut down, or continues its operations remotely, until 29 November 2020. Additionally, if the company has resumed activities, it must continue to comply with the 2 meters physical distance, adequately ventilate areas allocated for rest, food, or any other activity within the working environment.

What has changed? The above-listed actionable requirements are not new. Decree 875/2020 extends the lockdown until 29 November 2020 in areas where the number of COVID-19 cases continues to increase, whereas it extends the obligation to comply with social distancing measures, without lockdown, in the rest of the country. The most significant change is that this Decree has eased the lockdown in the Metropolitan Area of Buenos Aires, which is the most populated area and where the majority of productive activities are concentrated. Companies operating in the Metropolitan Area of Buenos Aires must now comply with the social distancing measures and the protocols approved for their activities. Regarding prohibitions and allowed activities, the Decree keeps the same conditions as in the previous extensions ([Decree 792/2020](#)).

Additional information On 7 October 2020, the Argentine government published Decree 875/2020, which extended the lockdown. In this regard, the lockdown continues to be imposed in some areas of Santa Fe, Neuquén, Chubut, Río Negro and Tierra del Fuego provinces. However, the Decree eases the lockdown in the Metropolitan Area of Buenos Aires (*Área Metropolitana de Buenos Aires -AMBA*), which includes the City of Buenos Aires and 35 municipalities of the Buenos Aires province, including, among others:

La Matanza;
Vicente López; and
Avellaneda.



The following activities are exempted from the lockdown, among others:

food and pharmaceutical industries;

provision of construction materials and the industrial activities related to it;

economic activities taking place in Industrial Estates (*Parques Industriales*)

health and safety professionals;

manufacture of products for the export; and

industrial activities with continuous production processes, to which the interruption of their operations would damage their production lines or machinery (for instance, glass and metal industries).

Moreover, local authorities are allowed to request the national government the exemption of further activities, subject to the existence or elaboration of a sanitary protocol. Furthermore, companies that do not carry out essential activities must provide private transport means to their workers, since public transport is reserved only for essential workers (such as healthcare workers and police officers).

In areas where the lockdown has been eased, the following social distancing measures must be respected, among others:

physical distance of at least 2 meters;

use of face masks;

regular hands washing;

disinfection of surfaces of common use; and

ventilation of closed environments.

Companies carrying out industrial and commercial activities must continue to comply with the sector protocol specific to their activities and restrict the attendance to 50% of their capacity. Furthermore, companies must ensure that there is a physical distance of at least 2 meters in indoors resting areas or canteens.

Finally, employees over 60 years of age, pregnant women, workers included within risk groups (such as people with diabetes, respiratory diseases, or under cancer treatment) or workers whose presence at home is required for taking care of children or elders continue to be exempted countrywide from attending their workplaces.

[Decree 875/2020, extending the lockdown and social distancing measures until 29 November 2020](#) is available online in Spanish.

3.3.2 COLOMBIA Companies operating in Colombia can face selective lockdowns, as the selective and responsible lockdown has been extended until 1 December

Abstract: Until 1 December 2020, companies can be subject to selective and temporary lockdowns and must continue to prioritize teleworking where possible. This follows from Decree 1408 of 2020, which extends the selective lockdown under the exact same conditions as before.

Business Impact: The company must be aware that until 1 December 2020, Colombia continues to be under a selective lockdown. Therefore, if the company operates in a municipality where the number of COVID-19 cases continues to increase, the local authority can reimpose the lockdown for preventing the contagion. In addition, the company must continue to strictly comply with the sanitary protocols, and promote and implement teleworking among the employees whose presence is not essential in the facility.

Analysis: Actionable requirements

If the company operates in a region or municipality, where a selective lockdown has been imposed by the local authority, and its activity is not exempted from it, it remains shut down until 1 December 2020, or continues its operations remotely. If the company has resumed activities, it complies with the applicable sanitary protocols.

The company promotes and implements teleworking as much as possible during COVID-19 pandemic.



What has change? The above-listed requirements for companies are not new. Decree 1408 of 2020 extends the applicability period of Decree 1168 of 2020, on the selective and responsible lockdown, until 1 December 2020. During the selective lockdown most of activities are allowed and local authorities can decide to impose temporary lockdowns in their territories, if the number of COVID-19 cases increases leading to an outbreak.

Additional information On 30 October 2020, the presidency of Colombia published Decree 1408 of 2020, which extends the responsible and selective lockdown until 1 December 2020, under the exact same conditions as before. The following activities continue to be forbidden countrywide:

public and private events involving crowds; and
bars, and night clubs.

In addition, the country continues to have closed land and water borders with:

Venezuela;
Panama;
Ecuador; and
Brazil.

[Decree 1408 of 2020 extending the selective lockdown until 1 December 2020](#) is available online in Spanish.

3.3.3 MEXICO STATE Companies generating, managing or final disposing of waste which was potentially in contact with SARS Cov-2 virus must comply with updated requirements

Abstract: As of 17 July 2020, companies generating, managing, treating or final disposing of waste which was potentially in contact with SARS Cov-2 virus must comply with updated waste management requirements to prevent COVID-19 spread. This follows from State Technical Standard NTEAE-0020-SeMAGEM-RS-2020, which sets out specifications for the management of sanitary and COVID-19 waste generated or disposed of in the State of Mexico. It applies to all companies generating, managing or final disposing of solid urban waste or special waste.

Business Impact: If the company generates, manipulates or disposes of sanitary waste or waste which was potentially in contact with SARS Cov-2 virus, it correctly labels the bags containing this type of waste, disinfects the content before closing the bags, and isolates them until they are collected. In addition, the company ensures that the disposable personal protective equipment (such as gloves, facemasks or eye protectors) is destroyed or neutralized for preventing from further use before being disposed of. In addition, the company must provide the corresponding personal protective equipment to employees managing these types of waste. All this measures are to prevent COVID-19 spread through waste management.

Analysis: Actionable requirements If the company generates sanitary waste, it disposes of it in perfectly sealed bags and isolates it for at least 5 days. The bags containing sanitary waste have a label stating: "NON-RECYCLABLE SANITARY WASTE" (*SANITARIOS NO RECICLABLES*). If the company generates sanitary waste or waste that was potentially in contact with SARS Cov-2 virus, it sprays a chlorine solution on the waste before closing the bags containing it. If the company generates sanitary waste, it sprays a chlorine solution on the bags containing it, once the isolation period is concluded and before the bags are collected. The company ensures that facemasks, face protectors, used disposable gloves are cut or destroyed for preventing a further use of them and disposed as sanitary waste. The bags containing waste which was potentially in contact with SARS Cov-2 virus have a label stating: "COVID-19 WASTE" (*RESIDUOS COVID-19*). The company ensures that bags containing waste which was potentially in contact with SARS Cov-2 virus is kept isolated in a ventilated area until it is collected. If the company transports sanitary or COVID-19 waste, it disinfects the vehicles with a chlorine solution before starting and after ending the working day. The company provides its workers manipulating sanitary waste or waste which was potentially in contact with SARS Cov-2 virus with adequate Personal Protective Equipment (such as professional facemask, boots, eye protection, and disposable gloves or reusable gloves daily disinfected).



What has changed? The above-mentioned requirements are new. State Technical Standard NTEAE-0020-SeMAGEM-RS-2020, setting out specifications for the management of sanitary and COVID-19 waste generated or disposed of in the State of Mexico (the Technical Standard) sets out requirements for treating and disposing of sanitary waste or waste that might have been in contact with SARS Cov-2 virus. In this regard, it establishes procedures for preventing COVID-19 spread through the manipulation of waste. Among others, it requires to label and isolate the bags containing waste, it recommends to use double bags for COVID-19 waste, and requires companies to provide its workers with the corresponding personal protective equipment (PPE). Furthermore, the Technical Standard sets out requirements for transport companies and companies final disposing of this type of waste.

Additional information NTEAE-0020-SeMAGEM-RS-2020 requires companies to sort and differentiate sanitary waste and waste which was potentially in contact with SARS Cov-2 virus from the rest of the solid urban rest (either organic or inorganic). In addition, it provides the following definitions:

COVID-19 waste: waste that has been generated in a place where there is one or more persons infected with SARS Cov-2.

It also includes all the solid urban waste generated in airports, ports, or bus terminals;

sanitary waste: non-recyclable or compostable waste, including solid urban waste that has been used for personal hygiene or contaminated with biological substances (such as toilet paper, toothbrush, cotton, cigarettes, facemasks, or paper tissues); and

urban solid waste: waste generated by the disposal of products of household use or equivalent to them, including their packaging.

[State Technical Standard NTEAE-0020-SeMAGEM-RS-2020, setting out specifications for the management of sanitary and COVID-19 waste generated or disposed of in the State of Mexico](#) is available online in Spanish.

3.4 Asia &Oceania

3.4.1 MOSCOW CITY Companies operating in Moscow are subject to prolonged restrictions introduced in order to curb the spread of the Coronavirus (COVID-19)

Abstract: As of 13 November 2020, companies operating in Moscow are subject to prolonged restrictions introduced in order to curb the spread of the Coronavirus (COVID-19). This follows from the adoption of Decree No. 107-UM of 10 November 2020 according to which several measures remain in force until 15 January 2021, including, among others, the prohibition of organizing official events and trainings and serving food and drinks in restaurants and cafes from 23pm to 6am.

Business Impact: If the company remains operational during COVID-19, it needs to be aware that the validity of several measures adopted in order to curb the spread of the coronavirus (COVID-19) has been extended until 15 January 2021. Subsequently, the company must continue to ensure compliance with, for example, the requirement to organize official events and trainings only online. In addition, the company must continue to ensure teleworking for 30% of the company's employees, as well as for all employees aged 65 and above and to report on the latter in case of changes until 29 November 2020.

Analysis: Actionable Requirements The company reports on the number of employees working from the office and remotely, and updates the information in case it changes (COVID-19). If the facility has employees working on its premises during the COVID-19 crisis, it ensures hygienic masks are worn in common areas of buildings where more than 50 people are present at once, as well as in elevators and parking lots. If the facility has employees working on its premises during



the COVID-19 crisis who have or are planning to travel abroad, it ensures they are informed on the requirement to conduct the PCR testing for COVID-19 within 3 calendar days upon their return to the Russian Federation. If the company has employees working on its premises during the COVID-19 crisis and plans on organizing an event or a training, it ensures the organization of the latter is carried out online.

What Has Changed The above requirements are not new. However, with the adoption of [Decree No. 107-UM of 10 November 2020](#) amending [Decree No. 68-UM of 8 June 2020](#) the validity period of several measures introduced in order to curb the spread of the coronavirus (COVID-19) in the city of Moscow has been extended until 15 January 2021. Among others, the organization of official trainings and events (companies must organize the latter only online) remains prohibited in the city of Moscow until 15 January 2021. Additionally, the serving of guests in restaurants, cafes and bars from 23pm to 6am has also been prohibited. As previously, requirements for companies to ensure teleworking for 30% of the company's employees, as well as for all employees aged 65 and above and to report on the latter in case of changes, remain in force until 29 November 2020.

Additional Information In accordance with [Decree No. 96-UM of 1 October 2020](#), working from home became obligatory for 30% of company's employees, as well as for all employees aged 65 and above, as of 5 October 2020. Consequently, Decree No. 69-UM introduced a requirement for all companies operating in the city of Moscow to report on the number of employees working from the office and the number working from home through an [online tool](#). For submitting the data, companies must download and fill out a form by indicating, among others, the name of the company, the company's INN (идентификационный номер налогоплательщика) (tax number), legal address, and anonymous information about employees who work remotely. Companies can find other useful information on organizing teleworking on a [specially dedicated website](#). *Other requirements and recommendations still in force (the law does not specify until when)* companies unable to ensure social distancing of 1, 5 meter for the 70% of employees working from offices and facilities are recommended to organize work in several shifts; hygienic masks must be worn in crowded places, public transport, taxis, parking lots and elevators at all times (crowded places are defined as a public area or an urban district, or a specially designated area outside the public area or urban district, or a common area in a building, structure or other facility where more than 50 people are present at the same time); and .employers must ensure that employees leaving the Russian Federation are informed on the requirement to conduct the PCR testing for COVID-19 within 3 calendar days upon their return to the Russian Federation. Until the laboratory test is obtained, employees must comply with the self-isolation regime.



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