



# Enhesa Regulatory Developments

## COVID-19

### Weekly Updates

Historical Archive  
Ref: Reports from July 1 to July 29, 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 the Enhesa Covid-19 email list.](#)**

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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## A. July 29, 2020





# 1. The US & Canada

## CONNECTICUT

### Office spaces must comply with updated COVID-19 operating rules, including mandatory face coverings for employees and customers

**Abstract:** Companies that own or operate office spaces operating in-person activities during the COVID-19 state of emergency must comply with updated Sector Rules for office spaces, which include requirements for developing and implementing disease spread prevention measures, face covering requirements, and required training for employees and on-site subcontractors.

**Business Impact:** If the facility operates an office space during the COVID-19 state of emergency, it must comply with updated guidelines issued by the Department of Economic and Community Development (DECD). Updates include non-mandatory guidelines that facilities post signage in bathrooms encouraging employees and visitors to limit the number of people in bathrooms and reminding them to wash their hands and wear a mask. Facilities are also encouraged but not required to comply with updated recommendations in the event of a positive COVID-19 case in the office, including a recommended 24-hour passive decontamination for areas and surface contacted by the person testing positive.

#### Analysis: Actionable Requirements

If the facility operates during the COVID-19 state of emergency, it facilitates and encourages working from home to the maximum extent possible.

If the facility operates during the COVID-19 state of emergency, it develops and implements a COVID-19 operation plan that satisfies the applicable requirements.

If the facility operates during the COVID-19 state of emergency, it appoints a program administrator responsible for ensuring the Sector Rules are followed.

If the facility operates during the COVID-19 state of emergency, it complies with the applicable cleaning and disinfection guidelines.

If the facility operates during the COVID-19 state of emergency, it requires employees, customers, and visitors on-site to wear face masks or other cloth face coverings.

If the facility does not have an adequate amount of personal protection to provide employees, it does not operate in-person activities.

If the facility operates during the COVID-19 state of emergency, it conducts daily health checks and does not allow employees to work on-site if they are experiencing symptoms of COVID-19.

If the facility operates during the COVID-19 state of emergency, it implements a training program for employees on the guidelines outlined by the Sector Rules for offices.

If the facility operates during the COVID-19 state of emergency, it thoroughly cleans the facility prior to reopening.

If the facility operates during the COVID-19 state of emergency, it complies with the applicable physical space setup guidelines, such as by rearranging office seating and desks to maintain 6 feet of distance between employees.

If the facility operates during the COVID-19 state of emergency, it prominently displays signage regarding the applicable policies.

If an employee that was on-site tests positive for COVID-19, the facility follows the applicable decontamination procedures.

**What Has Changed** On 22 July 2020, the Connecticut Department of Economic and Community Development issued updated Sector Rules for office spaces as part of the implementation of Phase 2 of Connecticut's reopening efforts. The updated rules include new guidelines on signage and capacity in bathrooms as well as additional guidelines for employers in the event of a positive COVID-19 case in an employee that was on-site. Unless otherwise specified, compliance with the guidelines in the Sector Rules is mandatory.



**Revised Office Guidance** *Operation plan requirements* As part of the development and implementation of COVID-19 prevention plans for on-site operations, facilities must appoint a program administrator responsible for ensuring the above-listed requirements are followed. Operating plans must also be shared with employees, along with information regarding any additional measures that the facility is taking in response to COVID-19. Operational plans must include developing cleaning checklists, logging employees on premises over time to support contact tracing, and staggering shifts and break times to minimize contact between employees. Additionally, facilities must estimate the required personal protective equipment (PPE) for employees and obtain such PPE before on-site operations can resume. *Cleaning and disinfection* Offices operating during the COVID-19 state of emergency must comply with the U.S. Centers for Disease Control and Prevention (CDC) and Environmental Protection Agency (EPA) guidelines on the use of cleaning products. For example, the facility must use cleaning products that meet EPA's criteria for use against SARS-CoV-2 and appropriate for the surface and provide training to employees on the use of the above products. Additionally, facilities must:

- make hand sanitizer available at all entrance points and common areas;
- require that employees wash their hands regularly and thoroughly;
- provide cleaning/disinfection products, or disposable disinfection wipes; and
- thoroughly and frequently clean and disinfect bathrooms.

*Face covering requirements* Facilities must require all employees, customers, and visitors wear face masks that completely cover the nose and mouth unless doing so would be contrary to the employee's health or safety due to a medical condition. Employees may utilize their own face coverings; otherwise, coverings must be made available to employees. Additionally, masks are not required while employees are working alone in segregated spaces, but masks must be worn when employees are not in those spaces. *Medical surveillance* Daily health checks must include asking employees to confirm that they have not experienced COVID-19 CDC-defined symptoms and to monitor their own symptoms. Symptoms include cough, shortness of breath, or any two of the following symptoms:

- fever;
- chills;
- repeated shaking with chills;
- muscle pain;
- headache;
- sore throat; or
- new loss of taste or smell.

*Training plan* Training must be provided regarding the guidelines outlined in the office space Sector Rules, protocols on proper cleaning and disinfection, and on the appropriate and safe use of cleaning products. This training must be provided to employees and facilities are responsible for ensuring that any on-site subcontractors charged with implementing the requirements under the guidelines have received such training.

*Updated recommendations for bathrooms* Bathrooms must be cleaned and disinfected frequently. In carrying out this requirement, facilities are encouraged but not required to use a cleaning log to track cleaning and to clean multiple times a day, and hourly during busy times. Additionally, under the updated guidelines, facilities are encouraged but not required to post signage encouraging reduced capacity in bathrooms and reminding individuals to wash their hands and wear a mask. *In the event of a positive case* In the event that an employee that was on-site is tested with a positive case of COVID-19, companies are encouraged but not required to, among other things:

- allow for a 24-hour passive decontamination of the office space;
- follow CDC guidelines for cleaning and disinfecting areas and surfaces used by the employee;
- notify the landlord; and

if the company is the landlord for an office space, include in their notification to other tenants a link to CDC guidelines on what to do when potentially exposed to someone who tested positive for COVID-19.

**More Information** The 22 July 2020 updated guidance is available [on the DECD website](#). The most updated versions of all industry-specific guidelines issued by DECD are available on [the DECD COVID-19 Sector Rules website](#).



## KANSAS

### Companies must continue to comply with COVID-19 operational requirements until 15 September 2020

**Abstract:** Effective 30 June 2020, the Governor of Kansas issued an executive order that extended the COVID-19 state of emergency to 15 September 2020. Companies must continue to comply with all COVID-19 operational requirements until 15 September 2020. This date may be extended or cut short by another executive order.

**Business Impact:** The company must continue to comply with all applicable COVID-19 restrictions until 15 September 2020. This date may be extended or cut short by another executive order.

#### **Analysis: Applicable Requirements**

If the facility operates during the COVID-19 state of emergency, it complies with all relevant sanitation, social distancing, and occupancy requirements.

If the facility operates during the COVID-19 state of emergency, it requires all employees, customers, visitors, patrons, and clients to wear face coverings and prohibits people from entering the facility without face coverings.

**What has changed?** The requirements for operating during the COVID-19 state of emergency are now set to expire on 15 September 2020. Before this order, the state's operational requirements were set to expire on 15 July 2020. The COVID-19 requirements may be extended or cut short by another executive order.

**Additional Information** For more information, see [Executive Order No. 20-49: Extending certain Executive Orders relating to the COVID-19 pandemic](#).

## VERMONT

### Governor extends the COVID-19 State of Emergency to 15 August 2020

**Abstract:** Effective 15 July 2020, the Governor of Vermont issued an executive order that extended the COVID-19 state of emergency to 15 August 2020. Companies must continue to comply with all COVID-19 operational requirements until 15 August 2020. This date may be extended or cut short by another executive order.

**Business Impact:** The company must continue to comply with all applicable COVID-19 restrictions until 15 August 2020. This date may be extended or cut short by another executive order.

#### **Analysis: Actionable Requirements**

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

**What has changed?** The requirements for operating during the COVID-19 state of emergency are now set to expire on 15 August 2020. Before this order, the state's operational requirements were set to expire on 15 July 2020. The COVID-19 requirements may be extended or cut short by another executive order.

**Additional Information** For more information, see [Addendum 1 to Amended and Restated Executive order 01-20: Extension of State of Emergency Declared March 13, 2020](#).

## 2. Europe

### IRELAND

#### Return to Work Safely Protocol is operative for businesses choosing to resume operations under Phase 3 and working from home must continue where possible during COVID-19 period

**Abstract:** Since 29 June 2020 Ireland is operating under Phase 3 of the Roadmap for Reopening Society and Business in response to the COVID-19 pandemic. According to the Return to Work Safely Protocol, released by the Department of Health working from home must continue where possible. The Protocol details implementations which must be taken for businesses choosing to resume operations, including developing COVID-19 Response Plans and measures such as hand hygiene, respiratory hygiene and physical distancing.

**Business Impact:** If it is possible for the company to conduct operations with workers working from home, it must continue to do so. If the company can ensure that physical distancing and infection control measures are complied with, and where work cannot reasonably practicably be done from home, they can resume operations in accordance with the public health protection measures for prevention of the spread of COVID-19 and protection of workers, outlined in the Return to Work Safely Protocol. If the company chooses to resume operations, they must ensure that they continue to fulfil their ongoing occupational health and safety obligations in accordance with the Safety, Health and Welfare at Work Act 2005, some of which may be augmented by the requirements set out in the Return to Work Safely Protocol. If the company chooses to resume operations and fails to comply with directions for improvement plans, improvement notices, or prohibition notices issued by inspectors in their capacity under the Safety, Health and Welfare at Work Act 2005, they may be guilty of an offence and could be made liable for either, fines of up to 3,000EUR and 6 months imprisonment on summary conviction, or on conviction on indictment, may be liable for fines up to 3,000,000EUR or up to 2 years imprisonment. If the company chooses to resume business operations, they must ensure that they keep up to date with the public health advice issued by the government (including via [Gov.ie](https://www.gov.ie)) and government agencies, such as the Department of Health, the Health Protection Surveillance Centre, and the Health Service Executive. The company should keep up to date also with measures advised by the Department of Foreign Affairs and Trade for work-related travel, and any developments or changes made in relation to the measures contained in the Return to Work Safely Protocol. If the company employs vulnerable workers, in accordance with the Return to Work Safely Protocol, they must ensure that these workers be enabled to work from home where possible. Where this is not possible, companies must ensure that these people be preferentially supported to maintain 2-metre distancing.

**Analysis:** Ireland is currently under Phase 3 of Ireland's [Roadmap for Reopening Society and Businesses](#), having transitioned to [Phase 3](#) on 29 June 2020. A government [briefing](#) released on 16 July 2020 announced that Ireland's anticipated transition to Phase 4 of the Roadmap would be temporarily paused, with measures under Phase 3 set to continue until 10 August 2020. Under Phase 3 almost all workplaces can reopen including: cafés and restaurants providing on premises food and beverages; pubs and hotel bars operating as restaurants; and all remaining retail, services and commercial activities.

The [Return to Work Safely Protocol](#) (the Protocol) released by the Department of Health (DOH) is operative for workplaces operating under Phase 3. The Protocol should be used by all workplaces to adapt their policies to comply fully with COVID-19 public health protection measures and be closely consulted by any businesses resuming operations. **Working from Home** The DOH website states that where working from home is possible it must be done. The Protocol states that office work should continue to be carried out at home, where practicable and non-essential work. The employer should develop/consult on any working from home policy with workers and/or Trade Unions. **Return to Work Safely Protocol** The measures in the Protocol are non-exhaustive and subject to change. Decisions to re-open a workplace must be in done in compliance with government and public health advice. Provisions in the Protocol are not intended to replace measures already implemented by essential



businesses, which had been permitted to continue operations. However, these businesses should ensure they are in line with the Protocol. Under the Protocol, employers must, among other things, ensure:

- communication of workplace controls to all relevant workers and others (including visitors and contractors) in order to comply with infection control;
- appointment of at least one lead worker representative to work with the employer to in the implementation of measures and monitor adherence to them (ideally the number of appointed representatives will reflect the number of workers);
- induction training is provided to all workers;
- communication with safety representatives selected/appointed under occupational health and safety legislation;
- consultation with workers on safety measures to be implemented in the workplace;
- to use the appointed occupational safety and health officer or an external competent person to ensure the implementation of changes to work activities and of prevention and control measures in the workplace.

Employers, in consultation with the nominated worker representative(s), must take, among others, the following steps:

- develop and/or update their COVID-19 Response Plan;
- develop or amend policies and procedures for prompt identification and isolation of workers who may have symptoms of COVID-19, including issuing a pre-return to work form for employees at least 3 days in advance of work, and implementing temperature testing in line with public health advice;
- develop, consult, communicate and implement workplace changes or policies;
- implement measures to minimise risk to workers, including hand and respiratory hygiene and physical distancing;
- implement the cleaning of work areas conducted at regular intervals; and
- provide and implement the proper use of personal protective equipment (PPE).

**Health and Safety Authority (HSA) to Monitor Implementation** The implementation of the Return to Work Safely Protocol in workplaces will be overseen by the HSA. HSA inspectors may use their powers under the Safety, Health and Welfare at Work Act 2005 including powers of inspection, powers to issue directions for improvement plans, improvement notices, and prohibition notices, which may include ordering shut downs. Non-compliance with these measures is deemed an offence under the Act, and persons may be made liable of fines of up to 3,000EUR and 6 months imprisonment on summary conviction, or on conviction on indictment, may be liable for fines up to 3,000,000EUR or up to 2 years imprisonment. **Return to Work Safely Protocol and Occupational Health and Safety Duties** The Protocol discusses how existing occupational health and safety duties may be affected by the implementation of workplace measures to reduce COVID-19 exposure, including considering/implementing specific occupational health and safety measures, and reviewing and updating occupational health and safety risk assessments and safety statements in order to take account of any work activity changes which may arise following implementation of control of infection measures. Businesses should consult closely the measures and recommendations set out in the Protocol. Where a risk of exposure to COVID-19 is identified in the COVID-19 Response plan, an occupational health and safety risk assessment should also be completed. All public health and occupational health and safety measures should be developed in consultation with workers and/or Trade Unions and ultimately communicated to workers and others at the workplace. The Protocol specifically addresses a number of aspects of occupational health and safety, including first aid, mental health and well-being, and ventilation which may be affected by COVID-19. It further mentions workplaces, including offices, which may also need to undertake additional measures to combat legionella. The HSA has produced a [fact sheet on the prevention of legionella and COVID-19](#) which can be accessed on the HSA website. Employers can access information as to their occupational health and safety duties on the HSA [website](#). The website also provides resources for employers relating to COVID-19, including [information](#), [templates](#) and [checklists](#) for employers.

## IRELAND

### Since 29 June 2020 businesses must adhere to restrictions on indoor and outdoor events in order to prevent the spread of COVID-19

**Abstract:** Since 29 June 2020 businesses must comply with a number of restrictions on events. Due to COVID-19, the number of persons attending or proposed to attend indoor events must not exceed 50 persons, and in the case of outdoor events, must not exceed 200 persons. In organising or causing such events businesses are obliged to take all reasonable steps to prevent these limits being exceeded.

**Business Impact:** If the business organises an event or causes an event to be organised, it must ensure that: in the case of an indoor event, the maximum number of persons attending, or proposed to attend, the event (for whatever reason) does not exceed 50 persons; and in the case of an outdoor event, the maximum number of persons attending, or proposed to attend, the event (for whatever reason) does not exceed 200 persons.

If the office fails to comply with the above-mentioned restrictions on events, they will be guilty of an offence and can be made liable to a class C fine of maximum 2,500EUR or to a prison term of up to 6 months, or both.

**Analysis:** The [Health Act 1947 \(Section 31A – Temporary Restrictions\) \(Covid-19\) \(No. 3\) Regulations 2020 \(S.I. No. 234 of 2020\)](#) (the Regulations) came into force 29 June 2020. On 18 July 2020 the Regulations were amended by the [Health Act 1947 \(Section 31A – Temporary Restrictions\) \(Covid-19\) \(No. 3\) \(Amendment\) Regulations 2020 \(S.I. No. 253 of 2020\)](#) which extended the application of the Regulations until 10 August 2020.

**Actionable Requirements** -If the business organises or causes an event to be organised, it ensures that the number of persons attending or proposed to attend the event does not exceed, in the case of an indoor event, 50 persons and, in the case of an outdoor event, 200 persons. **What has changed** The Regulations revoke previous regulations which created restrictions and offences in relation to the conduct of events made up of more than 15 persons, replacing them with new restrictions which allow for an increase in the number of persons which are permitted to gather at events. These previous regulations had also contained restrictions on the operation of certain businesses and travel, which were also revoked. The Regulations create restrictions on the numbers of persons which can be in attendance at events, restrictions on access to the public of certain businesses and services, namely those selling or supplying liquor for consumption on the premises and restricts access to the public of businesses such as nightclubs and casinos. **Additional information** *Restrictions on events* Under the Regulations events are not permitted to be held where: -in the case of an indoor event, the maximum number of persons attending, or proposed to attend, the event (for whatever reason) exceeds 50 persons; or -in the case of an outdoor event, the maximum number of persons attending, or proposed to attend, the event (for whatever reason) exceeds 200 persons. These restrictions are applicable to events held for cultural, entertainment, recreational, sporting, social, community or educational reasons. These restrictions on events apply throughout Ireland. These restrictions are not applicable to events held or proposed to be held in private dwellings. Non-compliance with these restrictions will be deemed an offence under section 31A of the Health Act 1947. Persons guilty of an offence under this section may be liable to a class C fine of maximum 2,500EUR or to a prison term of up to 6 months, or both.

## PORTUGAL

### Companies must continue to comply with specific health and safety rules due to the state of calamity, contingency and alert in Portugal

**Abstract:** From 14 July 2020, companies operating in Portugal are subject to specific strict health and safety rules. Companies must still comply with mandatory teleworking, when applicable, and hygiene and social

distancing rules in the workplace. These measures follow from Resolution of the Council of Ministers 53-A/2020 and apply until, at least, 31 July 2020.

**Business Impact:** The company must continue to ensure that use of spaces accessible to the public complies with the rule of the maximum occupancy of 0.05 individuals per square meter (m<sup>2</sup>), and that individuals can stay, at least, 2 meters apart from each other. The company must also continue to set 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, among others. If the workplace does not comply with the minimum health and safety recommendations issued by the competent authorities, the company's facilities must remain closed and its workers must work from home. Upon request, the company must also allow specific categories of workers, such as workers who are demonstrably immuno-compromised, to work from home. However, companies are no longer obligated to accept teleworking requests from workers who have to care for children under 12 years of age or with chronic illnesses or disabilities, due to the suspension of all school activities.

**Analysis: Actionable Requirements:** [Resolution of the Council of Ministers 53-A/2020 of 14 July 2020](#) does not create new actionable requirements for companies. **What Has Changed:**

Companies are no longer obligated to accept teleworking requests from workers who have to care for children under 12 years of age or with chronic illnesses or disabilities, due to the suspension of all school activities.

**Brief Analysis:** [Resolution of the Council of Ministers 53-A/2020 of 14 July 2020](#), declares the state of calamity, contingency and alert in Portugal, due to the COVID-19 pandemic. It came into force on 14 July 2020 and it limits the Portuguese Government's power to impose temporary health and safety measures upon companies, when compared to the powers held by the Government during the state of calamity. 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. The requirements set forth in [Resolution of the Council of Ministers 40-A/2020, of 29 May 2020](#) are still in place. For example, companies must ensure that any worker who has proven to be immuno-compromised, chronically ill or who holds a disability of 60% or higher is allowed to work from home. Furthermore, if the company's workplace does not comply with the minimum health and safety recommendations issued by the Directorate-General for Health (*Direção-Geral da Saúde - DGS*) or by the Authority for Working Conditions (*Autoridade para as Condições de Trabalho - ACT*), such as ensuring that workers can stay, at least, 2 meters apart from each other, or that strict regimes of daily and periodic cleaning and disinfection of all the workspace are implemented, teleworking is mandatory. Companies are further advised to implement rotation systems, to prevent workers from resuming work in the same period, as well as to establish different hours for workers to start or end the workday. Companies are also advised to create different routes in and out of the building. **Background information:** Resolution of the Council of Ministers 53-A/2020 is integrated into the Portuguese Government's legislative and regulatory response to fighting COVID-19. The state of calamity, contingency and alert provides the Portuguese Government with temporary extraordinary powers and competences to handle periods of public unrest.

## 3. Latin America

### ARGENTINA

#### Argentina has extended the lockdown until 2 August 2020 under more flexible conditions

**Abstract:** Until 2 August 2020, Argentina has extended the lockdown with further easing. This follows from Decree 605/2020 which extends the lockdown in some areas of the country (such as the Metropolitan Area of Buenos Aires and Jujuy Province), while it keeps the social distancing measures in the rest of the provinces. Among others, the Decree allows further activities in areas under lockdown (such as non-essential commercial activities and individual sport practices), subject to the implementation of sanitary protocols.

**Business Impact:** If the company operates in the Metropolitan Area of Buenos Aires or in some specific areas (such as Jujuy province) and does not carry out any of the activities classified as essential or expressly exempted (such as food or pharmaceutical industries, waste collection, transport, and treatment, or industries carrying out continuous production processes, to which the interruption of their operations would damage their production lines or machinery -for instance, glass and metal industry), it must continue with the cease of its operations until 2 August 2020. The company can remain operational remotely, if possible. Nonetheless, if the company operates in any other area, 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.

**Analysis: New actionable requirements** If the company carries out activities in areas under lockdown (such as the Metropolitan Area of Buenos Aires or Jujuy province) and does not carry out essential or expressly exempted activities, it remains shut down, or continues its operations remotely, until 2 August 2020. In addition, the company can remain operational, if authorized by the local authority, in areas where the lockdown has been lifted with social distancing measures in place and subject to the implementation of the corresponding sanitary protocols. **What has changed?** Decree 605/2020 extends the lockdown until 2 August 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. However, the Decree has changed the conditions of the lockdown and made them less stringent. In this regard, more economic activities (such as non-essential commercial activities), as well as recreational and sport activities, are now allowed. **Additional information** On 18 July 2020, the Argentine government published Decree 605/2020, which extended the lockdown under less stringent conditions. Among others, the Decree differentiates areas under lockdown and areas where the lockdown has been lifted with social distancing measures in place. The lockdown was previously announced until 18 July 2020 by [Decree 576/2020](#), which extended the lockdown under stricter conditions. The lockdown continues to be imposed in the Metropolitan Area of Buenos Aires (*Área Metropolitana de Buenos Aires -AMBA*), which includes the City of Buenos Aires and 40 municipalities of the Buenos Aires province, including, among others:

Moreno;

Pilar;

La Matanza;

Vicente López;

Lanús; and

Avellaneda.

In addition, the lockdown has also been imposed in the following areas:

San Fernando Department in Chaco province; and

Jujuy province.

The following activities are exempted from the lockdown:

food and pharmaceutical industries;

healthcare workers;  
provision of construction materials and the industrial activities related to it;  
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).  
In addition, 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:  
keep a physical distance of at least 2 meters;  
wear face masks;  
wash their hands regularly;  
cough on their elbows;  
disinfect surfaces of common use regularly; and  
ventilate closed environments.  
Moreover, companies carrying out industrial and commercial activities in these areas must continue to comply with the sector protocol specific to their activities and restrict the attendance to 50% of their capacity. They must also continue to ensure that in common areas (such as changing rooms, canteens, offices, and meeting rooms), there is a distance of at least 2.25 meters between employees.  
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, as established by [Resolution 207/2020](#).  
[Decree 605/2020, extending the lockdown under less stringent conditions until 2 August 2020](#) is available online in Spanish.

## ARGENTINA BUENOS AIRES

### The provincial government has modified the phase system for gradually allowing activities

**Abstract:** As of 20 July 2020, the government of Buenos Aires province has modified the 5 phase system for gradually resuming activities in the different municipalities, depending on their epidemiological situation. This follows from Resolution 1197/2020, which repeals and replaces Resolution 260/2020, which was published some weeks ago. Among others, the Resolution modifies the sanitary and epidemiological criteria for moving from one phase to the other. The Resolution does not impose direct obligations on companies.

**Business Impact:** If the company operates in Buenos Aires province, it must be aware that being exempted from the lockdown depends on the phase classification of the municipality where the company operates. In this regard, most of the industrial activity is allowed as of Phase 3, whereas the private construction sector and retail activity is allowed as from Phase 4. In addition, if the company has resumed activities and does not carry out essential activities, it must provide transport to its workers. The company must be mindful that the phase of a municipality can change, depending on the evolution of Covid-19 contagion.

**Analysis: New actionable requirements** Resolution 1197/2020 does not include direct requirements for companies. Nonetheless, as the company operates in Buenos Aires province, it must be aware that its possibility to resume activities depends on the phase of the municipality where the company operates. In addition, once the company is allowed to resume activities, in case it has not resumed activities yet, it must provide transport to its employees, since public transport is reserved for essential workers. **What has changed?** Resolution 1197/2020 repeals and replaces [Resolution 260/2020 on the phase system for gradually resuming activities in Buenos Aires province](#). Resolution 1197/2020 changes the criteria for moving from one phase to other, updates the annex



including the list of municipalities along with their respective phase classification and the activities allowed in each phase. Finally, the Resolution deletes Phases 1 and 2 from the phase system, which existed in the previous system, but no municipality was included in those categories. **Additional information** On 20 July 2020, the government of Buenos Aires province published Resolution 1197/2020, repealing and replacing Resolution 260/2020 on the phase system for resuming activities in Buenos Aires. Among others, municipalities will be classified in different phases according to the following criteria:

Phase 5: municipalities where 10 or less new COVID-19 cases per 100.000 inhabitants were detected in the 2 weeks previous to the phase classification, and which are not part of the Metropolitan Area of Buenos Aires (*Área Metropolitana de Buenos Aires -AMBA*);

Phase 4: municipalities that are not part of the AMBA, where more than 10 new COVID-19 cases per 100.000 inhabitants were detected in the 2 weeks previous to the phase classification; and

Phase 3: municipalities included in the AMBA or in which new outbreaks of urban circulation of COVID-19 were detected.

Municipalities can allow the activities included in [Annex 1](#) for their phase without authorization from the provincial government and subject to the implementation of the corresponding sanitary protocols. However, municipalities in Phase 3 must request authorization from the provincial authorities for allowing further sport, industrial, or recreational activities in their territories. According to Annex 1, the following activities can be gradually allowed according to the phase, among others:

in Phase 3: paper, chemical, petrochemical, automotive, plastic, steel and paint industries;

in Phase 4: private construction sector, and retail commercial activities; and

in Phase 5: cultural and recreational activities.

Irrespective of the phase, companies that do not carry out essential activities must provide private means of transport to their workers, as public transport is reserved for essential workers. Finally, [Annex 2](#) includes the list of municipalities along with their respective phase classification and the activities allowed, for instance:

Phase 3: Escobar, Luján, La Plata, Tigre, San Vicente, and Berazategui;

Phase 4: Olavarría, Zárate, San Pedro, and Campana; and

Phase 5: Junín, Tandil, San Nicolás, and Adolfo Alsina.

The phase of a municipality can change without previous notice, depending on the evolution of COVID-19 contagion. [Resolution 1197/2020, modifying the phase system for easing the COVID-19 restrictions](#) is available online in Spanish.

## BRAZIL FEDERAL

### Guidelines implementing especial preventive measures applicable during the COVID-19 outbreak adopted

**Abstract:** As of 19 June 2020, companies operating in Brazil during the COVID-19 pandemic can adopt safety and hygiene measures applicable to prevent, monitor, and reduce the transmission of the COVID-19 in the workplace. This follows from SEPRT/MS Joint Ordinance 20/2020 that establishes general guidelines, such as adopting actions for early diagnosis of the virus, removal of workers with signs and symptoms compatible with COVID-19, providing face masks for all workers, respecting the minimum distance of 1 meter between people, among others. The guidelines are relevant for all industries except health services, but they are only mandatory for the public sector.

**Business Impact:** If the company is allowed to operate in Brazil during the COVID-19 outbreak, it can voluntarily observe guidelines on health and safety measures to prevent, control and reduce the transmission of COVID-19 in the workplace, such as adopting actions for early identification and removal of workers with signs and symptoms compatible with COVID-19, implement structures for hand hygiene near workplaces, guarantee the minimum distance of 1 meter between workers, adopt measures to limit the occupation of elevators, and stairs, adopt measures to distribute the workforce throughout the day, avoiding gathering of people in the workplace, provide surgical or fabric masks for all workers, among others.

### Analysis: Actionable requirements

The regulation does not create actionable requirements, as its adoption is voluntary for private companies.

#### Additional information

[SEPR/MS Joint Ordinance 20 of 18 June 2020](#) (hereafter "Ordinance") establishes voluntary measures applicable to companies operating in Brazil during the COVID-19 pandemic to prevent, control, and reduce the transmission of the virus. The Ordinance came into force on 19 June 2020, except item 7.2 of Annex I (regarding the provision of surgical and fabric masks) that came into force on 4 July 2020. The measures are in place until the end of the health emergency state, established by [MS Ordinance 188/2020](#).

It is relevant to emphasize that the guidelines are relevant to all industries except health services (where specific measures are applicable) allowed to operate during the health emergency. Nonetheless, the measures are only mandatory for the public sector.

Annex I of the Ordinance details the measures in place during the COVID-19 outbreak:

- adoption of actions for early identification and removal of workers with signs and symptoms compatible with COVID-19;

- provide information to workers about the COVID-19, including the ways of transmission, symptoms, and care required to reduce transmission in the workplace and in the community;

- in cases of suspected and confirmed cases, immediately remove the worker from onsite activities;

- implement structure for hand hygiene near workplaces, including water, liquid soap, disposable paper towel, and a trash can, whose opening does not require manual contact, or adequate hand sanitizing, such as 70% alcohol;

- guarantee the minimum distance of 1 meter between workers;

- adopt measures to limit the occupation of elevators, and stairs;

- promote teleworking;

- adopt measures to distribute the workforce throughout the day, avoiding gathering of people in the workplace;

- promote the cleaning and disinfection of workplaces and common areas in the interval between shifts or whenever a worker is designated to occupy the workstation of another;

- provide surgical or fabric masks for all workers, and require their use in shared environments or in places in which there is contact with other workers or the public;

- PPE and other protective equipment cannot be shared between workers during activities, and in cases in which the PPE allows for cleaning, it can only be reused after cleaning;

- for canteens, prohibit the sharing of glasses, plates, and cutlery, without sanitization;

- advise workers on the order of removal of clothing and equipment, so that the last item to be removed is the mask; among other measures.

The Specialized Services in Safety Engineering and Occupational Medicine (*Serviços Especializados em Engenharia de Segurança e em Medicina do Trabalho – SESMT*) and the Commission for Accident Prevention (*Comissão Interna de Prevenção de Acidentes – CIPA*) must participate in the prevention actions implemented by the company.

## BRAZIL FEDERAL

### Companies could be required to provide tests for detecting SARS-CoV-2 virus and antibodies to all employees and collaborators, regardless of symptoms

**Abstract:** In the future, companies would be required to provide their employees and collaborators periodic rapid tests and laboratory with tests for detecting the SARS-CoV-2 virus, or IGA, IGG or IGM antibodies, regardless of symptoms, while the state of public calamity due to the new coronavirus (COVID-19) remains in force.

**Business Impact:** If Law Proposal 3.603/2020 is approved, the company would be required to provide its employees and collaborators with periodic rapid tests and laboratory tests for detecting the SARS-CoV-2 virus,

or IGA, IGG or IGM antibodies, regardless of symptoms and at the company's expenses, while the public calamity due to the new coronavirus (COVID-19) remains in force, at least every 15 days.

**Analysis:** [Law Proposal 3.603/2020](#) would establish the obligation for companies to provide their employees and collaborators with rapid tests and laboratory tests for the detection of SARS-CoV-2 virus, or IGA, IGG or IGM antibodies, regardless of symptoms and at the companies' expenses, during the validity period of the state of public calamity due to the new coronavirus. It was submitted to the Federal Senate on 2 July 2020.

**Requirements** If Law Proposal 3.603/2020 is adopted, all employers would have to provide their employees and collaborators, whatever the nature of the employment relationship, while the public calamity period established by [Legislative Decree 6 of 2020](#) remains in force, with rapid periodic tests and laboratory tests to detect the SARS-CoV-2 virus, or IGA, IGG or IGM antibodies, regardless of symptoms. Companies could opt to provide such tests: -directly; -by hiring private health services; or -through a supplementary health insurance which covers such tests. Companies would also need to prioritize testing employees and collaborators: -with signs or symptoms of COVID-19, especially people at greatest risk of developing serious forms of the disease, such as the elderly, people with chronic lung disease, pregnant women, among others, and health professionals; and -workers whose monthly income is equal to or less than the limit of benefits of the General Regime of Social Security (*Regime Geral de Previdência Social- RGPS*). **Periodicity** Companies would need to carry out rapid and laboratory tests to detect the SARS-CoV-2 virus or IGA, IGG or IGM antibodies, according to the periodicity: -established by the National Health Surveillance Agency (*Agência Nacional de Vigilância Sanitária - ANVISA*); or -in its absence, at least every 15 days. **Expenses** Concerning temporary or outsourced workers, companies could deduct the amount paid to the tests to the service provider. In addition, companies could deduct the expenses paid to carry out rapid and laboratory tests to detect the SARS-CoV-2 virus or IGA, IGG or IGM antibodies from the income tax due by the company on the basis of its actual profit. **Sanctions** Companies not complying with such requirements could be subject to a fine from BRL 300.00 to BRL 3,000.00 (around USD 56 to USD 560).

## BRAZIL - SÃO PAULO

### Mandatory use of face masks in the state of São Paulo during the quarantine

**Abstract:** As of 7 May 2020 and for as long as the quarantine measures remain applicable in the state of São Paulo, the use of face masks, especially the non-professional type, is mandatory in open areas, at state public offices, and inside establishments performing essential activities.

**Business Impact:** If a company provides essential services such as in the healthcare sector, food sector, supply chain, among others, in the state of São Paulo during the quarantine, it ensures that employees, suppliers, customers, and collaborators accessing the premises wear face masks.

**Analysis: Actionable Requirements** If a company provides essential services in the State of São Paulo, such as in the healthcare and food sectors, during the quarantine, it ensures that employees, suppliers, customers, and collaborators wear face masks continuously in its premises. **What changed?** On 5 May 2020, the government of the state of São Paulo published the [Decree 64.569 of 4 May 2020](#) establishing that the use of protective face masks is mandatory in the state of São Paulo, as a prevention measure against the spread of the COVID-19. Decree 64.5969/2020 came into force on 7 May 2020. It provides that while the quarantine established by the [Decree 64.881 of 22 March 2020](#) remains in place, the use of protective masks is mandatory in areas open to the general public in the state of São Paulo. **Addition Information** Decree 64.559/2020 establishes that the population should opt for non-professional face masks. The obligation to permanently wear face masks also applies when entering business establishments considered to be providing an essential service (for instance, establishments relating to the healthcare sector, food sector, supply chain, among others, according to the Decree 64.881/2020) and to state public offices. Particularly in business establishments rendering essential services, employees, suppliers, customers, and collaborators must be wearing a face mask. According to Decree 64.569/2020, the infringement of the rule on the use of face masks is considered an offense in terms of the [Consumer Defense Code](#) (*Código de Defesa do Consumidor*) and the [Criminal Code](#)



(Código Penal). The infringement is also subject to the following penalties established in the [State Sanitary Code \(Código Sanitário Estadual\)](#): -a warning; -a fine; or -the partial or total interdiction of the business establishment.

## MEXICO

### Companies applying for certain environmental authorizations can now contact SEMARNAT online or in person during limited operating hours

**Abstract:** As of 2 July 2020, companies that need to contact the Secretariat of Environment and Natural Resources (*Secretaría de Medio Ambiente y Recursos Naturales* - SEMARNAT) regarding hazardous materials and waste authorizations, as well as environmental impact and risk assessment, are able to do so on specific dates and times.

**Business Impact:** If the company is conducting administrative procedures where it needs to submit information or communicate with any of the different departments of the Secretariat of Environment and Natural Resources, it can do so electronically, however, if it must be done in person, the offices in Mexico City are open only on Tuesdays and Thursdays from 9:30 am to 2:00 pm.

**Analysis: Actionable requirement** The [Agreement](#) does not establish actionable requirements for facilities. **What has changed As of 2 July 2020, the [Agreement](#)** establishes the working hours for the different departments of the Secretariat of Environment and Natural Resources (*Secretaría de Medio Ambiente y Recursos Naturales*). The General Department of Comprehensive Management of Materials and Risk Activities (*Dirección General de Gestión Integral de Materiales y Actividades Riesgosas*), General Department of Air Quality Management and Emission and Contaminant Transfer Register (*Dirección General de Gestión de la Calidad del Aire y Registro de Emisiones y Transferencia de Contaminantes*), and General Department of Environmental Impact and Risk (*Dirección General de Impacto y Riesgo Ambiental*) is going to be open from 9:30 am to 2:00 pm on Tuesdays and Thursdays at its the Citizen Contact Space (*Espacio de Contacto Ciudadano*) located on Av. Ejército Nacional número 223, Colonia Anáhuac, Alcaldía Miguel Hidalgo, Código Postal 11320, Mexico City until the Secretariat of Health determines that there is no epidemiological risk related to the gradual and orderly opening of activities. **Additional Information Due to the temporary suspension of activities of the public sector because of the Coronavirus (COVID-19), Secretariat of Environment and Natural Resources** (*Secretaría de Medio Ambiente y Recursos Naturales* - SEMARNAT) opens its offices to process the following authorizations:

SEMARNAT-07-015 - Authorization for the import of pesticides, fertilizers, and toxic or hazardous substances;

SEMARNAT-07-016 - Authorization for the export of hazardous materials;

SEMARNAT-07-021 - Notification of temporary import of materials and return of its hazardous waste; and

SEMARNAT-07-029 - Authorization for the Trans-border Movement of Hazardous Waste and Other Waste Addressed in International Treaties.

SEMARNAT-05-002 Single Environmental License (*Licencia Ambiental Única*);

SEMARNAT-05-003 Operation License (*Licencia de Funcionamiento*); and

SEMARNAT-05-001 Annual Operation Report (Cédula de Operación Anual).

**Moreover, during this period, the General Department of Environmental Impact and Risk will be evaluating projects considered essential activities. The Agreement also establishes that the system for the electronic submittal, evaluation, and resolution of environmental impact studies and corresponding procedures (MIA-E) remains in operation, therefore the procedures that can be submitted electronically are only and exclusively for essential activities and priority projects.**

## 4. Asia & Oceania

### GUJARAT

#### Factories are subject to modified requirements regarding employees working conditions due to COVID-19 Pandemic until 19 October 2020

**Abstract:** Beginning on 20 July 2020 and until 19 October 2020, manufacturing facilities with 10 or more employees must comply with modified provisions for general maximum working hours and mandatory rest breaks. This follows from the issuance of Notification No.GHR/2020/92/FAC/142020/346/M3.

**Business Impact:** If the company is a manufacturing company that employs 10 or more workers, it must know that the period until when factories are allowed to employ workers for up to 12 hours per day (instead of 9 hours) has been extended from 19 July 2020 to 19 October 2020. Effective 19 July 2020 and until 19 October 2020, the company must ensure that:

- no worker is employed in any work for more than 12 hours per day or 72 hours a week;
- an interval of a minimum of half an hour for rest is provided to workers after every 6 hours of continuous work;
- and
- no female worker is employed to perform work between 7 p.m. and 6 a.m. (night shift).

**Analysis: New actionable requirements** Notification No.GHR/2020/92/FAC/142020/346/M3 ("Notification") does not impose any new requirements. **What has changed** The Notification increases the number of maximum working hours and the frequency of mandatory rest breaks for manufacturing factories with 10 or more workers. Beginning on 20 July 2020 and until 19 October 2020, manufacturing facilities with 10 or more employees are allowed to employ adult workers in any work up to 12 hours per day or 72 hours a week. In general, manufacturing facilities are not allowed to engage workers for more than 9 hours a day or 48 hours a week. Similarly, the Notification also increases the continuous working hours from 5 hours to 6 hours. Until 19 October 2020, manufacturing facilities must:

- ensure that no worker is employed in any work for more than 12 hours per day or 72 hours a week; and
  - provide a rest break of a minimum of half an hour to workers after every 6 hours of continuous work.
- In addition, the Notification reminds manufacturing facilities not to schedule any female workers to perform work between 7 p.m. and 6 a.m. (night shift). **Additional information** The Notification issued on 20 July 2020 by the Labour and Employment Department amends certain provisions in the (National) [Factories Act 1948](#) to relax certain working conditions requirements as part of the government's response to the COVID-19 Pandemic.

**Definition: Factory** means any premises whereon 10 or more workers are working in a manufacturing process using power or whereon 20 or more workers are working in the manufacturing process without using power.

[Notification No.GHR/2020/92/FAC/142020/346/M3](#) is available in English on the Enhesa Knowledgebase.



## B. July 22, 2020



# 1. The US & Canada

## CALIFORNIA

### Companies to stop providing food and beverage for on-premises consumption, and gyms and offices in certain counties to close indoor operations

**Abstract:** Effective 13 July 2020, companies that own or operate food establishments in California, such as business cafeterias and onsite canteens, must prohibit on-premises consumption of food and beverage. Further, companies that own or operate gyms and offices for non-critical infrastructure sectors in certain counties must restrict all in-person workforce until further notice.

**Business Impact:** If the company owns or operates any food establishment, such as a business cafeteria or onsite canteen, it must only provide food or beverages for off-premises consumption until further notice. Further, if the company owns or operates offices for non-critical infrastructure sectors and is located in a county that has been on the County Monitoring List for 3 consecutive days, it must require its employees to work from home until further notice. The company must review the list of Essential Critical Infrastructure Workers and the County Monitoring List to determine whether it needs to close its in-person operations. Lastly, if the company owns or operates a gym or fitness center in its building and is located in a county that has been on the County Monitoring List for 3 consecutive days, it must cease the operation until further notice.

#### Analysis: Actionable Requirements

If the facility owns or operates any food establishment, it ensures that no food or beverage is served for on-premises consumption.

If the facility owns or operates any gym or fitness center in a county that has appeared on the monitoring list for 3 or more consecutive days, it ceases operation.

If the facility owns or operates offices for non-critical infrastructure sectors in a county that has appeared on the monitoring list for 3 or more consecutive days, it requires all employees to work from home.

**What Has Changed** The 13 July 2020 Statewide Public Health Officer Order directs all food establishments to close indoor operations statewide. Further, it requires additional businesses located in counties that have remained on the County Monitoring List for 3 consecutive days to stop in-person operations.

**The 13 July 2020 Statewide Public Health Officer Order** On 13 July 2020, the California Department of Public Health (CDPH) issued a Statewide Public Health Officer Order (the Order) to continue protecting the state from the impact of the 2019 novel coronavirus disease (COVID-19). The Order establishes a statewide ban on dine-in restaurants, as well as additional restrictions on indoor operations in counties with higher risks and impacts of disease transmission. The Order took immediate effect and remains in force until further notice. *Statewide Restriction on On-Premises Consumption* The Order directs all dine-in restaurants in California to close indoor seating to customers, beginning 13 July 2020. Accordingly, any companies that provide food or beverage, including business cafeterias and onsite canteens, must only serve food or beverage for off-premises consumption, such as takeout and delivery services. Companies are encouraged to utilize outdoor seating, provided that they comply with the [CDPH's guidance for outdoor dining](#). *Closure of Additional Indoor Sectors for Counties on Monitoring List* CDPH includes counties that show concerning levels of disease transmission, hospitalizations, insufficient testing, or other critical epidemiological markers in its [County Monitoring List](#). The Order requires counties that appear on the County Monitoring List for 3 consecutive days to close indoor operations for additional sectors, including gyms and fitness centers and offices for non-critical infrastructure sectors. Therefore, companies must review the County Monitoring List and check with the appropriate counties to see whether they must close indoor operations. For example, counties of Ventura, San Luis Obispo, and San Joaquin are among the counties that have appeared on the Monitoring List for 3 or more consecutive days. Accordingly, companies that own or operate gyms or offices for non-critical infrastructure sectors in those

counties must discontinue their indoor operations. **Additional Information** For more information, see CDPH's website for the [Order](#). Additional information, including the most current COVID-19 status in California, is available on the [California Coronavirus \(COVID-19\) Response](#) website.

## LOUISIANA

### Companies to ensure that face coverings are worn in commercial establishments and any other indoor or outdoor areas open to the public

**Abstract:** Effective 13 July 2020, companies that conduct in-person operations in Louisiana must ensure that individuals are complying with the statewide face coverings requirement. For example, companies with retail or food service establishments must ensure that individuals entering the premises are wearing face coverings unless otherwise exempted.

**Business Impact:** If the company is conducting in-person operations, it must ensure that employees are wearing face coverings when necessary. For example, if employees are entering any spaces open to the public, such employees must wear face coverings. If the company owns or operates facilities where outside individuals, including the members of the public, may enter the premises, it must ensure that such individuals are also complying with the statewide face coverings requirement. For example, if the company owns or operates a food service establishment, it must ensure that anyone inside of the premise is wearing face coverings except when eating or drinking.

**Analysis: Actionable Requirements** If the facility conducts in-person operations, it ensures that all individuals in the premise, including its employees and any visitors, wear face coverings, as appropriate.

**What Has Changed** The Proclamation Number JBE 2020-89 requires face coverings to be worn statewide. Previously, only certain parishes enforced a face coverings requirement.

**Proclamation Number JBE 2020-89** On 11 July 2020, the Louisiana State Governor John Bel Edwards issued a Proclamation Number JBE 2020-89 (89 JBE 2020) as a continued effort to slow the spread of the 2019 novel coronavirus disease (COVID-19). The Proclamation requires the use of face coverings by the general public throughout the state. The Proclamation took effect on 13 July 2020 and remains effective until 24 July 2020, unless further amended. *Circumstances Requiring Face Coverings* 89 JBE 2020 requires all people in Louisiana to wear face coverings when inside a commercial establishment or any other building or space open to the public, whether indoor or outdoor. Further, companies must ensure that all persons who enter the premises are wearing face coverings unless specifically exempted. Companies that fail to enforce the face coverings requirement are subject to citations. *Exemptions to the Statewide Face Coverings Requirement* 89 JBE 2020 provides a list of exemptions from the face coverings requirement. For example, it exempts individuals with a medical condition that prevents the wearing of a face covering. Also, individuals are not required to wear face coverings while eating or drinking. Further, individuals who will be able to maintain strict social distancing of 6 feet apart from any other individual are not required to wear face coverings. In enforcing the face coverings requirement, companies must rely on the representations of their employees or any other persons present at the premises regarding whether or not they qualify for an exemption. Companies that rely on such a representation are not deemed to violate the face coverings requirement. *Opted-Out Parishes* 89 JBE 2020 allows certain parishes to opt out of the statewide face coverings requirement. Specifically, parishes with a COVID-19 incidence of fewer than 100 cases per 100,000 people for the most recent 2-week period have an option to opt out or keep the face coverings requirement in place. As of the date 89 JBE 2020 took effect, only 3 of the 64 parishes were provided with such an option. Accordingly, companies must review the [COVID-19 Dashboard](#) and confirm with the appropriate parishes as to whether they are subject to the face coverings requirement. **More Information** For more information, see the Office of the Governor website for [89 JBE 2020](#). Additional information, including the most current COVID-19 status in Louisiana, is available on the [State of Louisiana Coronavirus Updates](#) website. page 5 of 31

## MAINE

### Retail facilities and food and beverage establishments in several counties and municipalities must enforce face covering requirements

**Abstract:** Retail establishments with over 50,000 square feet of shopping space and eating establishments (including workplace canteens) must implement measures requiring customers to wear face coverings while on their premises, which may include denying entry or service to customers not wearing face coverings. This requirement only applies to facilities located in the Cumberland, Hancock, Knox, Lincoln, Sagadahoc, Waldo, or York Counties or in the Municipalities of Auburn, August, Bangor, Brewer, or Lewiston. The previous requirements on the facilities, such as posting signage stating that coverings are required, have not changed.

**Business Impact:** If the facility is located in the Cumberland, Hancock, Knox, Lincoln, Sagadahoc, Waldo, or York Counties or in the Municipalities of Auburn, August, Bangor, Brewer, or Lewiston and owns or operates a canteen or other dining establishment, it must require that customers wear face coverings.

#### Analysis: Actionable Requirements

If the facility is a large retail facility or dining establishment located in a county or municipality listed in Executive Order 2 FY 20/21, it must require that customers wear face masks.

**What Has Changed** As of 8 July 2020, this requirement is effective for the first time on facilities located in the Cumberland, Hancock, Knox, Lincoln, Sagadahoc, Waldo, or York Counties or in the Municipalities of Auburn, August, Bangor, Brewer, or Lewiston. Previously, such facilities were only obligated to post signage noting that face coverings were required for all members of the public and were not required to deny entry or service to customers without face coverings. **Executive Order 2 FY 20/21 Scope** These requirements apply to retail stores with over 50,000 square feet of shopping space and eating establishments in the listed counties and municipalities. Shopping space is defined in [an earlier executive order](#) as areas to which customers typically have access, specifically excluding employee-only spaces such as stock, supply, storage, break, and office areas. **Face Coverings, Defined** For the purposes of this executive order and all other COVID-19 related orders, "face coverings" or "cloth face coverings" are defined as protections with multiple layers of fabric that cover the nose and mouth and:

- fit snugly against the face;
- are secured with ties or ear loops;
- allow for breathing without restriction; and
- may be laundered and machine dried without damage or change to its shape.

Face coverings also include face shields that extend below the chin and covers the ears as well as disposable face coverings that provide similar protection, despite not meeting the established definition of face coverings.

**More Information** The full text of this executive order is [available on Governor Mills's website](#).

## 2. Europe

### FRANCE

#### COVID-19 could be qualified as an occupational illness for workers that had to continue working during the lockdown

**Abstract:** In the near future, COVID-19 could be recognized as an occupational illness for workers that continued to carry out operations (such as cement manufacturing or waste management) during the lockdown that was created due to the pandemic. This could be possible if any regulatory changes occur following the press release issued by the Ministry of Labour.

**Business Impact:** If the company continued operating on-site activities (such as cement manufacturing or waste management companies) during the COVID-19 lockdown, it should be aware that workers that were severely infected by the virus could see their illness qualify as an occupational illness if any regulatory changes are adopted following the press release issued by the Ministry of Labour. This means that the company could have to create with the employees that contracted COVID-19 incapacity records that would have to be provided to the Primary Health Insurance Fund (CPAM).

**Analysis:** On 30 June 2020, the Ministry of Labour issued a [press release to qualify COVID-19 as an occupational illness](#) for workers that continued working during the lockdown. It is relevant for companies where workers continued to operate activities on-site during the lockdown, such as cement manufacturing facilities or waste management facilities. The press release could result in regulatory changes that would broaden the scope of occupational illnesses to include COVID-19. If such changes are made, an occupational illness table would be created for COVID-19. Furthermore, the Ministry of Labour stated that the procedure that workers have to go through to get COVID-19 recognised as an occupational illness would be facilitated. Claims would be treated through a national COVID-19 committee that would be in charge of processing the requests. Under this simplified procedure, no permanent incapacity rate would be required. However, only workers that suffered from COVID-19 in its severe forms would be impacted by this possible regulatory change. This recognition as an occupational disease would make it possible to cover the costs of care up to 100% of the health insurance rates, to provide a more favourable coverage of the daily allowances and an indemnity in the event of permanent incapacity. This means that companies would have to create with the employees and provide to the Primary Health Insurance Fund (Caisse primaires d'assurance maladie - CPAM) incapacity records. **Background information** Occupational illnesses are the direct consequences of the habitual exposure of workers to a physical, chemical, biological risk, or results from the conditions in which they exercise their professional activities.

### GERMANY - BAVARIA

#### Further relaxation of corona restrictions for private gatherings and shops

**Abstract:** As of 15 June 2020, companies can benefit from a further relaxation of corona restrictions. Events and meetings with up to 200 people outside and 100 people inside are permitted subject to distance, protective measures, and a hygiene concept. In addition, 10 m<sup>2</sup> per customer in shops is now sufficient.

**Business Impact:** If the company operates shops it should be aware that the space per person inside the shop changed to 10 m<sup>2</sup> per person. The company should also know that private events outside with up to 200



participants and inside with up to 100 participants are allowed if they comply with hygiene rules and guarantee the traceability of all participants. The company should pay attention to all measures announced by the State Government and their local community, as restriction measures can be taken for specific communities if the daily number of new infections per 100,000 inhabitants reaches 50 or more.

**Analysis: Actionable Requirements:** The company complies with the Federal SARS-CoV-2 Occupational Safety and Health Standard during the COVID-19 pandemic.

**What has changed?** On 19 June 2020, the State Government of Bavaria published the new [Sixth Bavarian Infection Protection Ordinance \(6. BayIfSMV\)](#) and its [Amendment](#) on 14 July 2020 which came into force on 15 July 2020 and updates previous legislation on the same subject.

**Background information** In Bavaria, the most important legislation concerning the measures during the Covid-19 pandemic is the Sixth Bavarian Infection Protection Ordinance (6. BayIfSMV). It regulates restrictions of entrance in public places, canteens with public access, shops and retail establishments, gatherings, events, and cultural institutions. The new 6. BayIfSMV of 19 June 2020 and the Ordinance to amend the Sixth Ordinance on Infection Control Measures of 14 July 2020 regulate the following changes to the previous Ordinance that are relevant for companies, among others:

Gatherings and events with up to 100 persons inside and 200 persons outside are allowed if participants comply with all protective measures, guarantee contact tracing of all participants, and if a hygiene concept is prepared. Company gatherings and meetings without public access are not affected by this, they only have to comply with distance and hygiene rules.

Inside shops and retail establishments, there has to be 10 m<sup>2</sup> space per person;

The following requirements remain applicable:

A distance of 1.5 meters between all persons in public spaces is mandatory;

The use of mouth-to-nose protection is mandatory in public transport and all shops;

Meetings and gatherings with more than 100 persons inside and 200 persons outside are prohibited unless the authorities grant an exemption;

Customers of all shops and retail establishments must wear mouth-to-nose protection while shopping, a distance of 1.5 m must be guaranteed between all persons inside the shop;

Shop operators have to develop a protection and hygiene concept and, if customer parking spaces are made available, a parking space concept and submit it to the competent local authority upon request; and

Company canteens without public access have to guarantee a distance of at least 1.5 meters between all customers and the operator has to develop a protection and hygiene concept and submit it to the competent local authority upon request.

## GERMANY - BERLIN

### Further relaxation of corona restrictions

**Abstract:** As of 27 June 2020, companies can benefit from a further relaxation of corona restrictions. Gatherings and events inside with more than 150 persons and outside with more than 500 persons are prohibited. However, meetings and gatherings in companies without public access are not restricted as long as a distance of 1.5 meters between all persons is guaranteed.

**Business Impact:** The company should also know that events outside with up to 500 participants and inside with up to 150 participants are allowed if they comply with hygiene rules and guarantee the traceability of all participants. However the company should also know that meetings and gatherings in companies without public access are not restricted as long as a distance of 1.5 meters between all persons is guaranteed. The company should pay attention to all measures announced by the State Government and their local community, as



restriction measures can be taken for specific communities if the daily number of new infections per 100,000 inhabitants reaches 50 or more.

**Analysis: Actionable Requirements:** The company complies with the Federal SARS-CoV-2 Occupational Safety and Health Standard during the COVID-19 pandemic.

**What has changed?** On 26 June 2020, the State Government of Berlin published the amended [Bln SARS-CoV-2 Infection Protection Ordinance](#) which came into force on 27 June 2020 and updates previous legislation on the same subject.

**Background information** In Berlin, the most important legislation concerning the measures during the Covid-19 pandemic is the Bln SARS-CoV-2 Infection Protection Ordinance. It regulates restrictions of entrance in public places, canteens with public access, shops and retail establishments, gatherings, events, and cultural institutions. The Amendments of 23 and 26 June 2020 regulate the following changes to the SARS-CoV-2 Infection Protection Ordinance that are relevant for companies, among others:

Gatherings and events inside with more than 150 persons and outside with more than 500 persons are prohibited. Meetings and gatherings in companies without public access are not restricted as long as a distance of 1.5 meters between all persons is guaranteed;

Customers in all shops must wear mouth-to-nose protection while shopping, a distance of 1.5 m must be guaranteed between all persons inside the shop, and there has to be 20 m<sup>2</sup> per person in shops;

The following requirements remain applicable:

A distance of 1.5 meters between all persons in public places is mandatory;

Mouth-to-nose protection in public transport and in all shops is mandatory;

All shops have to comply with an enhanced cleaning and disinfection regime. Operators have to draw up an individual protection and hygiene concept according to the specific requirements of the respective facility and submit it to the competent authority upon request;

Crowds and especially queues must be avoided;

Customers must be informed with clearly visible notices and regular announcements about the obligation to regulate distances and to comply with protective measures; in the event of violations, house bans must be issued immediately;

The obligation of employers to comply with their respective health and safety regulations. This applies in particular to the SARS-CoV-2 occupational safety standard published by the Federal Ministry of Labor and Social Affairs.

Non-compliance with hygiene rules can be fined with up to 25,000 Euros by local authorities.

## GERMANY - HANSEATIC CITY OF BREMEN

### Further relaxation of corona restrictions

**Abstract:** As of 15 July 2020, companies can benefit from a further relaxation of corona restrictions. Events and meetings with up to 400 persons outside and inside with up to 250 persons are permitted. Gatherings and meetings in companies are allowed as long as hygiene rules are complied with and no public access is granted.

**Business Impact:** The company should know that events with public access outside with up to 400 participants and inside with up to 250 participants are allowed if they comply with hygiene rules and guarantee the traceability of all participants. The company should pay attention to all measures announced by the State Government and their local community, as restriction measures can be taken for specific communities if the daily number of new infections per 100,000 inhabitants reaches 50 or more.

**Analysis: Actionable Requirements:** The company complies with the Federal SARS-CoV-2 Occupational Safety and Health Standard during the COVID-19 pandemic.

**What has changed?** On 14 July 2020, the State Government of the Hanseatic City of Bremen published the amended [Eleventh Ordinance to protect against new infections with the SARS-CoV-2 coronavirus \(HB Elfte Coronaverordnung\)](#) which came into force on 15 July 2020 and updates previous legislation on the same subject.

**Background information** In the Hanseatic City of Bremen, the most important legislation concerning the measures during the Covid-19 pandemic is the Eleventh Ordinance to protect against new infections with the SARS-CoV-2 coronavirus (HB Elfte Coronaverordnung). It regulates restrictions of entrance in public places, canteens with public access, shops and retail establishments, gatherings, events, and cultural institutions. The Amendment of 14 July 2020 regulates the following changes to the HB Elfte Coronaverordnung) that are relevant for companies, among others:

Gatherings and events which are open for people outside of the company are allowed with up to 400 persons outside and with up to 250 persons inside; and

All shops have to comply with an enhanced cleaning and disinfection regime and prepare a hygiene concept in compliance with § 7 HB Elfte Coronaverordnung which explains the exact hygiene measures to guarantee sufficient distance between customers and ventilation.

The following requirements remain applicable:

A distance of 1.5 meters between all persons in public spaces is mandatory;

Mouth-to-nose protection is mandatory in all shops and establishments and in public transport;

Gatherings and meetings in companies are allowed as long as hygiene rules are complied with and no public access is granted;

Customers in shops and facilities must wear mouth-to-nose protection while, a distance of 1.5 m must be guaranteed between all persons inside, and there has to be 10 m<sup>2</sup> space per person in shops;

Crowds and especially queues must be avoided;

Customers must be informed with clearly visible notices and regular announcements about the obligation to regulate distances and to comply with protective measures; in the event of violations;

Company canteens without public access can remain open if they comply with the respective SARS-CoV-2 occupational safety standard, maintain a distance of 1.5 meters between all customers, regulate the entrance of people into the canteen and comply with all hygiene rules;

The obligation of employers to comply with their respective health and safety regulations. This applies in particular to the SARS-CoV-2 occupational safety standard published by the Federal Ministry of Labor and Social Affairs.

Non-compliance with hygiene rules can be fined by local authorities.

## GERMANY - HANSEATIC CITY OF HAMBURG

### Further relaxation of corona restrictions

**Abstract:** As of 1 July 2020, companies can benefit from a further relaxation of corona restrictions and a new organized HH Ordinance to curb the spread of the coronavirus SARS-CoV-2. 10 people of more than 2 households are now allowed to meet in public spaces. Gatherings and events of more than 1000 persons remain prohibited until 31 August 2020. However, gatherings and meetings in companies are allowed as long as hygiene rules are complied with and no public access is granted.

**Business Impact:** If the company operates a shop it should be aware that there has to be 10 m<sup>2</sup> space per person inside the shop. The company should be aware that gatherings and meetings in companies are allowed as long as hygiene rules are complied with and no public access is granted. The company should pay attention to all measures announced by the State Government and their local community, as restriction measures can be taken for specific communities if the daily number of new infections per 100,000 inhabitants reaches 50 or more.

**Analysis: Actionable Requirements:** The company complies with the Federal SARS-CoV-2 Occupational Safety and Health Standard during the COVID-19 pandemic.

**What has changed?** On 30 June 2020, the State Government of the Hanseatic City of Hamburg published the amended [HH Ordinance to curb the spread of the coronavirus SARS-CoV-2](#) which came into force on 1 July 2020 and updates previous legislation on the same subject.

**Background information** In the Hanseatic City of Hamburg, the most important legislation concerning the measures during the Covid-19 pandemic is the HH Ordinance to curb the spread of the coronavirus SARS-CoV-2 (HH HmbSARS-CoV-2-EindämmungsVO). It regulates restrictions of entrance in public places, canteens with public access, shops and retail establishments, gatherings, events, and cultural institutions. The Amendment of 30 June 2020 regulates the following changes to the Ordinance to curb the spread of the coronavirus SARS-CoV-2 that are relevant for companies, among others:

10 people of more than 2 households are now allowed to meet in public spaces.

Gatherings and events of more than 1000 persons remain prohibited until 31 August 2020. Gatherings and meetings in companies are allowed as long as hygiene rules are complied with and no public access is granted;

There has to be 10 m<sup>2</sup> space per person in shops;

The following requirements remain applicable:

A distance of 1.5 meters between all persons in public spaces is mandatory;

Mouth-to-nose protection is mandatory in all shops and public transport;

Customers in all shops and facilities with public access must wear mouth-to-nose protection while shopping, a distance of 1.5 m must be guaranteed between all persons inside the shop;

All shops have to comply with an enhanced cleaning and disinfection regime;

Crowds and especially queues must be avoided;

Customers must be informed with clearly visible notices and regular announcements about the obligation to regulate distances and to comply with protective measures; in the event of violations, house bans must be issued immediately;

Company canteens without public access can remain open if they comply with the respective SARS-CoV-2 occupational safety standard, maintain a distance of 1.5 meters between all customers, regulate the entrance of people into the canteen and comply with all hygiene rules;

The obligation of employers to comply with their respective health and safety regulations. This applies in particular to the SARS-CoV-2 occupational safety standard published by the Federal Ministry of Labor and Social Affairs.

Non-compliance with hygiene rules can be fined with up to 5,000 Euros by local authorities.

## GERMANY - MECKLENBURG-VORPOMMERN

### Further relaxation of corona restrictions

**Abstract:** As of 10 July 2020, companies can benefit from a further relaxation of corona restrictions and clear hygiene concepts for each sector. Gatherings and events with up to 500 persons outside and up to 200 persons inside are allowed if hygiene rules are complied with and contact tracing is guaranteed. Meetings and gatherings in companies are not restricted as long as there is no public access and the Occupational Health and Safety Standard is complied with.

**Business Impact:** If the company operates canteens it should be aware of the updated hygiene rules. The company should also know that events outside with up to 500 participants and inside with up to 200 participants are allowed if they comply with hygiene rules and guarantee the traceability of all participants. The company should pay attention to all measures announced by the State Government and their local community, as

restriction measures can be taken for specific communities if the daily number of new infections per 100,000 inhabitants reaches 50 or more.

**Analysis: Actionable Requirements:** The company complies with the Federal SARS-CoV-2 Occupational Safety and Health Standard during the COVID-19 pandemic.

**What has changed?** On 9 July 2020, the State Government of Mecklenburg-Vorpommern published the [MV Ordinance on the further gradual relaxation of corona-related restrictions on public life in Mecklenburg-Vorpommern \(Corona-Lockerungs-LVO MV\)](#) which came into force on 10 July 2020 and updates previous legislation on the same subject.

**Background information** In Mecklenburg-Vorpommern, the most important legislation concerning the measures during the Covid-19 pandemic is the MV Ordinance on the further gradual relaxation of corona-related restrictions on public life in Mecklenburg-Vorpommern (Corona-Lockerungs-LVO MV). It regulates restrictions of entrance in public places, canteens with public access, shops and retail establishments, gatherings, events, and cultural institutions. The Amendment of 9 July 2020 regulates the following changes to the previous regulations that are relevant for companies, among others:

Gatherings and events with more than 500 persons outside and 200 persons inside are prohibited. Meetings and gatherings in companies are not restricted as long as there is no public access and the Occupational Health and Safety Standard is complied with;

Company canteens without public access can stay open if a distance of 1.5 meters between all persons is guaranteed;

The following requirements remain applicable:

A distance of 1.5 meters between all persons in public spaces is mandatory;

Mouth-to-nose protection is mandatory in all shops and public transport and it is recommended in public spaces;

Customers in all shops must wear mouth-to-nose protection while shopping, a distance of 1.5 m must be guaranteed between all persons inside the shop, and there has to be 10 m<sup>2</sup> space per person in shops;

Crowds, especially queues must be avoided;

Customers must be informed with clearly visible notices and regular announcements about the obligation to regulate distances and to comply with protective measures. All restrictions concerning shops can be found in Annex 1 of the Corona-Lockerungs-LVO MV;

Employers have the obligation to comply with their respective health and safety regulations. This applies in particular to the SARS-CoV-2 occupational safety standard published by the Federal Ministry of Labor and Social Affairs;

Non-compliance with hygiene rules can be fined with up to 25,000 Euros by local authorities.

## GERMANY - SAARLAND

### Further relaxation of corona restrictions and step-by-step plan for events introduced

**Abstract:** As of 13 July 2020, companies can benefit from a further relaxation of corona restrictions. A step-by-step plan for events regulating the number of participants allowed was introduced. Events and meetings with up to 500 people outside and 250 people inside are permitted subject to distance and protective measures.

**Business Impact:** The company should know that events with public access outside with up to 500 participants and inside with up to 250 participants are allowed if they comply with hygiene rules and guarantee the traceability of all participants. The company should pay attention to all measures announced by the State Government and their local community, as restriction measures can be taken for specific communities if the daily number of new infections per 100,000 inhabitants reaches 50 or more.

**Analysis: Actionable Requirements:** The company complies with the Federal SARS-CoV-2 Occupational Safety and Health Standard during the COVID-19 pandemic.

**What has changed?** On 11 July 2020, the State Government of Saarland published the amended [Srl Ordinance to combat the corona pandemic \(Srl VO-CP\)](#) which came into force on 13 July 2020 and updates previous legislation on the same subject.

**Background information** In Saarland, the most important legislation concerning the measures during the Covid-19 pandemic is the Srl Ordinance to combat the corona pandemic (Srl VO-CP). It regulates restrictions of entrance in public places, canteens with public access, shops and retail establishments, gatherings, events, and cultural institutions. The Amendment of 11 July 2020 regulates the following changes to the Srl VO-CP that are relevant for companies, among others:

The new Ordinance includes a step-by-step plan for events regulating the number of participants allowed by 31 August 2020: As of 13 July 2020, outdoor events may take place in which no more than 500 people participate, as well as indoor events in which no more than 250 people participate. As of 27 July 2020, open-air events with up to 700 people and in closed rooms with up to 350 people are allowed. From 10 August 2020, a maximum of 900 people will be allowed to participate in outdoor events and a maximum of 450 people in indoor events. And as of 24 August 2020, outdoor events can take place with up to 1,000 people and in indoor spaces with up to 500 people.

There has to be 5 m<sup>2</sup> space per person in shops; and

All shops have to prepare a hygiene concept in compliance with § 5 Srl VO-CP.

The following requirements remain applicable:

A distance of 1.5 meters between all persons in public spaces is mandatory;

Mouth-to-nose protection in public transport and in all shops is mandatory;

Meetings and gatherings in companies without public access are allowed if a distance of 1.5 meters between all persons is guaranteed;

Crowds and especially queues must be avoided;

Customers must be informed with clearly visible notices and regular announcements about the obligation to regulate distances and to comply with protective measures; in the event of violations, house bans must be issued immediately;

The obligation of employers to comply with their respective health and safety regulations. This applies in particular to the SARS-CoV-2 occupational safety standard published by the Federal Ministry of Labor and Social Affairs.

Non-compliance with hygiene rules can be fined by local authorities.

## GERMANY - SAXONY- ANHALT

### Further relaxation of corona restrictions

**Abstract:** As of 2 July 2020, companies can benefit from a further relaxation of corona restrictions. Events and meetings with up to 500 people inside will be permitted as of 29 August 2020 subject to specific hygiene rules.

**Business Impact:** The company should know that public events outside with up to 500 participants will be allowed as of 29 August 2020 if they comply with hygiene rules and guarantee the traceability of all participants. The company should pay attention to all measures announced by the State Government and their local community, as restriction measures can be taken for specific communities if the daily number of new infections per 100,000 inhabitants reaches 50 or more.

**Analysis: Actionable Requirements:** The company complies with the Federal SARS-CoV-2 Occupational Safety and Health Standard during the COVID-19 pandemic.

**What has changed?** On 30 June 2020, the State Government of Rhineland-Palatinate published the amended

[LSA Seventh SARS CoV-2 containment regulation \(LSA 7. SARS-CoV-2-EindV\)](#) which came into force on 2 July 2020 and updates previous legislation on the same subject.

**Background information** In Saxony-Anhalt, the most important legislation concerning the measures during the Covid-19 pandemic is the LSA Seventh SARS CoV-2 containment regulation (LSA 7. SARS-CoV-2-EindV). It regulates restrictions of entrance in public places, canteens with public access, shops and retail establishments, gatherings, events, and cultural institutions. The Amendment of 30 June 2020 regulates the following changes to the LSA 7. SARS-CoV-2-EindV that are relevant for companies, among others:

Well-organized events with up to 500 persons will be permitted as of 29 August 2020. Company gatherings and meetings without public access are permitted as long as a distance of 1.5 m distance between all employees is guaranteed and hygiene rules are complied with;

There has to be 10 m<sup>2</sup> space per person in shops with a maximum size of 800 m<sup>2</sup>. Shops with a sales area of more than 800 square meters in addition to the maximum number of customers, a maximum of 1 customer per 20 square meters of the sales area that exceeds 800 square meters, is allowed to enter;

The following requirements remain applicable:

A distance of 1.5 meters between all persons in public spaces is mandatory;

Mouth-to-nose protection in public transport and in shops is mandatory;

All shops have to comply with an enhanced cleaning and disinfection regime and prepare a hygiene concept which has to be presented to the competent authority upon request;

Crowds of more than five people, especially queues must be avoided;

Customers must be informed with clearly visible notices and regular announcements about the obligation to regulate distances and to comply with protective measures; in the event of violations, house bans must be issued immediately;

The obligation of employers to comply with their respective health and safety regulations. This applies in particular to the SARS-CoV-2 occupational safety standard published by the Federal Ministry of Labor and Social Affairs;

Non-compliance with hygiene rules can be fined with up to 1,000 Euros by local authorities.

## GERMANY - SCHLESWIG-HOLSTEIN

### Further Relaxation of corona restrictions

**Abstract:** As of 29 June 2020, companies can benefit from a further relaxation of corona restrictions. Events and meetings inside with clearly assigned seats for all participants are allowed for 100 persons and outside for 200 persons. In addition to that canteens with public access are now allowed to reopen self-service buffets.

**Business Impact:** If the company operates canteens with public access it should be aware that it can reopen self-service buffets. The company should also know that events with clearly assigned seats outside with up to 250 participants and inside with up to 100 participants are allowed if they comply with hygiene rules and guarantee the traceability of all participants. The company should pay attention to all measures announced by the State Government and their local community, as restriction measures can be taken for specific communities if the daily number of new infections per 100,000 inhabitants reaches 50 or more.

**Analysis: Actionable Requirements:** The company complies with the Federal SARS-CoV-2 Occupational Safety and Health Standard during the COVID-19 pandemic.

**What has changed?** On 26 June 2020, the State Government of Schleswig-Holstein published the amended SH Ordinance on measures to combat the spread of the coronavirus SARS-CoV-2 in Schleswig-Holstein which came into force on 29 June 2020 and updates previous legislation on the same subject.

**Background information** In Schleswig-Holstein, the most important legislation concerning the measures during



the Covid-19 pandemic is the SH Ordinance on measures to combat the spread of the coronavirus SARS-CoV-2 in Schleswig-Holstein. It regulates restrictions of entrance in public places, canteens with public access, shops and retail establishments, gatherings, events, and cultural institutions. The Amendment of 26 June 2020 regulates the following changes to the Corona Control Ordinance that are relevant for companies, among others: Gatherings and events with clearly assigned seats for all participants with up to 100 persons inside and 250 persons outside are allowed if participants comply with all protective measures and guarantee contact tracing of all participants.

Company canteens with public access can reopen self-service buffets;

The following requirements remain applicable:

A distance of 1.5 meters between all persons in public spaces is mandatory;

Gatherings and events of more than 250 persons are prohibited. Smaller gatherings can be permitted if the organizer has a hygiene concept and complies with all requirements mentioned in § 5. Meetings in companies without public access are permitted if a distance of 1.5 meters between all employees is guaranteed and hygiene rules are complied with;

Mouth-to-nose protection is mandatory in all shops and public transport:

Customers must wear mouth-to-nose protection while shopping, a distance of 1.5 m must be guaranteed between all persons inside the shop, and there has to be 10 m<sup>2</sup> space per person in shops;

All shops have to comply with an enhanced cleaning and disinfection regime;

Crowds and especially queues must be avoided in and outside the shop;

Customers must be informed with clearly visible notices and regular announcements about the obligation to regulate distances and to comply with protective measures; in the event of violations, house bans must be issued immediately;

All shops with a size of 200 m<sup>2</sup> or larger must have at least one security manager supervising the compliance of all hygiene rules inside the shop. For each additional 400, 800, 1,600, 3,200 and 6,400 square meters an additional security manager has to be appointed;

The obligation of employers to comply with their respective health and safety regulations. This applies in particular to the SARS-CoV-2 occupational safety standard published by the Federal Ministry of Labor and Social Affairs.

Non-compliance with hygiene rules can be fined by local authorities.

## ITALY NATIONAL

### Companies can refer to technical recommendations from the High Institute of Health concerning the prevention of Covid-19 airborne contagion through indoor ventilation and air conditioning systems

**Abstract:** Since June 2020, companies can review a set to recommendations drafted by the High Institute of Health (*Istituto Superiore di Sanità - ISS*) regarding the use and management of ventilation and air conditioning systems in the workplace to prevent Covid-19 contagion.

**Business Impact:** The company can read the recent report published by the High Institute of Health, which contains recommendations on the use and maintenance of ventilation and air conditioning systems in the indoor environment (including offices and private buildings) to prevent the airborne contagion of the SARS-CoV-2 virus. As explained in the report, indoor air quality and microclimate can represent key factors in the transmission of infections and seasonal epidemiological models in indoor environments. Adequate ventilation and regular air exchange are necessary to reduce the airborne concentration of particulates and biological pollutants. Among other things, the company can access information on the various ventilation and air conditioning systems and their technical differences; the modalities of airborne contagion through air conditioning and ventilation systems; operational recommendations for the correct management of air conditioning and ventilation systems; and operational recommendations for natural ventilation.

**Analysis:** In June 2020, the High Institute of Health (*Istituto Superiore di Sanità - ISS*) published [Report n. 33/2020](#), which contains recommendations regarding ventilation and air conditioning systems in non-healthcare buildings and domestic buildings and their contribution to airborne contagion of the SARS-CoV-2 virus. Among others, the Report is relevant for employers, managers, administrators, safety managers and operators of public and private buildings, non-health community structures, hotel structures, offices, and health authorities that are responsible for health protection at national, regional and local level and are involved in the prevention and management of the risks associated with the spread of Covid-19. As explained by the ISS, indoor air quality and microclimate can represent key factors in the transmission of infections and seasonal epidemiological models in indoor environments. Adequate ventilation and regular air exchange are necessary to reduce the airborne concentration of particulates and biological pollutants. Due to the reduced availability of natural ventilation in modern buildings, the correct maintenance and use of artificial ventilation and air conditioning systems have an important role in preventing the spread of illnesses in indoor environments. The report 33/2020 describes the main components of ventilation and air conditioning systems that can favour the movement of air in indoor environments (such as offices and private buildings) and also provides operational recommendations for the management of these systems. In particular, the report touches upon the following aspects:

- the various ventilation and air conditioning systems and their technical differences;
- modalities of airborne contagion through air conditioning and ventilation systems;
- operational recommendations for the correct management of air conditioning and ventilation systems;
- operational recommendations for natural ventilation;
- operational recommendations for the domestic environment;
- operational recommendations for fans and other personal cooling devices;
- maintenance of air conditioning and ventilation systems; and
- sanitization of surfaces and indoor environments.

## ITALY NATIONAL

### Italy extends the validity period of Covid-19 containment measures at the workplace until 31 July 2020

**Abstract:** Since 15 July 2020, companies must know that the Italian government extended the validity period of the Covid-19 containment measures at the workplace until 31 July 2020. Among other things, companies must continue to apply the preventive measures established in the shared Protocols, such as maintaining social distancing in the workplace, limiting interactions with external visitors and clients, allowing access to clients through reservation mechanisms, and provide hand sanitisers to employees and visitors.

**Business Impact:** The company must know that the Italian government extended the validity period of the Covid-19 containment measures until 31 July 2020. This means that, among other things, the company must continue to apply the preventive measures established in the shared Protocols attached to the Decree of 11 June 2020, such as maintaining social distancing in the workplace, limiting interactions with external visitors and clients, allowing access to clients through reservation mechanisms, and provide hand sanitisers to employees and visitors.

#### **Analysis: Actionable requirements**

The company makes sure to comply with the provisional health and safety measures adopted by the Government to limit the spread of coronavirus in the workplace during the health emergency.

**What has changed** On 14 July 2020, the Italian Government adopted the [Decree of 14 July 2020](#) that extends the validity period of the provisional health and safety measures under the [Decree of the President of the Council of Ministers of 11 June 2020](#) until 31 July 2020. No major changes affecting companies operations were adopted. This means that companies must continue to apply the preventive measures established in the shared Protocols (Annex 12 of the Decree of 11 June 2020), such as maintaining social distancing in the workplace, limiting interactions with external visitors and clients, allowing access to clients through reservation mechanisms,





and provide hand sanitisers to employees and visitors. Companies can also access indications on the preventive measures to adopt when organising conferences, conventions or meetings under Annex I to the Decree of 14 July 2020. Among other things, companies must make sure to maintain social distancing among participants, inform participants about the preventive measures adopted during the event, promote the use of technology for administrative tasks (such as registration and voting) to avoid unnecessary gatherings, and ensure that clothing and personal items are stored in special clothes bags in wardrobes. **Background information** Since 4 May 2020, all companies must apply the containment measures of the shared protocol, originally annexed to the [Decree of the President of the Council of Ministers of 26 April 2020](#). The Protocol addresses various aspects of workplace safety, including, for example, how to enter and exit the company's premises, access methods for external suppliers, cleaning and sanitation of the workplace and personal hygiene, and managing communal areas. Among other things, companies are also required to adequately inform all workers on the health and safety measures to adopt, depending on the specific tasks and responsibility of each individual worker, with a particular focus on the use of personal protective equipment (PPE) to avoid spreading the contagion. Since 11 June 2020, the shared Protocol is annexed to the [Decree of 11 June 2020](#) (Annex 12), which applies until 31 July 2020.



## 3. Latin America

### BRAZIL FEDERAL

#### Companies carrying out activities related to goods and services must adopt measures to prevent the proliferation of diseases

**Abstract:** From 3 July 2020, companies carrying out activities related to goods and services, such as in-person customer service, must adopt measures to prevent the proliferation of diseases, such as sanitizing places with circulation of people and the interior of vehicles of any kind used in the service, and providing all users of the spaces and vehicles with sanitizing products. In addition, companies must be aware that everyone must use individual protective masks covering mouth and nose when in public or in private spaces accessible to the public.

**Business Impact:** If the company carries out activities related to goods and services, such as in-person customer service, it must adopt measures to prevent the proliferation of diseases, such as the asepsis of places with circulation of people and the interior of vehicles of any kind used in the service, and provides all users of spaces and vehicles with sanitizing products.

**Analysis: Actionable requirement** If the company carries out activities related to goods and services, such as in-person customer service or placing products on the market, it adopts measures to prevent the proliferation of diseases, such as the asepsis of places with circulation of people and the interior of vehicles of any kind used in the service, and provides all users of the spaces and vehicles with sanitizing products.

**What has changed** The actionable requirement mentioned is new at the federal level. However, states and municipalities also regulate these provisions in further detail. Therefore, companies are advised to check the state and municipal legislation on the matter.

**Brief analysis** [Law 14.019 of 2 July 2020](#) amends [Law 13.979 of 6 February 2020](#), which provides for measures to address the public health emergency of international importance due to the new coronavirus (COVID-19). It applies as of 3 July 2020. Law 14.019/2020 establishes the obligation: -for companies carrying out activities related to goods and services, such as in-person customer service, to adopt measures to prevent the proliferation of diseases; and -for everyone to wear individual protective masks covering mouth and nose, when circulating in public spaces and private spaces accessible to the public. Obligation for companies to adopt preventive measures on the proliferation of diseases Law 14.019/2020 establishes that companies carrying out activities related to goods and services must adopt measures to prevent the proliferation of diseases, such as: - sanitizing places with circulation of people and the interior of vehicles of any nature used in the service; and - providing users with sanitizing products. The adopted version of Law 14.019/2020 does not further specify which activities related to goods and services must adopt such measures, and which kind of products must be used in the sanitizing process. This requirement was established by Law 14.019/2020, introducing article 3-H to Law 13.979/2020. The President vetoed the single paragraph to this article, which would establish fines for companies not providing alcohol gel 70% to all users. Companies must be aware that this veto can be further discussed by the National Congress. Obligation to wear individual protective masks Companies must also be aware that Law 14.019/2020 introduces a general obligation, at the federal level, for everyone to wear individual protective masks covering mouth and nose, in accordance with the health legislation and other regulations established by federal authorities, when: -circulating in public spaces or in private spaces accessible to the public; -on public roads and public transportation; -in individual private passenger transport vehicles; and -within chartered buses, aircraft or vessels for collective use. This obligation is waived in case of children under 3 years of age, persons with intellectual disabilities, among others. Such protective masks can be industrial or artisanal. Law 14.019/2020 does not provide further details on which type of masks must be used. The President vetoed the provisions that would establish fines for individuals not wearing protective masks, as well as the obligation for

companies to provide their workers and collaborators. The veto can be further discussed by the National Congress. Companies must be aware that state and municipal regulations might also establish obligation for companies to provide protective masks. For example, in the states of Bahia and Minas Gerais, companies must provide masks to their employees and collaborators.

## BRAZIL FEDERAL

### Companies must continue complying with export restrictions of some medical and hospital products to combat the new coronavirus

**Abstract:** From 30 June 2020 and while the public health emergency remains, companies must continue not to export medical, hospital and hygiene products essential to combat the new coronavirus (COVID-19), such as protection gloves, hospital beds and multiparameter monitors, except when authorized by the Special Secretariat of Foreign Trade and International Affairs of the Ministry of the Economy (*Secretaria de Comércio Exterior da Secretaria Especial de Comércio Exterior e Assuntos Internacionais do Ministério da Economia*).

**Business Impact:** If the company exports electrical and electronic medical products, such as pulmonary mechanical ventilators or multiparameter monitors, it must continue not doing so while the public health emergency due to the new coronavirus remains. If the company exports essential hygiene products, such as protection plastic gloves, plastic clothing and its protective accessories, and protection plastic masks, it must continue not doing so while the public health emergency due to the new coronavirus remains.

**.Analysis: Actionable requirement** If the company exports medical, hospital and hygiene products essential to combat the new coronavirus (COVID-19), such as protection gloves, hospital beds and multiparameter monitors, it refrains from doing so while the public health emergency remains.

**What has changed** The actionable requirement described above is not new. Companies are prohibited of exporting medical, hospital, and hygiene products to combat the new coronavirus since 24 April 2020. However, there is a new list specifying the products that cannot be exported during the public health emergency and exemptions to such prohibition.

**Brief analysis** As of 24 April 2020, [Law 13.993 of 23 April 2020](#) prohibited the export of the following medical, hospital, and hygiene products to combat the new coronavirus epidemic, while the public health emergency remains: -personal protective equipment, such as latex gloves, nitrile gloves, waterproof apron, safety goggles, caps, surgical masks, and face shields; -pulmonary mechanical ventilator and circuits; -hospital beds; and -multiparameter monitors. [Decree 10.407 of 29 June 2020](#) regulates Law 13.993/2020, specifying the products which cannot be exported and establishing exceptions to the export prohibition. It applies as of 30 June 2020. The Annex to Decree 10.407/2020 specifies the products which cannot be exported: -protection plastic gloves (NCM code 3926.20.00); -plastic clothing and its protective accessories (NCM code 3926.20.00); -protection plastic masks (NCM code 3926.90.90); -surgery gloves, made of latex or nitrile (NCM code 4015.11.00); -latex or nitrilic gloves, except for surgery (NCM code 4015.19.00); -non-woven protective clothing (non-woven fabric or *tecido não tecido* - TNT) (NCM code 6210.10.00); -male and female jackets, blazers and similar, of impregnated, coated, covered or laminated textile fabrics, with plastic or other materials, or rubberized fabrics (NCM codes 6210.20.00 for male and 6210.30.00 for female); -resuscitation breathing devices (NCM code 9019.20.30); -safety goggles (NCM code 9004.90.20); -pulmonary ventilators (NCM code 9019.20.90); -pulmonary ventilator circuits (NCM code 9019.20.90); -hospital beds (NCM code 9402.90.20); and -multiparameter monitors (NCM code 9018.19.80). The Secretariat of Foreign Trade of the Special Secretariat of Foreign Trade and International Affairs of the Ministry of the Economy (*Secretaria de Comércio Exterior da Secretaria Especial de Comércio Exterior e Assuntos Internacionais do Ministério da Economia*) implements the export prohibition through the Integrated Foreign Trade System (*Sistema Integrado de Comércio Exterior - SISCOMEX*) and can exceptionally authorize the export of such products considering: -humanitarian reasons; -international commitments; -

conditions of domestic supply, distribution and access to products appropriate to the needs of the Brazilian population at the time of the authorization; -impacts on the Brazilian supply chains; and -supply of diplomatic missions, consular offices or other offices maintained by the Brazilian State or by autonomous social services abroad. Decree 10.407/2020 exempts from the export prohibition the following products: -personal protective equipment (PPE) that cannot be used in the health area; -on-board provisions; -products temporary exported for homologation, tests, operation or resistance tests or used in the development of products or prototypes; or - temporary exported for outward processing. Such temporary exported products must be returned to Brazil within the deadline established by the Special Secretariat of the Federal Revenue of Brazil of the Ministry of the Economy (*Secretaria Especial da Receita Federal do Brasil do Ministério da Economia*).

## CHILE

### Draft Law proposed that would set health and safety protocols to ensure safe return to work during the COVID-19 outbreak.

**Abstract:** In the future, companies operating in Chile that do not have a COVID-19 Occupational Health Safety Protocol, or that do not comply with the measures established in the Protocol, will not be able to resume or continue operating. Such measures can include regular testing of staff temperatures or safe distance measurements at workplaces to ensure a safe operation for companies during the gradual return to work following the health crisis derived from the COVID-19 outbreak. This follows from a Draft Law of the Senate.

**Business Impact:** If the company is operating during the gradual return to work following the health crisis derived from the COVID-19 outbreak, it would be required to have in place a COVID-19 Occupational Health Safety Protocol and comply with the measures established therein, if the Draft Law is adopted. Failure to comply could result in sanctions.

**Analysis:** On 23 June 2020, a group of Senators proposed a [Draft law](#) that, if adopted, would create a legal framework that would require all companies to apply a COVID-19 health and safety protocol to operate. According to the Draft Law, companies that do not have a COVID-19 Occupational Health Safety Protocol or that do not comply with the measures established in the Protocol as mentioned above once established, will not be able to resume or continue operating. Companies that are already carrying out work activities would have to develop their Protocol and apply it within no more than two weeks from the date of future publication if the Draft law is finally approved. **Protocol content.** The COVID-19 Occupational Health Safety Protocol would have to contain at least the following content:

regular testing of staff temperature;

fast and periodic testing of contagion;

safe distance measures at work stations according to the characteristics of the activity, as well as in changing rooms, dining rooms, and lockers;

specific provisions or adaptations if it were the case of certain physical spaces, such as round-trip corridors, separate toilets, and showers;

adaptation or hygiene measures such as the provision of water, soap, alcohol gel;

sanitation measures for work areas; and

protection means made available to workers and management personnel such as masks, glasses, gloves, appropriate clothing according to the company.

The Draft Law would forbid companies to charge the workers, whatever their type of hiring, the value of the inputs, equipment, and conditions stated in the Protocol. **Non-compliance** According to the Draft Law, companies that restart or continue work without having a Protocol or without implementing and maintaining the measures established in the Protocol will be subject sanctioning procedure set out in article 68 of [Law 16,744](#).

Besides, when the contagion by COVID-19 is due to inexcusable negligence or fraud by the employer, applicable damages as set out in subsection b) of Article 69 of Law 16,744, could be imposed in addition to criminal activity.

## CHILE

### Companies operating during the quarantine imposed by the COVID-19 outbreak subject to increased audits and sanctions for breaching health and safety requirements

**Abstract:** In the future, companies operating during the quarantine imposed by the COVID-19 outbreak can expect increased audits from the Labor authorities and subsequent sanctions in case of breaching health and safety requirements set for operating during the quarantine.

**Business Impact:** Companies should be aware that the Labor authorities are carrying out increased audits and sanctioning any company that does not comply with the requirements set to operate during the COVID-19.

**Analysis:** On 1 July of 2020, the Labor Commission of the Chilean congress met with the Undersecretary of the economy and the National Director of labor (hereinafter the authorities), to clarify the situation regarding company audits and the operation during the pandemic. **Increased audits** The authorities reported that they had received more than 11,000 complaints, and they have carried out around 15,000 audits, of which around 2,000 have been carried out at the initiative of the authority, without any prior complaint. **Sanctions for breaching health and safety requirements** The Labor authority reported that most of the audited complaints and the most sanctioned actions have to do with the following conducts related to the health and safety of workers: workers were not being informed about occupational risks; workers were not being provided elements of protection free of cost; workplace accidents were not being reported; and adequate conditions of occupational safety were not being maintained.

**Criminal sanctions** Criminal sanctions had been applied to companies and to employers who have ordered employees to work despite being in quarantine or sanitary isolation. **Suspension of activities** Several companies have already been suspended for inadequate permits and others for operating without permission or authorization (9 since the beginning of the COVID-19 outbreak).

## COLOMBIA

### Companies are exempted from renewing the certification of their employees working at heights during the COVID-19 emergency

**Abstract:** Until 6 October 2020, employees working at heights do not need to renew their certifications due to the COVID-19 crisis. This follows from Resolution 1248 of 2020, which exempts employees from renewing their certification from working at heights and introduces minor changes to the training modality. The exemption applies to employees already holding a permit for working at heights that have expired after 12 March 2020.

**Business Impact:** If the company has employees working at heights whose certificates expired after 12 March 2020, it does not need to renew such certificates until 6 October 2020. In addition, employees with no previous certification, or whose certification expired before 12 March 2020, can attend the training at Vocational Learning Units (UVAE) which have been authorized to resume their activities by the corresponding authorities. Moreover, if the company provides training to employees working at heights, it can now provide the theoretical content of the training remotely. Furthermore, if the company provides the practical part of the training, the company must comply with the sanitary protocols issued by national and local authorities and ensure a physical distance of at least 2 meters between employees.

**Analysis: New actionable requirements** If the company has employees working at heights and their certifications have expired after 12 March 2020, they are exempted from renewing it until 6 October 2020. If the company has employees that do not have a previous certification for working at heights, it ensures they receive the training only from Vocational Learning Units (*Unidades Vocacionales de Aprendizaje -UVAES*) authorized by the sanitary authorities to resume their activities. If the company provides training to employees working at heights, it provides the theoretical content of the training remotely and complies with sanitary protocols for the practical part of the training. **What has changed?** On 6 July 2020, the Ministry of Labor (*Ministerio del Trabajo*) published Resolution 1248 of 2020 which exempts employees working at heights to renew their certification, if their permit has expired after 12 March 2020. The exemption is valid until 6 October 2020. In addition, employees that do not hold a previous certification for working at heights can only attend the UVAES authorized by the Ministry of Labor. While the theoretical content of the training can be taught remotely, for the practical part of the certification, companies providing the training must comply with the corresponding sanitary protocols and ensure a distance of 2 meters between participants. **Additional information** In Colombia, working at heights is regulated by [Resolution 1409 of 2012](#), which requires companies to, among others: implement a Protection Program Against Falls; provide employees with a training for working at heights; provide the specific Personal Protective Equipment (PPE); and appoint a coordinator for working at heights.

According to Resolution 1409 of 2020, the training that employees working at heights must receive vary depending on their role as it follows:

for basic operations at heights, employees must receive a 8 hours training (3 hours of theoretical content and 5 hours of practical training)

for advanced operations at heights, employees must receive a 40 hours training (16 hours of theoretical content and 24 of practical training); and

group coordinators must receive a 80 hours training (60 hours of theory and 20 hours of practice).

In addition, employees must receive an annual update on their training. However, Resolution 1248 of 2020 postpones the annual update for employees whose certification has expired after 12 March 2020. The rest of the obligations for working at heights are still applicable. [Resolution 1248 of 2020 exempting employees from renewing their certification for working at heights during the COVID-19 pandemic](#) is available online in Spanish.

## ECUADOR

**All companies are subject to the suspension of all terms and deadlines in all procedures before the Ministry of Energy and Non-Renewable Natural Resources until the termination of the state of sanitary emergency caused by the COVID-19**

**Abstract:** As of 1 April of 2020 until the termination of the state of sanitary emergency caused by the COVID-19, all companies operating in Ecuador are subject to a suspension of current procedural and administrative terms and deadlines in all procedures before the Ministry of Energy and Non-Renewable Natural Resources. The Agreement does not affect the reception of petitions and objections; however, the related administrative procedures that derive from the filing of said petitions or appeals will formally begin once the suspension has been lifted. This follows from Agreement MERNNR-MERNNR-2020-0024-AM. An official version of the Agreement is not yet publicly available.

**Business Impact:** If the company operates in Ecuador, it should be aware that from 1 April of 2020 and until the authorities resolve to terminate the state of sanitary emergency caused by the COVID-19, all procedural administrative deadlines and terms in progress, in all procedures before the central and decentralized levels of the Ministry of Energy and Non-Renewable Natural Resources are suspended.



**Analysis: Actionable Requirements** There are no actionable requirements for companies.

**What has changed** For the first time all procedural administrative deadlines and terms in progress, in all procedures before the central and decentralized levels of the Ministry of Energy and Non-Renewable Natural Resources, are suspended with a retroactive effect from 1 April of 2020 and until the authorities resolve to terminate the state of sanitary emergency caused by the COVID-19. Therefore, the corresponding terms and deadlines will be resumed from the following day on which the competent authority issues the act that ends the indicated state of emergency. **Additional information** Agreement MERNNR-MERNNR-2020-0024-AM does not affect the reception of petitions and objections; however, the related administrative procedures that derive from the filing of said petitions or appeals will formally begin once the suspension has been lifted. An official version of the Agreement MERNNR-MERNNR-2020-0024-AM is not yet publicly available.

## SÃO PAULO

### The provision of non-essential services in the state of São Paulo remains suspended until 30 July 2020, due to the COVID-19 pandemic

**Abstract:** Until 30 July 2020, companies operating in the state of São Paulo must continue to comply with quarantine measures, such as restrictions on some business activities (for example bars and restaurants and gyms) and recommendations to limit the movement of people.

**Business Impact:** If the company operates facilities in the state of São Paulo, it must be aware that the quarantine is extended until 30 July 2020. Still, it does not apply to some activities, such as the industrial sector.

**Analysis: Actionable Requirements** There are no actionable requirements associated with this regulation.

**What Changed?** [Decree 65.056 of 10 July 2020](#) extends the term of the quarantine established in [Decree 64.881 of 22 March 2020](#) until 30 July 2020. **Additional Information** The quarantine measure has been established in the State of São Paulo, by Decree 64.881 of 22 March 2020, determining the suspension of certain activities. Decree 64.881/2020 also recommended the limitation in the movement of people within the state to the immediate needs of obtaining food, or health care, or carrying out essential activities, observing the continued and mandatory use of face masks, as per [Decree 64.959 of 4 May 2020](#). **Suspended activities by Decree 64.881 of 22 March 2020** The activities suspended by Decree 64.881 of 22 March 2020 in the state of São Paulo are: -commercial establishments and service providers, especially nightclubs, shopping centers, galleries and similar establishments, gyms, and fitness centers, except for internal activities; and -local consumption in bars, restaurants, bakeries, and supermarkets, without prejudice to delivery and drive-thru services. The suspension does not apply, however, to the following services: -health: hospitals, clinics, pharmacies, laundries and cleaning services, and hotels; -food: supermarkets and similar, as well as delivery and drive-thru services of bars, restaurants, and bakeries; -supply: carriers, gas stations and similar, warehouses, mechanical workshops, and newsstands; -security: private security services; -social communication: media, including electronic media, carried out by journalistic and radio sound and image companies; and -other activities related to the [Federal Decree 10.282 of 20 March 2020](#), such as industrial activities and data centers that support other essential activities.

## SÃO PAULO

### Deadlines of administrative procedures within CETESB extended indefinitely during the COVID-19 pandemic

**Abstract:** As of 30 June 2020, administrative procedures within the Environmental Company of the State of São Paulo (*Companhia Ambiental do Estado de São Paulo – CETESB*) have been extended, until further notice, due to the Covid-19 outbreak. The suspension applies in the framework of licensing procedures, upon technical justification that the actions are not essential measures for the maintenance of environmental quality; sanctioning procedures (if they are not electronic); among others. The suspension does not apply to electronic procedures for the renewal of environmental licenses, authorizations, and permits.

**Business Impact:** The company should note that the deadlines for licensing and sanctioning procedures managed by the CETESB (that are not electronic) remain suspended from 30 June 2020. There is no term for the suspension.

**Analysis:** [CETESB Board Decision 062/2020/P](#) extends the suspension of administrative procedures within the Environmental Company of the State of São Paulo (*Companhia Ambiental do Estado de São Paulo – CETESB*) until further decision, due to the COVID-19 pandemic. The suspension applies from 30 June 2020. As before, this applies to companies that take part in licensing procedures, sanctioning procedures, notifications, and intervention plans for contaminated areas, whenever those procedures are not electronic or essential for maintaining environmental quality. The suspension applies to the following actions: - submitting evidence of compliance with requirements and measures from notifications and licensing procedures; - submitting the defense, appeal, or complementary documents in the sanctioning procedures; and - submitting evidence of compliance with measures defined by the intervention plans for contaminated areas when it is unfeasible due to the compromise of the mobility of specialized workmanship. As before, the suspension does not apply to the renewal of environmental licences, permits, and the Certificate of Movement of Waste of Environmental Interest (*Certificado de Movimentação de Resíduos de Interesse Ambiental – CADRI*) provided that within electronic procedures; fulfillment of environmental constraints characterized as essential, such as collection of wastewater for analysis, carried out periodically by companies; among others measures. Furthermore, it reinforces items IV, V and VI from [CETESB Board Decision 028/2020/P](#), of 30 March 2020, establishing that: -All requests to CETESB can be submitted electronically or registered mail; and -Exceptional cases or omissions will be deliberated by the Collegiate Board.



## 4. Asia & Oceania

### HONG KONG

#### The number of a group gathering reduces to 4 persons, and the ban on public gatherings extended from 15 July 2020 to 28 July 2020

**Abstract:** From 15 July 2020 to 28 July 2020, companies must not hold a group gathering even more than 4 persons in any public places amid the COVID-19 pandemic. The prohibition on the number of group gatherings does not apply to the exemption activities like transportation, work, or special meeting required by law.

**Business Impact:** If the company has facilities in Hong Kong, it must note that the ban on public gatherings of more than 4 persons has been extended from 15 July to 28 July 2020, except for work or specific meetings required by law. The company still needs to note that the offence to the prohibition, including each individual participating in the public gather, is subject to a fine and imprisonment of six months.

**Analysis: Actionable Requirements** The facility does not hold public gatherings of more than 4 people in any public places from 15 July 2020 to 28 July 2020 to prevent the spread of diseases (COVID-19) unless the event belongs to exempted group gatherings, such as work or a group gathering approved by the Secretary for Food and Health.

**What Has Changed** The [Prevention and Control of Disease \(Prohibition on Group Gathering\) Regulation \(G.N. \(E.\) 80 of 2020\)](#) (預防及控制疾病(禁止羣組聚集)規例) (2020年第80號號外公告) extends the ban on the public gathering from **15 July 2020 to 28 July 2020**. The G.N. (E.) 80 of 2020 follows the [Prevention and Control of Disease \(Prohibition on Group Gathering\) Regulation \(Cap. 599G\)](#) (預防及控制疾病(禁止羣組聚集)規例) (the "Regulation") that sets forth a ban on group gatherings in any public place to prevent the spread of coronavirus disease (COVID-19). Also, the [Prevention and Control of Disease \(Prohibition on Group Gathering\) \(Amendment\) \(No. 7\) Regulation 2020 \(L.N. 141 of 2020\)](#) (預防及控制疾病(禁止羣組聚集)(修訂)(第7號)規例) (2020年第141號法律公告) has tightened the number of a group gathering from 50 to 4 persons. The prohibition does not apply to exempted group gatherings, such as group gathering for transportation, performing governmental functions, work, or special meetings required by law.

**Additional Information** *Public place* means a place to which the public or a section of the public may or are permitted to have access from time to time, whether by payment or otherwise. Under the [Prevention and Control of Disease \(Prohibition on Group Gathering\) Regulation \(Cap. 599G\)](#), the ban does not apply to exempted group gathering specified in Schedule 1 or a group gathering that is permitted by the Chief Secretary (Secretary for Food and Health). Examples of exempted group gatherings prescribed in Schedule 1 include:

for the purposes of or related to transportation;

at a place of work for the purposes of work; or

group gathering during any of the following meetings at which no food or drink is served and, in the case of a group gathering of more than 20 persons, measures are in place for separating the participants in the gathering in different rooms or partitioned areas, each accommodating not more than 20 persons:

a meeting of a body that must be held within a specified period in order to comply with any Ordinance or other regulatory instrument that governs the operation of the body or its business;

a shareholders' meeting of a company listed on a recognized stock market (as defined by section 1 of Part 1 of Schedule 1 to the Securities and Futures Ordinance (Cap. 571)) that is held in accordance with any Ordinance or other regulatory instrument that governs the operation of the company or its business.

The offence to the regulation, including each person participating in the group gathering, is subject to a fine and imprisonment for six months.

## INDIA

### Facilities involved in handling or storage of compressed gas resuming their operations after being shut down for a significant period must comply with additional safety requirements

**Abstract:** Starting from 8 May 2020, facilities that store or handle compressed gas must comply with additional safety requirements prior to restarting operations or activities after a prolonged closure. This follows from the issuance of Circular No. R.4(2)99/MHA/III. In addition, the above-mentioned facilities must verify compliance with existing requirements prior to resuming operation/activity after being shut down for a long time.

**Business Impact:** If the company handles or stores compressed gas and resumes operations/activities after a prolonged shutdown, it must comply with all safety provisions regarding safe handling and storing of compressed gas prior to resuming operations/activities. The company, prior to resuming operations/activities, among others, must:

- report any unsafe conditions and accidents that occurred before the re-starting operation to the petroleum and Explosives Safety Organization (at [explosives@explosives.gov.in](mailto:explosives@explosives.gov.in) and [mkjhala@explosives.gov.in](mailto:mkjhala@explosives.gov.in)), nearest police station and the concerned District Magistrate;
- assess design pressure and working pressure of all pressure equipment or vessels;
- allow only necessary and vital workforce onsite while re-starting operation;
- inspect all critical safety equipment (i.e., safety relief valves, excess flow valves, and drain liens) for their safe working condition; and
- calibrate all machinery and equipment (i.e., pressure gauges, alarm, scrubber system, and automatic equipment) and ensure proper working conditions.

The company must also verify compliance with all applicable safety measures under the Static and Mobile Pressure Vessels (Unfired) Rules, 2016, prior to resuming operation after a prolonged shutdown. For example, the company must: - review and implement start-up procedure; - undertake all precautionary measures including safe handling/processing of toxic and inflammable gases; and - ensure that adequate Personal Protective Equipment (PPE) is available onsite.

#### **Analysis: New actionable requirements:**

If the facility stores or handles compressed gas and resumes operation/activity after a prolonged shutdown, it ensures that any unsafe conditions and accidents that occurred before re-starting operation are reported to the petroleum and Explosives Safety Organization (at [explosives@explosives.gov.in](mailto:explosives@explosives.gov.in) and [mkjhala@explosives.gov.in](mailto:mkjhala@explosives.gov.in)), the nearest police station and the concerned District Magistrate before restarting operations/activities.

If the facility stores or handles compressed gas and resumes operation/activity after a prolonged shutdown, it monitors wind speed and direction daily to prevent fire hazards due to the storage of flammable substances.

If the facility stores or handles compressed gas and resumes operation/activity after a prolonged shutdown, it ensures that start-up procedures are conducted in morning hours and after employees have been verified to be in the right state of mind in terms of safety.

If the facility stores or handles compressed gas and resumes operation/activity after a prolonged shutdown, it carries out a mock drill involving nontoxic and nonflammable gases, prior to re-starting operation.

If the facility stores or handles compressed gas and resumes operation/activity after a prolonged shutdown, it assesses process raw material, intermediates, and final products for toxicity and corrosiveness, prior to resuming operation.

If the facility stores or handles compressed gas and resumes operation/activity after a prolonged shutdown, it assesses design pressure and working pressure of all pressure equipment or vessels, prior to resuming operation

If the facility stores or handles compressed gas and resumes operation/activity after a prolonged shutdown, it ensures that only the necessary and vital workforce is present onsite while re-starting operation.

If the facility stores or handles compressed gas and resumes operation/activity after a prolonged shutdown, it does not involve any intern or unskilled workers and sensitizes experienced and skilled workers and informs the danger associated with starting operation, prior to resuming operation.

If the facility stores or handles compressed gas and resumes operation/activity after a prolonged shutdown, it carries out a comprehensive checklist, prior to resuming operation.

If the facility stores or handles compressed gas and resumes operation/activity after a prolonged shutdown, it inspects physical parameters and leakage, including purging whenever required to ensure proper functionality of pipeline, prior to starting operation.

If the facility stores or handles compressed gas and resumes operation/activity after a prolonged shutdown, it inspects all critical safety equipment (i.e., safety relief valves, excess flow valves, and drain liens) for their safe working condition prior to starting operation.

If the facility stores or handles compressed gas and resumes operation/activity after a prolonged shutdown, it ensures that machinery and equipment (i.e., pressure gauges, alarm, scrubber system, and automatic equipment) are calibrated and in proper working condition, prior to starting operation.

In addition to the new requirements, facilities that handle or store compressed gas must verify and ensure that all applicable safety measures under the [Static and Mobile Pressure Vessels \(Unfired\) Rules, 2016](#) are complied with prior to resuming operation after a prolonged shutdown. Among others, facilities must ensure that: start-up procedure is reviewed and implemented;

all precautionary measures including safe handling/processing toxic and inflammable gases are undertaken; and adequate Personal Protective Equipment (PPE) is available onsite.

**What has changed** Even though a few similar safety requirements applicable to facilities handling and storing compressed gas currently exist, these are new requirements that facilities involved in handling and storing compressed gas are required to comply with prior to resuming their operations after a prolonged shut down of their operations. **Additional information** Circular No. R.4(2)99/MHA/III ("Circular") provides safety provisions with which facilities involved in handling and storing compressed gas must comply prior to resuming operations. These provisions are intended to minimize risk and to allow for the safe and successful restart of the operations that have been shut down for the past 3 months due to the COVID-19 pandemic. In India, facilities have recently been permitted to resume their operations in the COVID-19 non-containment zones and all operations except essential activities/operations are prohibited until 31 July 2020 in COVID-19 containment zones. Definition: "Compressed Gas" means any permanent gas, liquefiable gas, or cryogenic liquid under pressure or gas mixture which is a closed pressure vessel exercises a pressure exceeding one atmosphere (gauge) at the maximum working temperature and includes Hydrogen Fluoride. In the case of vessel without insulation or refrigeration, the maximum working temperature shall be considered as 550 C.

"Design pressure" means the pressure used in the design calculations of the vessel for the purpose of determining the minimum thickness of the various component parts of the vessels.

"Safety relief device" means an automatic pressure-relieving device actuated by the pressure upstream of the valve and characterized by fully opened pop action, intended to prevent the rupture of a pressure vessel under certain conditions of exposure.

[Circular No. R.4\(2\)99/MHA/III](#) is available in English on the Enhesa Knowledgebase

## SINGAPORE

### Companies are advised to put in place safe living measures at employer-provided foreign worker dormitories

**Abstract:** Effective 2 June 2020, companies that provide foreign workers with dormitories are advised to take safety living measures for the recovery of foreign workers as exiting the Circuit Breaker. The affected companies are advised to implement measures to limit inter-mixing among residents at foreign worker dormitories, monitor workers' health and take necessary precautions, ensure the workers leave the dormitory only for work, ensure workers have access to food and essential items, and cooperate with dormitory operators to facilitate the new rooming arrangement.

**Business Impact:** If the company has foreign worker dormitories, the company is advised to take measures to limit inter-mixing among residents, monitor workers' health, ensure workers leave the dormitory only for work, ensure workers have access to food and essential items, cooperate with dormitory operators to facilitate new rooming arrangement and arrange private transportation for workers staying in dormitories.

**Analysis:** On 30 May 2020, the Ministry of Manpower(MOM) issued the [Advisory to employers on Safe Living measures for foreign worker dormitories](#) to provide advice on safe living measures for foreign worker dormitories. The advisory guidance came effective on 2 June 2020, after the lapse of Work Pass Conditions under the Employment of Foreign Manpower Act on non-domestic Work Permit and S Pass Holders, and their employers on 1 June 2020, which restrict workers from living in dormitories during the Circuit Breaker. From 2 June 2020, employers are advised to endorse the following advice when recovering the foreign worker dormitories. The foreign worker dormitories in the guidance include purpose-built Dormitories, Factory-converted Dormitories, Construction Temporary Quarters, Temporary Living Quarters (with seven or more foreign worker residents), Quarters on Temporary Occupation Licence Sites, and does not include private residential premises and HDB flats. **Ensure measures to limit inter-mixing among residents are implemented at your workers' dormitory** Companies are advised to work with the dormitory operators to implement [Safe Living measures at the dormitory](#), so that measures are implemented to reduce inter-mixing of residents across rooms, levels and blocks, and the use of common facilities are scheduled. **Monitor your workers' health and take necessary precautions** Companies are advised to ensure workers submit their health readings to MOM through the FWMOMCare mobile application twice daily, at least 8 hours apart. In addition, companies are advised to ensure workers who report sick or displays any COVID-19 symptom are quickly isolated and sent for medical treatment. **Ensure your workers leave the dormitory only for work** Companies are advised to ensure workers to have gone for all medical tests required by Government, and only workers who are cleared of COVID-19 will be allowed to leave the dormitory for work. Workers must return to the dormitory immediately after work. The companies are also advised to download and activate the latest version of Trace Together mobile application before leaving the dormitory. **Ensure your workers have access to food and essential items:** Companies must ensure that your workers have access to food and essential items, as they are not allowed to leave the dormitory except for work. **Cooperate with dormitory operators to facilitate new rooming arrangements** Companies are advised to work with dormitory operators to instruct their workers to move to other rooms in the dormitory to facilitate the dormitory clearance process. **Companies are also advised to arrange private transportation for workers staying in dormitories to commute to and from their workplaces, and with no other passengers**

## THAILAND

### Most businesses and activities may operate in-person activities subject to Covid-19 precautionary measures, such as strict hygiene control, screening, and social distancing requirements

**Abstract:** Almost all businesses and activities will be permitted to begin operating with recommended precautionary measures. Hygiene controls, including frequent surface and hand sanitization, screening, and social distancing rules, are required for those businesses. Additionally, the Nighttime curfew was revoked nationwide and the emergency situation declaration in all areas of the Kingdom was extended for one more month, from 1 to 31 July 2020.

**Business Impact:** If the facility is allowed to operate during the re-opening, it must set up a screening process for all staff and visitors prior to entering the facility. The facility must also ensure persons clean their hands with alcohol or sanitizer before entering the facility areas and ensure customers maintain at least 1 metre separation in queuing systems and while seated in gathering activities.

## Analysis: Actionable Requirements

### *New Requirements*

If the facility conducts "high risk" business activities (สถานที่หรือกิจกรรมที่มีความเสี่ยงสูง), it may resume in-person activities during the Covid-19 emergency situation.

If the facility conducts in-person meetings, seminars, or trainings during the Covid-19 emergency situation, it implements Covid-19 prevention measures such as body temperature screening and properly cleaning frequently exposed surfaces.

### *Repealed Requirements*

The facility does not require employees to travel in violation of the nation-wide curfew.

### *Existing Requirements*

If the facility operates during the Covid-19 emergency situation, it implements the applicable disease prevention measures.

**What Has Changed** The new requirements above have developed following the Government review and tracking of the cumulative number of infected persons, and the number of newly infected persons daily since the beginning of May. If there is an increased number of infected persons or the risk exposure become higher, such relaxation may be partially or entirely suspended or modified. As of 14 June 2020, the nation-wide curfew is revoked. Therefore, facilities are no longer obligated to comply with the curfew requirement. As of 15 June 2020, in addition to the previous 3 phases of relaxation measures, Phase 4 of the reopening began, allowing 'high risk' business activities to resume. As a result, the scope of existing requirements for facilities operating during the Covid-19 emergency situation declaration has been expanded to include facilities. Additionally, as of 1 July 2020, these requirements have been extended through 31 July 2020.

**Analysis Reopening of "high risk" business activities** The high risk business activities now to be include but are not limited to:

allowed operated

the organisation of meetings, trainings, seminars, or other training places; and

the operation of places for exercising, practicing sports or teaching all types of sports, including workplace gyms and fitness centers.

The organisation of meetings, trainings, and seminars include any industrial facility's in-house meeting rooms, training venues, and seminars. However, the organisation of sales promotion activities remains prohibited. After 1 July 2020, the additional 'high risk' businesses and activities allowed to reopen include, but are not limited to: trade centers, exhibition centers, and convention centers; and entertainment complexes. *Requirements for in-person meetings, training, and seminars* Responsible persons, owners, or managers of facilities operating during the Covid-19 emergency situation must implement disease prevention measures, as well as set up of orderly arrangements and systems in accordance with recommendations, conditions, and timeframes determined by the Governor of Bangkok, Provincial Governors, and the Government of Thailand. Required prevention measures include:

body temperature screening at the entrance;

isolating and reporting screened people with abnormally high body temperature;

implementing a registration system for entering and leaving the facility with trackable information;

cleaning the surfaces that are frequently exposed before and after the service, including toilets and daily waste disposal;

encouraging the organizer, operator, service staff, participants, or customers to wear a mask or cloth mask at all times;

providing a facility for handwashing with soaps or alcohol gel or equivalent antiseptic measures;

setting up a queuing system and maintaining at least 1 metre separation for people sitting or standing in the queuing area;

controlling the number of visitors, workers, or customers to avoid congestion and contact from each other in consideration of 4 m<sup>2</sup> per person, with an increase the proportional area of walkways; and

maintaining distance between seating, if applicable.

**More Information** For more information on these developments, see the [12 June 2020 Regulation regarding the reopening](#) and the [guidelines on business updated through 13 June 2020](#) (note that no English translation is currently available).



## C. July 15, 2020





## 1. The US & Canada

### CANADA - BRITISH COLUMBIA

#### Companies required to develop a COVID-19 Safety Plan

**Abstract:** Effective 14 May 2020, companies must develop a COVID-19 Safety Plan outlining the procedures they have put in place to reduce the risk of COVID-19 transmission (such as physical distancing, cleaning and hygiene) and post in on their website if they have one and at the workplace.

**Business Impact:** If the company operates in the Province of British Columbia, as of 14 May 2020, it must develop a COVID-19 Safety Plan outlining the procedures it has put in place to reduce the risk of COVID-19 transmission (such as physical distancing, cleaning and hygiene) and post in on their website and at the workplace. This requirement is in force until further notice.

#### Analysis: Actionable requirements

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

**What has changed?** Effective 14 May 2020, under the [Workers Compensation Act](#) companies must develop a COVID-19 Safety Plan to ensure that the risk of transmission of COVID-19 at workplaces is minimized.

**Additional information** COVID-19 Safety Plan The company must post a copy of the Safety Plan on their website if they have one and at the workplace so that it is readily available for review by employees. The company is not required to submit the plan, but it must provide a copy of the COVID-19 Safety Plan to a health officer or a WorkSafeBC officer upon request. Companies must:

Assess the risk at the workplace;

Implement measures to reduce the risk (such as physical distancing, cleaning and hygiene);

Develop policies (such as self-isolation);

Develop communication plans and training;

Monitor the workplace and update plans as needed; and

Assess and address risks from resuming operations.

Companies can consult the [six-step process](#) to help them create their own plan. Companies can also complete the Safety Plan by using the [COVID-19 Safety Plan mobile app](#). Employers are responsible to train and educate everyone at the workplace of the contents of the Safety Plan. They are also responsible for having a system in place to identify the hazards of COVID-19, control the risk, and monitor the effectiveness of the controls. The Order is in force until further notice.

### RHODE ISLAND

#### The state enters phase III of reopening

**Abstract:** As of 30 June 2020, Rhode Island entered Phase III of reopening its economy. The social gathering limit increased from 15 people to 25 people for indoor gatherings and 50 people for outdoor gatherings. Office-based businesses can operate in-person operations with a maximum of 66% of workers on-site at the same time as long as physical distancing standards are followed.

**Business Impact:** Rhode Island entered Phase III of the reopening plan on 30 June 2020. During Phase III, the social gathering limit is increased from 15 to 25 for indoor gatherings (50 for outdoor). Working from home continues to be strongly encouraged. If the company is resuming in-person operations during Phase III for the first time, it must develop a COVID-19 Control Plan and have it available for inspection by the Task Force. The company must also follow cleaning, screening, wearing masks, and other safety requirements required in Rhode Island.

### **Analysis: Actionable Requirements**

Indoor social gatherings of 25 or more people are prohibited.

Outdoor social gatherings of 50 or more people are prohibited.

For office-based businesses, a maximum of 66% of workers may work on-site at the same time as long as physical distancing standards and COVID workplace safety regulations are followed.

Office-based businesses that have been conducting in-person operations with more than 66% of employees during Phase II are not required to reduce the number of workers working on-site during Phase III.

All businesses resuming in-person operations during Phase III must develop a COVID-19 Control Plan.

All office-based businesses must follow cleaning, screening, wearing masks, and other safety requirements required in Rhode Island.

The above list of action requirements is not exhaustive. Some requirements that were in place during Phase II continue to apply.

**What has changed?** Rhode Island entered Phase III of reopening as of 30 June 2020. During Phase III, most businesses are allowed to operate and many of the restrictions that had been in place since Phase I are loosened. In Phase III, indoor social gatherings of 25 (50 for outdoor gatherings) or more people are prohibited. During Phase II, the social gathering limit was 15 people. All office-based businesses may resume in-person operations; however, 66% of workers may work on-site at the same time as long as social distancing is practiced. The executive order allowing Phase III reopening is effective through 19 July 2020. Since Phase I, Rhode Island required businesses that are resuming in-person operation to develop a COVID-19 Control Plan. Therefore, all businesses resuming in-person operations during Phase III must develop a Covid-19 Control Plan and have it available for inspection by the Rhode Island Task Force. Businesses can fill out the [COVID-19 Control Plan: Template](#) provided by the state to fulfill the requirement.

**COVID-19 Control Plan** All businesses conducting in-person operations in Rhode Island must develop a written Control Plan, which outlines how the workplace will prevent the spread of COVID-19. Businesses can fill out the [COVID-19 Control Plan: Template](#) provided by the state to fulfill the requirement. The Control Plan, for example, must address the following elements:

Social distancing procedures;

Procedures for ensuring wearing of face coverings;

Procedures for cleaning and decontamination of surfaces;

Procedures for responding to a positive case or outbreak. Each organization should have a plan to ensure that employees who are required to isolate based on a positive test for COVID-19, or are required to quarantine as a result of exposure, can stay out of the workplace until cleared to return; and

Procedures for minimizing access to the establishment by COVID-19 positive or symptomatic individuals.

Businesses must have the Control Plan available to employees and must ensure that employees are informed about their role in implementing the Control Plan. **Additional Information** Phase III reopening guidelines and restrictions are summarized [here](#). Executive Order 20-50 is available [here](#).

## US TEXAS

### Companies must not have gatherings in excess of 10 people and may operate at 50 percent occupancy

**Abstract:** Effective 3 July 2020, all public and private in-person gatherings of more than 10 people are prohibited. Businesses may still remain open, but must operate at no more than 50 percent of the total listed occupancy of the establishment and must practice social distancing.

**Business Impact:** The company must not have any gatherings, including outdoor gatherings, that are more than 10 persons. Further, unless the company performs a service listed by CISA in its Guidance, the company must not operate at more than 50 percent of the total listed occupancy, and the company counts staff performing manufacturing services when determining operating levels.

#### **Analysis: Actionable Requirements**

The facility limits gatherings, including outdoor gatherings, to no more than 10 persons. The facility operates at no more than 50 percent of the total listed occupancy.

**What has changed?** The prohibition on gatherings, including outdoor gatherings, is now more stringent, changing from no more than 100 people to no more than 10 people. Limiting the operating capacity to 50 percent is now more stringent for those businesses that were briefly operating at 75 percent capacity.

**Additional Information** There is no occupancy limit for any services listed by the U.S. Department of Homeland Security's Cybersecurity and Infrastructure Security Agency (CISA) in its Guidance on the Essential Critical Infrastructure Workforce. All other businesses must operate at no more than 50 percent of the occupancy capacity. Staff members are not included in determining operating levels, except for manufacturing services and office workers. Businesses providing services must use good-faith efforts to follow the minimum standard health protocols. Further, people must not be in groups (including outdoor gatherings) larger than 10 people. 6 feet of social distancing must be followed between people not in the same group. More information could be found in the [proclamation amending Executive Order GA-28](#) and in [Executive Order No. GA-28](#).

## US MASSACHUSETTS

### Phase III of reopening begins on 13 July 2020 for the City of Boston and 6 July 2020 for the rest of the state

**Abstract:** Effective 6 July 2020, or 13 July 2020 for the City of Boston, Massachusetts will enter Phase III, Step 1 of the COVID-19 reopening plan. Phase III, Step 1 allows fitness centers to operate at 40 percent capacity, provided that facilities comply with all the Phase III mandatory general safety standards and any applicable sector-specific safety standards.

**Business Impact:** If the company owns or operates a fitness center at its facility, it can reopen under Phase III, Step 1, provided that it complies with all the mandatory general safety standards and any applicable sector-specific safety standards. Phase III, Step 1 begins on 6 July 2020, except in the City of Boston, where it will begin on 13 July 2020.

**Analysis: Actionable Requirements Existing:** -If the facility is permitted to be open during Phase III, Step 1, of the COVID-19 reopening plan, it operates its physical workspace according to the Phase III, Step 1, restrictions, such as limited occupancy and sanitation requirements. - If the facility is a Phase III, Step 2, or Phase IV business under the COVID-19 reopening plan, it closes its brick-and-mortar facility to workers, customers, and the public until authorized to open.

**What has changed?** Effective 6 July 2020, or 13 July 2020 for the City of Boston, under Executive Order 43 (EO-43), the existing requirements are amended to now allow Phase III, Step 1 businesses to reopen in addition to essential businesses, Phase I businesses, and all Phase II businesses, as long as they follow the Phase III safety restrictions. EO-43 restricts Phase IV businesses from opening until a subsequent order authorizes the next phase of reopening in the state. Further, under Executive Order 44 (EO-44), businesses that are allowed to be open during this phase are not subject to gathering restrictions, provided that they operate in compliance with the applicable general and sector-specific safety rules and guidelines.

**Additional Information** Under EO-43, newly opened businesses under this phase, such as fitness centers, must self-certify that they are in compliance with all general and sector-specific COVID-19 workplace safety rules. Before reopening, the Phase III business must: - bring the workplace into full compliance with all general COVID-19 safety rules and all sector-specific rules; - complete the self-certification to verify compliance with the general and sector-specific COVID-19 rules; and - post on the premises all public notices and advisories that are required. **Mandatory Safety Rules for All Workplaces** The mandatory general workplace safety rules include, but are not limited to: - establishing protocols to ensure that employees can practice adequate social distancing; - requiring face coverings or masks for all employees; - providing handwashing capabilities throughout the workplace; - training employees regarding the social distancing and hygiene protocols; and - establishing and maintaining cleaning protocols specific to the business. A full list of the mandatory rules can be found [online](#). **Sector-Specific Rules** Under EO-43, fitness centers, along with all other open businesses, must also follow the applicable sector-specific rules to open during Phase III or remain open. Sector-specific rules for fitness centers include, but are not limited to: - monitoring visitor entries and exits to ensure social distancing and to limit occupancy at all times to 40 percent the facility's maximum permitted occupancy, but never more than 8 persons per 1,000 square feet; - arranging all equipment (e.g., weights, machines, treadmills, and bikes) so exercise areas are spaced out at least 14 feet apart, or 6 feet apart if barriers are installed; - requiring face coverings for all workers and visitors, except where unsafe due to medical condition or disability. If customers cannot wear a face covering during strenuous fitness activities, physical distancing must be at least 14 feet. If customers are wearing face coverings during fitness activities, physical distancing must be at least 6 feet; - distributing hand sanitizer and disposable wipes abundantly throughout the space for workers and customers to disinfect their hands and equipment before and after use; and - training workers on up-to-date safety information and precautions, including hygiene and other measures aimed at reducing disease transmission. The full list of sector-specific rules for fitness centers, including a checklist, can be found [online](#). **Definitions** Under EO-43, fitness centers and health clubs are defined as any fitness facility that provides access to and/or instruction of personal fitness training, including but not limited to fitness activities such as: - weight and resistance training; - cross-training; - yoga; - martial arts; - spin classes; and - boot camp training.

**More Information** The full text of [EO-43](#) and [EO-44](#) can be found online. More information on the [general standards](#) and [sector-specific standards](#) can be found on Mass.gov.

## US VIRGINIA

### Companies could be required to comply with state-level COVID-19 workplace safety regulations under DOLI's proposed emergency temporary regulations for the first time

**Abstract:** Companies that are subject to the Virginia Department of Labor and Industry's (DOLI) Virginia Occupational Safety and Health (VOSH) regulations could be subject to new temporary emergency workplace safety requirements related to COVID-19 for the first time, if the proposed emergency regulation is adopted. Under the requirements, employers would determine whether a job task or hazard should be classified as lower, medium, high, or very-high exposure risk for exposure to the SARS-CoV-2 virus or COVID-19 disease; different requirements would apply based on that determination. The proposed effective date would be 15 July 2020.

**Business Impact:** The company may have to comply with new workplace safety requirements related to COVID-19 if the Virginia Department of Labor and Industry (DOLI) adopts the proposed emergency regulation. Under the proposed regulation, the company would be subject to requirements based on the level of risk exposure the company assesses for its hazards and tasks at each facility. For example, the proposed regulation would impose training requirements, notification requirements if the company finds out that any of its employees are sick or suspected to be sick from COVID-19, and would require the company to allow employees to access their own exposure and medical records. The proposed regulation imposes several return-to-work requirements, such as sanitation requirements and developing reporting policies and procedures. The proposed effective date, if adopted, would be 15 July 2020.

**Analysis:** On 24 June 2020, the Virginia Department of Labor and Industry (DOLI) proposed an emergency regulation that would establish requirements for employers to control, prevent, and mitigate the spread of SARS-CoV-2, the virus that causes COVID-19, to and among employees and employers for the first time. The proposed regulation would supplement existing Virginia Occupational Safety and Health (VOSH) regulations and standards applicable directly or indirectly to SARS-CoV-2 virus- or COVID-19 disease-related hazards (COVID-19-related hazards), such as but not limited to, those dealing with personal protective equipment (PPE), respiratory protective equipment, sanitation, and access to employee exposure and medical records.

**Applicability and Scope** The application of the proposed regulation would be based on the exposure risk level presented by COVID-19-related hazards present or tasks undertaken at the facility. First, the facility would have to determine whether the various hazards or tasks should be classified as lower, medium, high, or very high. The factors that must be considered in determining exposure risk level include, but are not limited to: (1) for the tasks performed: -- the known or suspected presence of the SARS-CoV-2 virus; -- the presence of a known or suspected person with COVID-19; -- the number of employees in relation to the size of the work area; -- the working distance between employees and other employees or persons; and -- the duration and frequency of employee exposure through close contact (i.e., inside of 6 feet) with other employees or persons (e.g., shift work exceeding 8 hours per day); (2) for the type of hazards encountered, including potential exposure to the airborne transmission (including droplets or airborne droplet nuclei) of SARS-CoV-2 virus through respiratory droplets in the air: -- contact with contaminated surfaces or objects (e.g., tools, workstations, or break room tables, and shared spaces such as shared workstations, break rooms, locker rooms, and entrances/exits to the facility); and -- industries or places of employment where sharing transportation is a common practice (e.g., ride-share vans or shuttle vehicles, car-pools, and public transportation). *Definitions* Very-high exposure risk hazards or tasks are those that have a high potential for employee exposure to sources of COVID-19 (e.g., laboratory samples of SARS-CoV-2 or persons known or suspected of being exposed to COVID-19). These could include but are not limited to, specific medical, postmortem, or laboratory procedures. High exposure risk hazards or tasks are those that have a high potential for employee exposure within 6 feet of sources of SARS-CoV-2 or persons known or suspected of being exposed to COVID-19 that are not classified as a very-high exposure risk. These could include but are not limited to, healthcare delivery and support services provided to a known or suspected COVID-19 patient in a hospital-like setting, including a field hospital or first responder services to a known or suspected COVID-19 patient or person. Medium exposure risk hazards or tasks are those that are not classified as very-high or high exposure risk in places of employment that require more than minimal occupational contact inside 6 feet with other employees, other persons, or the general public who may be infected with SARS-CoV-2, but who are not known or suspected COVID-19. These could include, but are not limited to: - poultry, meat, and seafood processing; - agricultural and hand labor; - restaurants; - manufacturing settings; - indoor and outdoor construction settings; - retail stores; - package processing settings; and - fitness, gym, and exercise facilities. Lower exposure risk hazards or tasks are those not classified as very-high, high, or medium exposure risk that do not require contact inside 6 feet with persons known to be, suspected of being, or who may be infected with COVID-19. Employees in this category have minimal occupational contact with other employees, other persons, or the general public; or are able to achieve minimal occupational contact through the implementation of engineering, administrative, and work practice controls.

**Mandatory Requirements for All Workplaces** Employers in all exposure risk levels would have to ensure compliance with certain requirements, such as an exposure assessment and determination, notification requirements, and employee access to exposure and medical records requirements. *Exposure Assessment and*



*Determination, Notification Requirements, and Access to Exposure and Medical Records* First, employers would have to assess their workplace for hazards and tasks that can potentially expose employees to the SARS-CoV-2 virus or COVID-19 disease. During the assessment, employers would have to classify employees according to the hazard that they are potentially exposed to and the tasks they undertake. Employers must inform employees of the methods of self-monitoring for signs and symptoms of COVID-19, and encourage them to do so. Further, employers must develop and implement policies and procedures to address a situation where they are notified that an employee has tested positive for anti-SARS-CoV-2 antibodies through serologic testing and for employees to report when they are experiencing symptoms consistent with COVID-19. Finally, employers would have to discuss with subcontractors, and companies that provide contract or temporary employees, about the importance of suspected COVID-19 and known COVID-19 subcontractor, contract, or temporary employees staying home. If an employer is notified of a COVID-19 SARS-CoV-2 positive test for one of its own employees, a subcontractor employee, a contract employee, a temporary employee, or another person who was present at the place of employment within the previous 14 days from the date of the positive test, the employer would have to notify its own employees, at the same place of employment, within 24 hours of the discovery of their possible exposure and other employers whose employees were present at the worksite during the same time period. Employers would have to ensure employees have access to their own SARS-CoV-2 and COVID-19 related exposure and medical records in accordance with the standard applicable to its industry.

*Return to Work* To safely return to work, employers would have to meet certain requirements to reduce the risk of exposure. Certain requirements would provide exemptions based on the nature of the work. Under the proposed amendments, employers would have to develop and implement policies and procedures for known COVID-19 or suspected COVID-19 employees to return to work using either a symptom-based or test-based strategy depending on local healthcare and testing circumstances. A policy that involves consultation with appropriate healthcare professionals concerning when an employee has satisfied the symptoms based strategy requirements will satisfy this requirement. Further, employers would have to develop and implement policies and procedures for known asymptomatic COVID-19 employees to return to work using either a time-based or test-based strategy depending on local healthcare and testing circumstances. Again, a policy that involves consultation with appropriate healthcare professionals concerning when an employee has satisfied the symptoms based strategy requirements will satisfy this requirement. Unless otherwise exempt, employers must establish and implement policies and procedures designed to ensure that employees observe physical distancing while on the job and during paid breaks on the employer's property. Under the proposed amendments, employers would have to close or control access to common areas, breakrooms, or lunchrooms, unless otherwise exempt. For example, if the nature of the work or the work area does not allow employees to consume meals in the employee's workspace while observing physical distancing, the employer may designate a common area, room, or similar area where meals may be safely consumed with controlled access, as long as certain conditions are met. Finally, to return to work, employers must meet certain sanitation and disinfecting requirements and hazardous communication standards that are applicable to its industry (e.g., general industry, temporary labor camps, and construction). Beyond existing requirements, common spaces, including bathrooms, frequently touched surfaces, and doors must, at a minimum, be cleaned and disinfected at the end of each shift. Where feasible, shared tools, equipment, and vehicles must be cleaned and disinfected prior to transfer from one employee to another. Employers must only use disinfecting chemicals and products that are approved by the Environmental Protection Act (EPA) and listed on List N for use against SARS-CoV-2 and emerging viral pathogens.

**Requirements for Very-High, High, or Medium Exposure Risk Hazards and Tasks** Employers with hazards or tasks that are classified as very-high, high, or medium exposure risk would have to follow more stringent requirements, including engineering controls, administrative and work practice controls, PPE, and employee training. For example, for hazards or tasks classified as medium exposure risk would need to ensure that air-handling systems are appropriate to address COVID-19-related hazards and tasks that occur at the workplace. Further, these classifications of exposure risk would have to follow applicable PPE requirements, even if VOSH standards for general industry do not normally cover them. *Infection Disease Preparedness and Response Plan* Employers with very-high or high classification would have to develop and implement a written infectious disease preparedness and response plan (the Plan). Only employers with a medium classification that have 11 or more employees would have to develop the Plan. Employers would have to designate a person to be responsible for implementing the Plan. The Plan would have to: - identify the name(s) or title(s) of the person(s) responsible for



administering the Plan; - provide for employee involvement in the development and implementation; - consider and address the level(s) of risk associated with various places of employment, the hazards employees are exposed to, and the tasks employees perform at those sites; - consider contingency plans; - identify basic infection prevention measures to be implemented; - provide for the prompt identification and isolation of COVID-19 and suspected COVID-19 employees away from work; and - address infection disease preparedness and response with outside business.

**Training Requirements** Finally, under the proposed regulation, employers with hazards or tasks classified as very-high or high exposure risk at a place of employment would have to provide training to all employees working at that place of employment, regardless of the employee risk classification. Employees would have to be trained on: - the requirements of the proposed regulation; - the characteristics and methods of transmission of the SARS-CoV-2 virus; - the symptoms of the COVID-19 disease; - awareness of the ability of pre-symptomatic and asymptomatic COVID-19 persons to transmit the SARS-CoV-2 virus; - safe and healthy work practices, including but not limited to, physical distancing, disinfection procedures, disinfecting frequency, and noncontact methods of greeting; - PPE (e.g., when PPE is required; what PPE is required; how to properly don, doff, adjust, and wear PPE; limitations of PPE; and the proper care, maintenance, useful life, and disposal of PPE); - the anti-discrimination provisions of the proposed regulation; and - the employer's Infectious Disease Preparedness and Response Plan, where applicable. To verify compliance with this requirement, employers would have to prepare a written certification record of the employees exposed to hazards or tasks classified as very-high, high, or medium exposure risk levels. The certification would have to include the name, or another unique identifier, of the employee trained, the trained employee's physical or electronic signature, the date(s) of the training, and the name of the person who conducted the training. If the company uses a computer-based training, it keeps the name of the person or entity that prepared the training materials. The employer must maintain the latest training certification record. Under the proposed regulation, employees would only have to be retrained when the employer has reason to believe that any affected employee who has already been trained does not have the understanding and skill required.

**More Information** The full text of the [proposed emergency regulation](#) can be found online.

## US VIRGINIA

### Businesses will see eased COVID-19 public health restrictions during Phase III of reopening

**Abstract:** Effective 12:00 AM on 1 July 2020, Virginia entered Phase 3. Under Phase 3, certain businesses will see further eased public health restrictions.

**Business Impact:** Effective 1 July 2020, the company must comply with general requirements, such as best practices for physical distancing, enhanced cleaning and disinfection, and enhanced workplace safety, that are required under Phase 3. If the company owns or operates a food court, dining establishment, or onsite canteen, it can allow indoor dining, if certain restrictions are followed. If the company operates a fitness center or exercise facility, it can open those facilities at 75 percent capacity, if certain restrictions are followed. If the company is a non-essential brick and motor retail business, it can open at full capacity, if certain restrictions are followed.

#### **Analysis: Actionable Requirements**

If the facility is deemed a non-essential retail establishment, it ensures that all applicable physical-distancing requirements are met.

If the facility has a fitness center, gymnasium, recreation center, indoor sports facility, or an indoor exercise facility in its building, it limits all in-person access to no more than 75 percent the establishment's capacity. The facility implements telework procedures or adheres to social distancing protocols.

**What has changed?** The above existing requirements are effective as of 1 July 2020. The requirements have not changed since Governor Baker [announced](#) the Phase 3 guidelines on 18 June 2020; however, they became

effective under Executive Order 67 (EO-67).

**More Information** The full text of [EO-67](#) is available online.

## US WASHINGTON

**All businesses must continue to comply with the extended county-by-county reopening plan, including mandatory industry-specific guidelines and requirements for employers to comply with local health orders**

**Abstract:** All businesses must continue to comply with the requirements of the Safe Smart - Stay Health reopening plan issued by Governor Inslee, which is extended until 9 July 2020 in anticipation of further plan modifications.

**Business Impact:** The company must continue to comply with the requirements of the Safe Start - Stay Healthy reopening plan, including any industry-specific requirements issued by the Department of Labor & Industry, which are extended through 9 July 2020. Additionally, the facility must cooperate with public health authorities in the investigation of cases and the implementation of infection control measures. The company should anticipate existing requirements to be extended and/or modified after 9 July 2020.

### **Analysis: Actionable Requirements** *During all phases*

If the facility operates during the reopening, it ensures that employees wear face coverings while at work, unless the employee works alone or requires no in-person interaction.

If the facility operates during the reopening, it provides employees with face coverings while at work unless their exposure requires higher respiratory protection.

If the facility operates during the reopening, it cooperates with public health authorities in the implementation of COVID-19 programs. For example, facilities must cooperate with the investigation of suspected cases and outbreaks.

If the facility operates during the reopening, it complies with all applicable conditions and guidelines issued by the Department of Labor & Industries.

#### *Businesses located in phase 1 counties*

If the facility is located in a Phase 1 county, it does not allow for any in-person gatherings of employees.

If the facility is located in a Phase 1 county, it only allows for in-person activities allowed by the reopening plan, including essential businesses and construction activities.

If the facility is a retail facility located in a Phase 1 county, it only allows for curbside pick-up orders or delivery services.

#### *Businesses located in phase 2 counties*

If the facility is located in a Phase 2 county, it does not allow for in-person gatherings of employees involving more than 5 people.

If the facility is located in a Phase 2 county, it only allows for in-person activities allowed by the reopening plan, including manufacturing and professional or office-based services.

If the facility operates a food and beverage establishment in a Phase 2 county, it operates at less than 50% capacity.

If the facility is a retail facility located in a Phase 2 county, it complies with the applicable in-store retail guidance. For example, facilities must arrange the flow of customers to eliminate choke points and reduce crowding.

#### *Businesses located in phase 3 counties*

If the facility is located in a Phase 3 county, it does not allow for in-person gatherings of employees involving more than 50 people.

If the facility is located in a Phase 3 county, it only allows for in-person activities allowed by the reopening plan, which includes all business activities except for events with greater than 50 people.

If the facility owns or operates a gym in a Phase 3 county, it may reopen the gym facility at 50% capacity.

If the facility operates a food and beverage establishment in a Phase 3 county, it operates at less than 75%



capacity.

**What Has Changed?** On 1 July 2020, Governor Inslee issued an executive proclamation extending the duration of the Safe Start reopening plan through 9 July 2020 in anticipation of reopening plan modifications. The reopening plan creates a phased-in approach to COVID-19 reopenings that vary on a county-by-county basis and includes mandatory industry-specific guidelines and requirements on all businesses throughout the reopening, regardless of the county in which they are located. **More Information** [Industry-specific guidelines](#) and the [list of counties with their respective reopening plan status](#) are available on the Washington State Coronavirus Response webpage. The text of Governor Inslee's proclamation is available [online from the Governor's website](#).



## 2. Europe

### BASQUE COUNTRY

#### Companies must take the necessary measures to avoid the generation of risks of spread and exposure to the COVID-19.

**Abstract:** As of 19 June 2020, all companies must ensure a minimum distance of 1,5 metres (m) among workers and the use of protective masks within their facilities. This follows from the Order of 18 June 2020.

**Business Impact:** The company adapts working conditions (including the use of common areas, as well as the organisation of workstations and work shifts) to ensure a minimum distance of 1,5 metres (m) among workers. The company provides workers with alternative physical protection measures including the use of adequate hygiene masks and respiratory protocols when the minimum safety distance cannot be guaranteed.

#### **Analysis: Actionable requirements**

Companies adapt working conditions (including the use of common areas, as well as the organisation of workstations and work shifts) to ensure a minimum distance of 1,5 metres (m) among workers.

Companies provide workers with alternative physical protection measures including the use of adequate hygiene masks and respiratory protocols when the minimum safety distance cannot be guaranteed.

**What has Changed** As Phase III of the Plan for the de-escalation of the extraordinary measures adopted to fight the COVID-19 pandemic in the entire territory of the Basque Country ended at 00.00 hours on 19 June 2020, the exceptional measures derived from the declaration of the state of alarm have been left without effect in the Basque Country. **Additional Information** Companies found to be liable of non-compliance with the preventative measures will be subject to fines and other sanctions. The terms of sanctions are provided in Chapter VII of [Royal Decree-Law 21/2020 of 9 June](#), on urgent measures of prevention, containment and coordination to deal with the health crisis caused by COVID-19; in Title VI of [Law 33/2011 of 4 October](#), on General Public Health and, where appropriate, in articles 35 to 39 of [Law 8/1997 of 26 June](#), on Health Regulations of the Basque Country. The measures stated in the Order may be completed by specific security plans, organizational protocols and guides adapted to each sector of activity, approved by the competent administrations.

### FINLAND

#### Recommendation for remote working expires and larger public gatherings will be allowed in Finland as of 1 August 2020

**Abstract:** In Finland, companies can begin to plan their employees' return to the workplace as the recommendation for extensive remote working ends on 1 August 2020. In addition, according to the present Government's decision companies may begin to organise both indoor and outdoor events with more than 500 attendees as of 1 August 2020.

**Business Impact:** If the company has employees working remotely, it may begin to plan its employees' return to the workplace as the Government's recommendation for extensive remote working ends on 1 August 2020 in Finland. For the risk assessments and action plans, the company can refer to the guidelines on returning to work published by the Finnish Institution of Occupational Health (Työterveyslaitos) which aim to assist employers in limiting exposure to coronavirus with safe work practices so that returning to work can happen as safely as possible. In addition, according to the latest Government decision companies may begin to organise both indoor and outdoor events with more than 500 attendees as of 1 August 2020, provided that safety of attendees is ensured by following guidelines concerning safe distances, hygiene practices and limiting the number of visitors,

if necessary by dividing activities into smaller sections. For the moment, events with more than 500 attendees are allowed only outdoors and with special separation arrangements.

**Analysis: Remote working and return to work** On 24 June 2020, [the Finnish Government made public its decision to end its recommendation for extensive remote working on 1 August 2020](#) due to the calming coronavirus epidemic. The Government notes that the summer vacation period will allow workplaces to move towards normal circumstances more flexibly in stages. While companies are encouraged to follow the Government's guidance and recommendations for extensive remote work, they are not legally binding. The employer is responsible for providing guidance on coming back to work and organising the work and the workspace. Thus, companies can refer to [the guidelines on returning to work](#) published by the Finnish Institution of Occupational Health (*Työterveyslaitos*). The guidelines are also available in Finnish [here](#). The guidelines aim to assist employers in limiting exposure to the coronavirus with safe work practices so that returning to work can happen as safely as possible. The guidelines provide that employers should **make a new risk assessment or update their existing risk assessment and adjust workplace instructions and procedures** taking specifically into account risks to exposure to coronavirus. The risk assessment should take into account, for example: -approach to returning to work and restarting operations; -ways of minimising physical contacts (among clients and colleagues), need for protective equipment and the equipment to be used; -organising working times and work shifts, the size of groups working together; -hygiene and general cleanliness, including that of work and client spaces and shared equipment; -meeting practices; and -organising breaks and eating. On the basis of the risk assessment, employers should **make an action plan** which describes how conditions at the workplace will be organised in order to minimise the risk of exposure to coronavirus. In addition, employers should, for example, ensure that everyone is informed of the instructions and that there is appropriate training, induction and guidance related to the updated instructions available.

**Public gatherings** The Government has on 17 June 2020 agreed to ease restrictions on gatherings. As of **1 August 2020**, if the development of the epidemic continues without any significant setbacks, events with **more than 500 persons may be organised in both indoor and outdoor spaces**. The organiser of the event must ensure the safety of attendees by following the guidelines from the Finnish Institute for Health and Welfare and the Ministry of Education and Culture concerning safe distances, hygiene practices and limiting the number of visitors, if necessary by dividing activities into smaller sections. If the development of coronavirus epidemic continues in the current direction, the restrictions on gatherings may be lifted altogether as of **1 October 2020**. This would mean that all indoor and outdoor events would be permitted without restrictions on the number of attendees. It is recommended, however, that organisers continue to ensure compliance with the above-mentioned guidelines. **Until the end of July 2020**, the present restrictions will remain in force, namely: -indoor and outdoor public events and public meetings with **fewer than 50 attendees** are allowed, bearing in mind the hygiene guidelines; -indoor and outdoor events with **more than 50 but fewer than 500 attendees** are permitted, provided that safety can be ensured by promoting good hygiene practices, maintaining safe distances and limiting the number of visitors as recommended by THL and the Ministry of Education and Culture; and **-outdoor events with more than 500 attendees** are allowed with special separation arrangements.

## Northern Ireland

### Gatherings of up to 30 people can now take place

**Abstract:** Since 29 June 2020, companies can permit gatherings of up to 30 people as restrictions imposed to limit the spread of COVID-19 are relaxed.

**Business Impact:** The company is now permitted to hold gatherings of up to 30 people in a public place or outside.

**Analysis:** On 29 June 2020, the [Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 9\) Regulations \(Northern Ireland\) 2020](#) came into force. As a result, gatherings of up to 30 people in a public place or outside are now permitted.

## SERBIA

### Preventative measures for a safe and healthy work environment adopted in Serbia in order to prevent an outbreak of the Coronavirus (COVID-19) in work places

**Abstract:** As of 11 July 2020, companies operating in Serbia have to comply with a newly adopted Rulebook OGRS 94/2020 on preventative measures for a safe and healthy work environment, adopted in order to prevent the occurrence and spread of the Coronavirus (COVID-19) at a workplace. Rulebook 94/2020 applies to all companies operating in Serbia (except those teleworking and conducting field-work) and introduces a requirement for employers to adopt a plan for the implementation of measures, which includes requirements, such as, regular disinfection of the premises, redistribution of work hours through shifts, regular removal of waste and garbage, as well as guidelines in case of an outbreak of COVID-19 in the company.

**Business Impact:** If the company operates in the Republic of Serbia (teleworking and fieldwork excluded), it needs to comply with the newly adopted Rulebook OGRS 94/2020 on preventative measures for a safe and healthy work environment, adopted in order to prevent an outbreak of the Coronavirus (COVID-19) at workplaces. More specifically, the company has to adopt the plan for the implementation of measures (plan primene mera) by 10 August 2020. The plan must include measures such as the disinfection of the premises, redistribution of work hours through shifts, regular removal of waste and garbage, as well as guidelines in case of an outbreak of COVID-19 in the company. Additionally, the company has to find a person-in-charge for the implementation and control of the plan. Lastly, the company should be aware that the COVID-19 cases are rising in Serbia, in connection with which certain measures are being reintroduced. For example, as of 08 July 2020, it will be useful to know that public gatherings of more than 5 people are forbidden. Furthermore, the city of Belgrade will be under a full lock down during the weekend of 10-13 July 2020.

**Analysis: Actionable Requirements** The company makes sure to adopt a **plan for the implementation of measures** (plan primene mera) for a safe and healthy work environment in order to prevent an outbreak of the Coronavirus (COVID-19) in the workplace by **10 August 2020**. **Whats has changed?** The Ministry of Employment of Serbia (Ministarstvo za Rad) published [Rulebook OGRS 94/2020](#) on preventative measures for a safe and healthy work environment adopted in order to prevent an outbreak of the Coronavirus (COVID-19) in workplaces on 3 July 2020. Rulebook 94/2020 is set to enter into force on 11 July 2020 and applies to all companies operating in Serbia (teleworking and fieldwork exempted). Rulebook 94/2020 introduces specific and consolidated rules for companies for the first time since the Coronavirus (COVID-19) outbreak in Serbia. **Brief Analysis** Pursuant to Rulebook 94/2020, the employer must adopt a **plan for the implementation of measures** (plan primene mera) with the aim to increase the safety of employees at a workplace. More specifically, the plan for the implementation of measures must include the following: 1) preventive measures and activities adopted in order to prevent a potential outbreak of COVID-19, in accordance with which the employer must, for example: provide written instructions and guidelines on the measures and on the prevention of a potential outbreak, including the symptoms of COVID-19; redistribute working hours by introducing a second or third shift with a smaller number of employees (if possible); conduct disinfection of the work premises, as well as ensure frequent ventilation of the work space; provide employees with sufficient amounts of soap, towels, running water and alcohol-based hand sanitizers; ensure regular cleaning of all surfaces that are frequently touched in the workplace (for example, door handles and computer equipment); and organize and ensure regular removal of waste and garbage from the premises so that bins can be emptied without contact with the content. 2) measures and guidelines in case of an outbreak of COVID-19, in accordance with which the employer must, for example:



disinfect the area where the infected worked and ensure proper ventilation;  
ensure the prescribed means and equipment for personal protection are used; and  
define the directions of movement of employees through work and auxiliary premises.

3) appointment of a person-in-charge for the implementation and control of the latter, who will be required to, for example:

participate in the development of the plan for the implementation of measures;  
prepare written instructions and guidelines on the measures and on the prevention of a potential outbreak;  
control the implementation of the measures adopted by the employer; and  
control the use of protective equipment at work.

The plan has to be prepared by 11 August 2020. **Additional Information on COVID-19 in Serbia** The President of the Republic of Serbia, Aleksandar Vucic, [announced the reintroduction of certain measures](#) due to an increased number of COVID-19 infections. More specifically, as of 08 July 2020, public gatherings of more than 5 people are forbidden. Additionally, the city of Belgrade will be placed under a full lock down during the weekend of 10-13 July 2020 (tbc).

## SLOVENIA

### Public gatherings of up to 50 people allowed in Slovenia as of 30 June 2020

**Abstract:** As of 30 June 2020, companies located in Slovenia should be aware that public gatherings of up to 50 people are allowed, provided that all hygiene recommendations of the National Institute of Public Health are taken into account by the organizer. Moreover, companies should also be aware that, as of 26 June 2020, all employees must wear protective facemasks when in a closed public space.

**Business Impact:** Companies located in Slovenia should be aware that, as of 30 June 2020, public gatherings of up to 50 people are allowed, provided that all hygiene recommendations of the National Institute of Public Health are taken into account by the organizer. Moreover, companies should also be aware that, as of 26 June 2020, all employees must wear protective facemasks when in a closed public space.

#### **Analysis: Actionable requirements:**

As of 30 June 2020, companies must not organise public gatherings/events of more than 50 people;  
As of 30 June 2020, companies organising public events must ensure that all hygiene recommendations of the National Institute of Public Health are taken into account and that contact between people is minimised;  
As of 25 June 2020, all employees must wear protective facemasks and carry out regular hand disinfection when in a closed public space.

**What has changed** Previously, public gatherings of up to 500 people were permitted. As of 30 June 2020 and until further notice, the maximum number of permitted attendees of public gatherings has been reduced to 50, excluding organized public events (such as concerts) which can still be attended by no more than 500 people. Moreover, previously, the obligation to wear protective masks in public indoor spaces had been abolished. However, due to the recent surge in new Covid-19 cases in Slovenia, the use of protective masks in closed public spaces is mandatory again as of 25 June 2020 and until further notice.

**Restriction on gatherings** Pursuant to the [Decree on the temporary general restriction or prohibition of gathering people in the Republic of Slovenia OJ 92/2020](#), companies must not organize or participate in public gatherings of more than 50 people. Moreover, when organizing the gathering, companies must ensure that all hygiene [recommendations](#) of the National Institute of Public Health are taken into account and that contact between people is minimised. Gatherings of people at organized public events are allowed up to 500 participants (such as concerts) and only on the condition that the instructions of the National Institute of Public Health are complied with. Basic safety measures to be enforced at gatherings include ensuring that attendees:



disinfect their hands upon entry;  
keep a minimum safety distance of 1,5 metres;  
wear a facemask indoors; and  
wear a facemask where the safety distance cannot be enforced.



### 3. Latin America

#### BRAZIL FEDERAL

##### Companies must continue complying with export restrictions of some medical and hospital products to combat the new coronavirus

**Abstract:** From 30 June 2020 and while the public health emergency remains, companies must continue not to export medical, hospital and hygiene products essential to combat the new coronavirus (COVID-19), such as protection gloves, hospital beds and multiparameter monitors, except when authorized by the Special Secretariat of Foreign Trade and International Affairs of the Ministry of the Economy (*Secretaria de Comércio Exterior da Secretaria Especial de Comércio Exterior e Assuntos Internacionais do Ministério da Economia*).

**Analysis: Actionable requirement** If the company exports medical, hospital and hygiene products essential to combat the new coronavirus (COVID-19), such as protection gloves, hospital beds and multiparameter monitors, it refrains from doing so while the public health emergency remains.

**What has changed** The actionable requirement described above is not new. Companies are prohibited of exporting medical, hospital, and hygiene products to combat the new coronavirus since 24 April 2020. However, there is a new list specifying the products that cannot be exported during the public health emergency and exemptions to such prohibition.

**Brief analysis** As of 24 April 2020, [Law 13.993 of 23 April 2020](#) prohibited the export of the following medical, hospital, and hygiene products to combat the new coronavirus epidemic, while the public health emergency remains: -personal protective equipment, such as latex gloves, nitrile gloves, waterproof apron, safety goggles, caps, surgical masks, and face shields; -pulmonary mechanical ventilator and circuits; -hospital beds; and -multiparameter monitors. [Decree 10.407 of 29 June 2020](#) regulates Law 13.993/2020, specifying the products which cannot be exported and establishing exceptions to the export prohibition. It applies as of 30 June 2020. The Annex to Decree 10.407/2020 specifies the products which cannot be exported: -protection plastic gloves (NCM code 3926.20.00); -plastic clothing and its protective accessories (NCM code 3926.20.00); -protection plastic masks (NCM code 3926.90.90); -surgery gloves, made of latex or nitrile (NCM code 4015.11.00); -latex or nitrilic gloves, except for surgery (NCM code 4015.19.00); -non-woven protective clothing (non-woven fabric or *tecido não tecido* - TNT) (NCM code 6210.10.00); -male and female jackets, blazers and similar, of impregnated, coated, covered or laminated textile fabrics, with plastic or other materials, or rubberized fabrics (NCM codes 6210.20.00 for male and 6210.30.00 for female); -resuscitation breathing devices (NCM code 9019.20.30); -safety goggles (NCM code 9004.90.20); -pulmonary ventilators (NCM code 9019.20.90); -pulmonary ventilator circuits (NCM code 9019.20.90); -hospital beds (NCM code 9402.90.20); and -multiparameter monitors (NCM code 9018.19.80). The Secretariat of Foreign Trade of the Special Secretariat of Foreign Trade and International Affairs of the Ministry of the Economy (*Secretaria de Comércio Exterior da Secretaria Especial de Comércio Exterior e Assuntos Internacionais do Ministério da Economia*) implements the export prohibition through the Integrated Foreign Trade System (*Sistema Integrado de Comércio Exterior - SISCOMEX*) and can exceptionally authorize the export of such products considering: -humanitarian reasons; -international commitments; -conditions of domestic supply, distribution and access to products appropriate to the needs of the Brazilian population at the time of the authorization; -impacts on the Brazilian supply chains; and -supply of diplomatic missions, consular offices or other offices maintained by the Brazilian State or by autonomous social services abroad. Decree 10.407/2020 exempts from the export prohibition the following products: -personal protective equipment (PPE) that cannot be used in the health area; -on-board provisions; -products temporary exported for homologation, tests, operation or resistance tests or used in the development of products or prototypes; or -temporary exported for outward processing. Such temporary exported products must be returned to Brazil within the deadline established by the Special Secretariat of the Federal Revenue of Brazil of the Ministry of the Economy (*Secretaria Especial da Receita Federal do Brasil do Ministério da Economia*).

## BRAZIL - FEDERAL

### Ministry of Health introduces guidelines applicable to all companies resuming their operations in Brazil to prevent and control the spread of COVID-19

**Abstract:** As of 19 June 2020, the Ministry of Health introduced extraordinary health and safety measures applicable to companies resuming their operations in Brazil to prevent, control, and reduce the transmission of COVID-19. This follows from MS Ordinance 1.565/2020 that establishes general guidelines regarding hygiene measures, such as providing adequate structure for surface and hand sanitization, encouraging the use of face masks; social distancing measures, such as respecting the minimum distance of 1 meter between people indoors and outdoors; ventilation, cleaning and disinfection measures, among others. The guidelines are relevant for all industries.

**Business Impact:** If the company operates in Brazil and is resuming its activities during the COVID-19 pandemic, it observes the guidelines provided by the Ministry of Health on extraordinary health and safety measures to prevent, control and reduce the transmission of COVID-19, such as respecting the distance of 1 meter between people indoors and outdoors; providing adequate structure for surface and hand sanitization, including making alcohol 70% or other similar product available; encouraging the use of masks and/or facial protectors in all public and private environments, among others.

**Analysis:** [MS Ordinance 1.565 of 18 June 2020](#) establishes general guidelines applicable to companies resuming their operations in Brazil during the COVID-19 pandemic to prevent, control, and reduce the transmission of the virus. It came into force on 19 June 2020. MS Ordinance 1.565/2020 introduces the following measures:

**general care and hygiene measures:**

- prepare an action plan to resume activities;
- spread information on the prevention, control, and mitigation of COVID-19 transmission;
- provide adequate structure for surface and hand sanitization, including making alcohol 70% available; and
- encourage the use of masks and/or facial protectors in all public and private environments.

**social distancing measures:**

- guarantee the minimum distance of 1 meter between people indoors and outdoors;
- mark out spaces in waiting lines;
- implement physical barriers, in cases in which the minimum distance cannot be guaranteed;
- limit the occupancy of elevators, stairwells and restricted areas; and
- prioritize remote work.

**hygiene, ventilation, cleaning, and disinfection measures:**

- reinforce cleaning and disinfection procedures with disinfectant products in all environments, surfaces, and equipment, at least at the beginning and end of the activities;
- increase the frequency of cleaning and disinfection with disinfectant products of common areas and areas of high circulation of people;
- prioritize natural ventilation or adopt measures to increase the maximum number of air exchanges in the premises.

**health screening and monitoring measures:**

- implement screening measures before entering facilities, such as measuring body temperature and applying questionnaires, to recommend that people with increased temperature and other flu-like symptoms do not enter the facility and seek assistance from health services;
- establish procedures to follow-up and report suspected and confirmed cases of the disease, including monitoring of persons who had contact with infected people; and
- define methods for efficient communication with the public and the competent authorities on information, measures, and actions developed to ensure the safety of customers and workers.

**use of personal protective equipment (PPE):**

- strictly adopt the procedures for the use, hygiene, packaging, and disposal of PPE and other protective equipment, according to each activity, also considering the risks generated by COVID-19;
- replace surgical masks every 4 hours of use or fabric masks every 3 hours of use, or when they are dirty or

damp; and

manufacture and sanitize fabric masks according to the recommendations of the Ministry of Health; among others.

It is relevant to emphasize that the measures must be implemented based on local criteria that will be assessed by the relevant local authorities, along with the peculiarities applicable to each industry.

## EL SALVADOR

### Companies operating in El Salvador are now subject to a phase system for resuming their activities

**Abstract:** As of 14 June 2020, El Salvador has implemented a gradual schedule for reopening industrial, commercial, cultural and social activities. This follows from Decree 31 of 14 June 2020, which establishes 5 phases for gradually reopening economic activity. Among others, the Decree allows companies to gradually resume their activities depending on the epidemiological situation, the number of COVID-19 cases, and contagion risk of the activity. Companies resuming their activities must comply with physical distancing measures and sanitary protocols through all phases.

**Business Impact:** The company will be allowed to resume its activities in the coming months, depending on the reopening phases implemented by the El Salvador government. Once the company has resumed its activities, it must ensure that there is a physical distance of at least 2 meters between employees and that they wear facemasks. In addition, the company must comply with the sanitary protocols and guidance issued by the Ministry of Health. The company must be aware that the reopening schedule can suffer changes, depending on the epidemiological situation (such as the number of COVID-19 cases and the capacity of the sanitary system).

**Analysis: New actionable requirements** If the company has resumed its activities, it calculates the maximum capacity of its facility to allow a physical distance of at least 2 meters between employees. If the company has resumed its activities, it ensures that all employees wear facemasks and wash their hands regularly. If the company has resumed its activities, it allows employees to telework in order to reduce the number of persons onsite. If the company has resumed its activities, it complies with the corresponding sanitary protocols and guidelines issued by the Ministry of Health. **What has changed?** On 14 June 2020, the government of El Salvador published Decree 31 of June 2020 (the Decree), setting out a schedule for gradual reopening of the country's economic activities. The Decree introduces a 5-phase system for gradually allowing industrial, commercial, social and cultural activities in the country. Companies allowed to resume operations must strictly comply with the social distancing measures and the sanitary protocols and guidelines issued by the Ministry of Health. **Additional Information** According to the Decree, the gradual reopening of activities will, among others, follow these principles:

life and health supremacy;

economic freedom;

gradual reopening; and

prevention of risk situations.

In addition, the Ministry of Health will apply the following criteria for the reopening, among others:

epidemiological situation (such as number of cases and contagion rhythm);

capacity of the sanitary system; and

the contagion risk of the activity to be allowed.

Moreover, the Decree provides a tentative schedule for the different phases, and also provides a list of activities to be allowed in each of phases. The schedule can vary and be modified, depending on the evolution of the pandemic, the number of cases, and the capacity of the sanitary system. In this regard, the Phase 1 took place from 16 June to 6 July 2020, and included the following activities, among others:

food industry;

construction sector;

electronic indu

energy sector;  
steel industry; and  
transport of goods.

Phase 2 will extend from 7 July to 21 July and adds to the list the following activities, among others:

plastic industry;  
paper and carton industries;  
cosmetic; and  
the rest of manufacturing industries.

Phase 3 will extend from 22 July to 5 August, and will add the following activities, among others:

sport activities; and  
gradual opening of malls.

Phase 4 will be in effect from 6 August to 20 August and will allow the following activities, among others:

sport events;  
tourism; and  
cinemas and theaters.

Finally, Phase 5 will start on 21 August and will add all the rest of activities not included in the previous phases.

Companies resuming their activities must comply with the sanitary protocols issued by the Ministry of Health, and, among others:

ensure there is a physical distance of at least 2 meters between employees;  
promote teleworking;  
ensure that their employees wear facemasks; and  
ensure that employees wash their hands regularly.

Moreover, employees over 60 years of age, pregnant women, breastfeeding employees, employees with previous diseases (such as kidney failure, respiratory diseases, obesity, or immuno-depressed) are exempted from attending their workplaces until Phase 5. [Decree 31 of 14 June 2020, setting out a phase system for gradually allowing economic activities](#), is available online in Spanish.

## HONDURAS

### Companies must not use manual and electronic fingerprint identification mechanisms that allow the transmission of COVID-19 during the state of alarm

**Abstract:** As of 27 June 2020 until the end of the state of alarm, all companies are prohibited from carrying out attendance and schedules controls of their employees, through the use of manual and electronic fingerprint identification mechanisms or any other mechanism that allows the transmission of the COVID-19 through indirect contact. This follows from Decree No. 81-2020.

**Business Impact:** If the company is operating during the state of alarm, it ensures that attendance and schedules controls of its employees are not carried out through the use of manual and electronic fingerprint identification mechanisms or any other mechanism that allows the transmission of the COVID-19 through indirect contact until the end of the state of alarm.

#### Analysis: Actionable requirements

If the company is operating during the state of alarm, it ensures that attendance and schedules controls of its employees are not carried out through the use of manual and electronic fingerprint identification mechanisms or any other mechanism that allows the transmission of the COVID-19 through indirect contact until the end of the state of alarm; and

All companies must replace these control mechanisms with other less prone to contagion (the Decree does not contain more information on alternative control mechanisms).

**What has changed** [Decree No.81-2020](#), sets for the first time the prohibition for all companies operating in Honduras during the state of alarm to carry out attendance and schedules controls of their employees through the use of manual and electronic fingerprint identification mechanisms or any other mechanism that allows the



transmission of the COVID-19 through indirect contact. **Additional Information** The prohibition does not apply to biometric identification systems in which the device is for personal and individual use. The prohibition has a limited duration, subject to the continuation of the National Sanitary Emergency decreed to prevent the spread of the COVID-19 pandemic. The Secretary of State in the Labor and Social Security Offices (Secretaría de Estado en los Despachos de Trabajo y Seguridad Social - STSS) will be the authority in charge of inspecting and sanctioning companies not complying with these measures. The Decree does not establish more information about said sanctions.

## PERU NATIONAL

### The State of National Health Emergency has been extended until 31 July, 2020 with new social distancing conducts

**Abstract:** Since 1 July 2020, the State of National Health Emergency has been extended until 31 July, 2020 due to the spread of Covid-19. New social distancing conducts are implemented, such as companies must continue to let workers within the risk group (like adults over 65 years old and people with certain health conditions determined by the National Health Authority) stay in isolation and work from home. Moreover, the curfew has been extended from 10 p.m. to 4 a.m. the following day.

**Business Impact:** If the company is operating during the National Health Emergency, it must implement the new social distancing conducts now that the lockdown has been lifted. If the company has workers over 65 years old or considered within the risk group (with certain health conditions determined by the National Health Authority), it must continue to let them stay in quarantine and work from home. The company must also respect the curfew that has been extended from 10 p.m. to 4 a.m. the following day. Moreover, it is banned to carry out any party, activity, or any type of meeting, that involves the concentration of people that puts public health at risk (the Supreme Decree does not further define the amount of people to be considered as a "concentration of people"). If the company is a financial institution or a bank, it must comply with a maximum capacity of 50% of people within the workplace, among other measures. This is due to Supreme Decree No. 116-2020-PCM that sets forth the measures to be observed in the new social distancing conducts and extends the state of National Emergency for serious circumstances affecting the lives of the Nation as a consequence of COVID-19.

**Analysis: Actionable Requirements** The following requirements apply to companies operating during the National Health Emergency:

If the company has workers within the risk group (such as workers over 65 years old or with certain health conditions determined by the National Health Authority), it must let them continue to stay in isolation and work from home.

If the company operates during the national health emergency, it must respect the national curfew from 10 p.m. to 4 a.m. the following day.

If the company operates during the national health emergency, it is banned to carry out any party, activity, or any type of meeting, that involves the concentration of people that puts public health at risk.

If the company is a financial institution or a bank, it must comply with a maximum capacity of 50% of people within the workplace. Disinfection is mandatory to enter the premises, as well as the use of a mask and maintaining social distancing.

#### **What Has Changed**

The above list of requirements are introduced for the first time.

#### **Additional Information**

The National Health Emergency has been extended until 31 July, 2020. However, there is no longer a mandatory lockdown on a National level. The updated measures are introduced to protect people as a result of the outbreak of COVID-19.

The new social distancing conducts require that the government will continue to promote and monitor certain practices within the territory, such as:

people must keep on maintaining a distance of at least 1 meter;  
people need to use a mask outside their homes;  
older adults and people in risk situation are specially protected; and  
adequate solid waste management.

The Supreme Decree does not further define the amount of people to be considered as a "concentration of people".

[Supreme Decree No. 116-2020-PCM](#) that sets forth the measures to be observed in the new social distancing conducts and extends the state of National Emergency for serious circumstances affecting the lives of the Nation as a consequence of COVID-19 entered into force on 1 July, 2020 and is available online in Spanish.

## SÃO PAULO

### Companies manufacturing or importing priority medical devices to register with the Cadvisa during the coronavirus outbreak

**Abstract:** As of 15 May 2020, exceptionally during the state of public calamity, companies that produce or import priority medical devices must register with the Sanitary Surveillance Register (*Cadastro de Vigilância Sanitária – Cadvisa*) to obtain a sanitary license (*licença sanitária*). The sanitary license obtained under this procedure is valid until 11 November 2020.

**Business Impact:** If the company produces or imports priority medical devices used within health services (such as surgical masks, particulate filtering respirators N95, PFF2 or equivalent, protective glasses, face shields, among others), it must register before the Sanitary Authorities and apply for a sanitary license (*licença sanitária*) electronically through self-declaration (*autodeclaração*). If the company is already producing or importing the devices, it must apply by 4 June 2020.

**Analysis: Actionable requirements** - If a company produces or imports priority medical devices used within health services, such as surgical masks, particulate filtering respirators N95, PFF2 or equivalent, protective glasses, face shields, among others), it must register to obtain a sanitary license (*licença sanitária*) through self-declaration, using the electronic form of Sanitary Surveillance Register (*Cadastro de Vigilância Sanitária – Cadvisa*) while the state of calamity caused by the COVID-19 pandemic lasts in São Paulo; - If a company produces or imports priority medical devices used within health services, such as surgical masks, particulate filtering respirators N95, PFF2 or equivalent, protective glasses, face shields, among others), it must have a professional, duly regularized in class council, and responsible for the technical supervision of the activity; - If a company produces or imports priority medical devices used within health services, such as surgical masks, particulate filtering respirators N95, PFF2 or equivalent, protective glasses, face shields, among others), it must comply with the Regulation on Good Manufacturing Practices of [ANVISA RDC Resolution 16 of 28 March 2013](#); and - If a company produces or imports priority medical devices used within health services, such as surgical masks, particulate filtering respirators N95, PFF2 or equivalent, protective glasses, face shields, among others), it must comply with the relevant ABNT technical norms such as [ABNT NBR 14873:2002](#), [ABNT NBR 15052:2004](#), [ABNT NBR 13697:2010](#), among others. **What Changed?** The actionable requirements above are being introduced as a follow-up to the self-declaration (*autodeclaração*) mechanism previously established by [SS Resolution 64 of 7 May 2020](#).

**Additional Information** On 13 May 2020, the Sanitary Surveillance Center (*Centro de Vigilância Sanitária - CVS*) issued [CVS Ordinance 8/2020](#) based on SS Resolution 64/2020. Whereas SS Resolution 64/2020 provides that companies can use the self-declaration (*autodeclaração*) mechanism to obtain a sanitary license during the COVID-19 pandemic, CVS Ordinance 8/2020 establishes that they must enlist in the Sanitary Surveillance Register (*Cadastro de Vigilância Sanitária – Cadvisa*) through self-declaration to obtain such a license. CVS Ordinance 8/2020 came into force on 15 May 2020, and it applies to companies that produce or import priority medical devices used within health services (such as surgical masks, particulate respirators N95, PFF2 or equivalents, goggles, face shields, among others), as listed in [ANVISA RDC Resolution 379 of 30 April](#)

[2020](#). Under this procedure, the sanitary license is valid for 180 days from the date of entry into force of CVS Ordinance 8/2020, expiring on 11 November 2020. CVS Ordinance 8/2020 sets up a specific obligation to companies that were already producing or importing priority medical devices before the ordinance came into force. Such operators would have to apply to a sanitary permit by 24 May 2020. This deadline was later extended to 4 June 2020 by [CVS Ordinance 12 of 3 June 2020](#), which came into force on 4 June 2020. CVS Ordinance 8/2020 establishes that they can carry out the self-declared activities after CVS approves the register with the Cadvisa and issues the sanitary license. The company's legal representative is responsible for submitting the self-declaration [electronic form of Cadvisa](#). By doing so, the legal representative agrees to comply with the requirements of the applicable sanitary regulations and assume the related civil and criminal liabilities. With the submission and receipt of the authentication code, the CVS assesses the self-declaration and then decides on the issuance of the sanitary license. After the end of the validity term, if the company continues with the activities mentioned above, it must obtain a sanitary license under the procedure described in [CVS Ordinance 1 of 9 January 2019](#). Despite the exceptional character of the self-declaration, the applicant company is not exempted from sanitary inspection, which can be conducted without prior notice by the relevant authorities. **Non-compliance** Companies' non-compliance with CVS Ordinance 8/2020 can lead not only to the cancellation of the company's Cadvisa but also to the application of penalties under the sanitary regulations.

## SÃO PAULO

### Companies manufacturing alcohol 70% or antiseptic preparations and sanitizers based on alcohol 70% to register with the Cadvisa during the coronavirus outbreak

**Abstract:** As of 3 June 2020, exceptionally during the state of public calamity, companies must register with the Sanitary Surveillance Register (*Cadastro de Vigilância Sanitária – Cadvisa*) to obtain a sanitary license (*licença sanitária*). This requirement applies to companies that manufacture ethyl alcohol 70% or that produce antiseptic (cosmetic) preparations or sanitizers based on ethyl alcohol 70 ° INPM or 70% (m / m). The sanitary license obtained under this procedure is valid until 30 November 2020.

**Business Impact:** If the company produces cosmetics or sanitizers based on ethyl-alcohol 70 ° (m / m) or if it manufactures ethyl-alcohol for donation, transport, or use within the National Health Service (SUS), it must register before the Sanitary Authorities and apply for a sanitary license (*licença sanitária*) electronically through self-declaration (*autodeclaração*).

**Analysis: Actionable Requirements** - If a company produces antiseptic (cosmetic) preparations or sanitizers based on ethyl alcohol 70 ° INPM or 70% (m / m); or if it will start manufacturing ethyl alcohol 70° INPM or 70% (m/m) for donation, transportation, and use within the National Health Service (*Sistema Único de Saúde - SUS*) structure, it must register to obtain a sanitary license (*licença sanitária*) through self-declaration, using the electronic form of the Sanitary Surveillance Register (*Cadastro de Vigilância Sanitária - Cadvisa*) for the Manufacture of Preparations Antiseptic Or Sanitizing Ethanol Based 70% (m / m), promptly after the date of entry into force of the ordinance; - If a company produces antiseptic (cosmetic) preparations or sanitizers based on ethyl alcohol 70 ° INPM or 70% (m / m); or if it will start manufacturing ethyl alcohol 70° INPM or 70% (m/m) for donation, transportation, and use within the National Health Service structure, it must have a professional, duly regularized in class council, and responsible for the technical supervision of the activity; - If a company produces antiseptic (cosmetic) preparations or sanitizers based on ethyl alcohol 70 ° INPM or 70% (m / m); or if it will start manufacturing ethyl alcohol 70° INPM or 70% (m/m) for donation, transportation, and use within the National Health Service structure, it must comply with Good Manufacturing Practices for sanitizers and cosmetics products to safeguard quality standard according to ANVISA RDC Resolutions [48 of 25 October 2013](#) and [47 of 25 October 2013](#); - If a company produces antiseptic (cosmetic) preparations or sanitizers based on ethyl alcohol 70 ° INPM or 70% (m / m); or if it will start manufacturing ethyl alcohol 70° INPM or 70% (m/m) for donation, transportation, and use within the National Health Service structure, it must follow the guidelines on the donation of ethyl alcohol 70° INPM or 70% (m/m) and the relevant precautions on fractionation, use,

conservation, alerts, and accidents for this product; - regarding ethyl alcohol 70° INPM or 70% (m/m) for donation purposes, if a company produces antiseptic (cosmetic) preparations or sanitizers based on ethyl alcohol 70° INPM or 70% (m / m); or if it will start manufacturing ethyl alcohol 70° INPM or 70% (m/m) for donation, transportation, and use within the National Health Service structure, it must use packaging that is easy to handle and with variable capacity; and - If a company produces antiseptic (cosmetic) preparations or sanitizers based on ethyl alcohol 70° INPM or 70% (m / m); or if it will start manufacturing ethyl alcohol 70° INPM or 70% (m/m) for donation, transportation, and use within the National Health Service structure, it must: inform on the packaging label, the relevant information, as established in federal guidelines for donation of ethyl alcohol 70° INPM or 70% (m/m). **What Changed?** The list of actionable requirements is being introduced as a follow-up to the self-declaration (*autodeclaração*) mechanism previously established by [SS Resolution 64 of 7 May 2020](#).

**Additional Information** On 1 June 2020, the Sanitary Surveillance Center (*Centro de Vigilância Sanitária - CVS*) enacted [CVS Ordinance 7/2020](#) based on of the SS Resolution 64/2020. Whereas SS Resolution 64/2020 establishes the requirements for the self-declaration (*autodeclaração*), which companies can use to obtain a sanitary license during the COVID-19 pandemic, CVS Ordinance 7/2020 requires companies to enlist in the Sanitary Surveillance Register (*Cadastro de Vigilância Sanitária – Cadvisa*) through self-declaration to obtain such a license. CVS Ordinance 7/2020 came into force on 3 June 2020 and it applies specifically to companies producing cosmetics or sanitizers based on ethyl alcohol 70° INPM or 70% (m / m) and to the ones manufacturing ethyl alcohol 70° (m / m) for donation, transport, or use within the National Health Service (*Sistema Único de Saúde - SUS*) in the context of the COVID-19 pandemic. CVS Ordinance 7/2020 establishes that such companies must enlist in the Cadvisa by submitting the self-declaration form for the manufacturing of antiseptic preparations or sanitizers based on ethyl alcohol 70° (m / m) electronically. Under this procedure, the sanitary license is valid for 180 days from the date of entry into force of CVS Ordinance 7/2020, expiring on 30 November 2020. Despite the exemptions of [ANVISA RDC Resolution 350 of 19 March 2020](#), which defines extraordinary and temporary criteria and procedures for the manufacturing and marketing of antiseptic or sanitizer preparations, such as releasing them from the obligation to obtain prior authorization from ANVISA to carry out their activities, and the guidelines of [ANVISA Technical Note 3 of 24 March 2020](#) applicable to companies that will manufacture ethyl alcohol 70° (m / m) for donation purposes, CVS Ordinance 7/2020 still requires the companies to enlist before the Cadvisa to operate in the state of São Paulo. Companies can only carry out their activities after CVS approves the register with the Cadvisa and issues the sanitary license. The company's legal representative must submit the self-declaration via the [electronic form of Cadvisa](#). By doing so, it agrees to comply with the requirements of the applicable sanitary regulations and assume the related civil and criminal liabilities. Following the electronic submission and receipt of the authentication code, the CVS assesses the electronic form and decides on the issuance of the sanitary license. After the end of the validity term, if the company decides to continue with the activities mentioned above, it must obtain a sanitary license under the procedure described in [CVS Ordinance 1 of 9 January 2019](#). Despite the exceptional character of the self-declaration, the applicant company is not exempted from sanitary inspection, which can be conducted without prior notice by the relevant authorities. **Non-compliance** Companies' non-compliance with CVS Ordinance 7 /2020 can lead not only to the cancelation of the company's Cadvisa but also to the application of penalties under the sanitary regulations.

## SINALOA

### Companies are subject to suspension of the reception of documents or requests related to administrative procedures in the decentralized agencies and bodies of the Executive Power of the State of Sinaloa, until 19 July 2020

**Abstract:** As of 29 July of 2020 and until 19 July 2020, all companies operating in Sinaloa are subject to a suspension of the reception of documents or requests related to administrative procedures in the decentralized agencies and bodies of the Executive Power of the State of Sinaloa. This concerns the reception of documents,



reports, procedures, actions, proceedings, notifications, subpoenas, requirements, and the requests for reports or documents meant to challenge, initiate, substantiate or resolve administrative procedures with any decentralized agencies and bodies of the Government of the State of Sinaloa.

**Business Impact:** The company should be aware that the corresponding deadlines for the reception of documents, reports, procedures, actions, proceedings, notifications, subpoenas, requirements, requests for reports or documents meant to challenge, initiate, substantiate or resolve administrative procedures before any decentralized agencies and bodies of the Executive Power of the State of Sinaloa are suspended from 30 March 2020 to 19 July 2020

**Analysis: Actionable Requirements**

There are no actionable requirements for companies.

**What has changed**

From 30 March 2020 to 19 July 2020 the corresponding deadlines for the reception before any decentralized agencies and bodies of the Executive Power of the State of Sinaloa of documents, reports, procedures, actions, proceedings, notifications, subpoenas, requirements, requests for reports or documents meant to challenge, initiate, substantiate or resolve administrative procedures, are suspended. Therefore, any action or request will not take effect until 20 July 2020. **Additional information** This is due to the fact that the contagions and hospital occupation had not the sustainable decrease that the state authorities were expecting. The state government estimates that there are not yet the conditions that allow it to reintegrate in a safe way the vulnerable operational personnel of the State Government, or to open the offices to the public, with the aim of mitigating the rate of infection and spread of the COVID-19.





## 4. Asia & Oceania

### TAMIL NADU - INDIA

**Companies can continue to operate until 30 September 2020 after the validity period of the Consent to Operate (CTO) and Authorizations has been extended due to the COVID-19 Pandemic.**

**Abstract:** Companies that hold a Consent to Operate (CTO) or an Authorization from the Tamil Nadu Pollution Control Board (TNPCB), which expired on 31 March 2020, can continue to operate until 30 September 2020. This follows from the publication of Order No. TNPCB/P&D/2020 dated 1 July 2020 issued by the TNPCB, which extends the validity period for CTOs and Authorizations for facilities that filed applications to renew these permits by 31 March 2020. The temporary extension of the expiry dates allows companies to remain compliant during the COVID-19 Pandemic.

**Business Impact:** If the company has applied for the renewal of a Consent to Operate granted under the Water Act 1974 or Air Act 1981 or an Authorization granted under the Hazardous Waste Rules 2016 which expired on 31 March 2020, it should know that the validity period of these documents has been extended until 30 September 2020. As a result, the company can continue to operate until the new expiry date, while it awaits the approval of its application for CTO or Authorization from the Pollution Control Board.

**Analysis: Actionable Requirements** [Order No. TNPCB/P&D/2020](#) does not introduce new actionable requirements, but merely extends the validity of expired Consent to Operate (CTO) and authorizations until 30 September 2020. **What has changed** [Order No. TNPCB/P&D/2020](#) issued by the Tamil Nadu Pollution Control Board (TNPCB) on 31 March 2020, further extends the validity period of a Consent to Operate (CTO) or an Authorization obtained from TNPCB from 31 March 2020 until 30 September 2020. As a result, facilities that have applied for the renewal of a CTO or an Authorization that expired on 31 March 2020 can continue to operate and their permits would remain valid until 30 September 2020. Facilities are still subjected to the same terms and conditions stipulated in the previous CTO, Orders, and Authorizations issued by the TNPCB.

**Background information** Under the (National) [Water \(Prevention and Control of Pollution\) Act 1974](#) and [Air \(Prevention and Control of Pollution\) Act 1981](#), facilities are required to obtain a CTO from the concerned State Pollution Control Board (SPCB) before beginning their operation, process or activity. The CTO must also be renewed upon expiry. Similarly, under the (National) [Hazardous and Other Wastes \(Management and Transboundary Movement\) Rules, 2016](#), facilities that handle, generate, collect, store, pack, use, treat, transport or dispose of hazardous and other wastes must obtain an Authorization from the concerned SPCB and renew upon expiry. The same is applicable for facilities which acquired combined consent and authorization under the [Bio-Medical Waste Management Rule, 2016](#), and the [Solid Waste Management Rule, 2016](#). [Order No. TNPCB/P&D/2020](#) is available in English on the Enhesa Knowledgebase.

### JAPAN NATIONAL

**Companies can refer to the updated guidelines for COVID-19 spread prevention and the policy on the restriction of holding events**

**Abstract:** As of 10 July 2020, companies can refer to the updated guidelines of COVID-19 spread prevention for each industry as well as the policy on the restriction of holding events.



**Business Impact:** If the company plans to hold events in Japan, it is requested to comply with the number limit of participants and other prevention requirements such as taking participants' temperature when entering the event. Moreover, the company is highly recommended to refer to the updated industry-specific guidelines for measures against the spread of COVID-19.

**Analysis: Industry-Specific Guidelines** On 10 July 2020, the Japanese Cabinet updated the [guidelines of COVID-19 spread prevention for each industry](#), such as the manufacturing industry, office work, and logistics industry. Companies can refer to the guidelines for their specific industry for the measures to be taken in order to prevent the spread of COVID-19. **Restrictions on Events** On 8 July 2020, the Japanese Cabinet published a [document on restrictions for entertainments after 10 July](#) (7月10日以降の催物の開催制限等について). The document specifies the policy regarding the restriction on holding events. More specifically, when companies plan to hold an event, there must be no more than 5,000 participants for both indoor and outdoor events. In addition, when holding an indoor event (where the participants' positions are fixed by seats or others), the participant number must not exceed half of the capability of the place where the event is held. When holding an outdoor event (where the participants' positions are not fixed), social distance (as much as 2 meters) between people must be secured. It should also be noted that each Prefectural government may determine its own restriction on events depending on the spread situation of the Prefecture. Moreover, companies are requested to adopt basic infection prevention measures during the event, such as:  
to measure the temperature of participants when joining the event and not allow persons who have COVID-19 symptoms (such as fever) to participate in the event;  
to encourage participants to install the COVID-19 contact confirming application and to keep the contact information of the participants;  
to encourage participants to wear masks (except for the cases of preventing heatstroke) and use disinfectant;  
and  
to not provide places where are enclosed, crowded, and with close scenes of conversations (三つの密).

## JAPAN NATIONAL

### Deadline for submitting the GHG emission reports has been extended to the end of September in 2020

**Abstract:** In 2020, companies classified as a Specified Facility Greenhouse Gas Emitter (特定事業所排出者) or a Specified Transportation Greenhouse Gas Emitter (特定輸送排出者) can benefit from the postponed deadline for submitting the annual reports of their greenhouse gas (GHG) emissions.

**Business Impact:** If the company is a Specified Facility Greenhouse Gas Emitter (特定事業所排出者) or a Specified Transportation Greenhouse Gas Emitter (特定輸送排出者), it must be aware that the deadline for submitting the annual report of its GHG emissions has been exceptionally extended to the end of September in 2020.

**Analysis: Actionable Requirements** The [Amendment to the Ordinance on the Reporting of Greenhouse Gas Emissions](#) (温室効果ガス算定排出量等の報告等に関する命令一部を改正する命令) introduces no new requirements. Specified Facility Greenhouse Gas Emitters (特定事業所排出者) and Specified Transportation Greenhouse Gas Emitters (特定輸送排出者) continue being required to submit an annual report of their GHG emissions to the competent Ministry for the business (事業所管大臣). **What has changed** In principle, the annual reports mentioned above have to be submitted by the end of June (for Specified Transportation Greenhouse Gas Emitters) or the end of July (for Specified Facility Greenhouse Gas Emitters) each year. However, due to the impact of the COVID-19 epidemic in Japan, in this year, such a report can be exceptionally submitted by **30 September 2020** for both Specified Transportation Greenhouse Gas Emitters and Specified



Facility Greenhouse Gas Emitters. **Additional Information** The Public Notice on announcing the postponed deadlines is available [here](#).

## UZBEKISTAN

### New restrictions enter into force on 10 July in Uzbekistan due to an increase in COVID-19 cases

**Abstract:** As of 10 July, Uzbekistan will strengthen quarantine measures due to an increase in the number of COVID-19 cases. More specifically, activities of several industries will be banned (for example, non-food markets and large stores that sell non-food products, restaurants, cafes and canteens). Furthermore, companies have been instructed to organize remote work for their employees. This follows from the adoption of a decision by the Special Republican Commission of Uzbekistan. Currently, the measures are in force until 1 August 2020.

**Business Impact:** The company should be aware that Uzbekistan has strengthened quarantine measures due to an increase in the number of COVID-19 cases. According to the reintroduced measures, the company should organize teleworking starting 10 July 2020.

Furthermore, if the company operates industrial and (or) construction facilities it may work under several conditions. For example, the company has to ensure a social distance of 2 meters, as well as comply with hygiene rules and equip the premises with antiseptic agents.

Lastly, the company should be aware that activities of several industries have been banned (for example, non-food markets and large stores that sell non-food products, restaurants, cafes and canteens), as well as movement between regions and free movement for persons above 65 years of age.

**Analysis: The Special Republican Commission of Uzbekistan** published a [decision on re-introducing strict quarantine measures](#) in Uzbekistan as of 10 July 2020 due to an increase in COVID-19 cases. The measures will stay in force until 1 August 2020.

According to the decision, from 10 July to 1 August, the following activities will be banned in the country:

non-food markets and large stores that sell non-food products;

gyms, fitness clubs and pools;

recreation parks;

sanatoriums, boarding houses and children's camps;

catering facilities (restaurants, cafes, canteens); and

preschool educational institutions and training courses.

Furthermore, companies have been instructed to **organize teleworking** for their employees. Movement between regions as well as free movement of persons over 65 years of age has been prohibited. Additionally, the Special Commission has specified [under which conditions](#) large industrial and construction facilities can operate. For example, employees have to maintain a social distance of 2 meters, comply with hygiene rules and the facilities must be equipped with antiseptic agents.

## 5. Middle East & Africa

### ISRAEL

#### Various certificates and permits automatically extended for 10 weeks due to the outbreak of the Coronavirus (COVID-19)

**Abstract:** By 30 June 2020, several permits and certificates will be automatically extended due to the outbreak of the Coronavirus (COVID-19). This follows from the adoption of the Periodical Prolongation Law, according to which permits and certifications which expire between 10 March 2020 and 30 June 2020 will be automatically prolonged for 10 weeks. The law applies to work-at-height worker certifications, crane and lifting machines operators certifications, periodical inspection for dangerous goods vehicle (ADR) certification, as well as to the permit for the import and (or) export of hazardous substances.

**Business Impact:** If the company possesses work-at-height worker certifications, crane and lifting machines operators certifications, periodical inspection for dangerous goods vehicle (ADR) certification, or the permit for the import and (or) export of hazardous substances, it can benefit from a regulatory easement introduced by the Periodical Prolongation Law adopted due to the Coronavirus (COVID-19) outbreak. More specifically, if the company's permit or certifications expired between 10 March and 30 June 2020, it will be automatically prolonged for another 10 weeks

**Analysis: Actionable Requirements** There are no actionable requirements for companies. **What Has Changed** The [Periodical Prolongation Law](#) (regulatory permits – emergency measurements) (COVID-19) (חוק 2020 התש"ף, הוראת שעה) (נגיף הקורונה החדש), introduced regulatory easements for various permits and certificates due to the outbreak of the Coronavirus (COVID-19). The Law applies to certifications, such as, work-at-height worker certifications, crane and lifting machines operators certifications, as well as to the permit for the import and (or) export of hazardous substances. Certificates and (or) permits which expire between 10 March 2020 and 30 June 2020 will be automatically prolonged for another 10 weeks. **Additional Information** According to the Periodical Prolongation Law, the following permits and certifications will be automatically prolonged: • Periodical inspection for dangerous goods vehicle (ADR) certification as listed on the [Transportation Services Regulations 2001](#) (תקנות שירותי הובלה התשס"א); • Work-at-height worker certification, as listed on the [Work Safety Regulations \(Work at Height\) 2007](#) (תקנות הבטיחות בעבודה); • Crane and lifting machines operators certifications, as listed on the [Work Safety Regulations](#) (crane and lifting machines) 1992 (עגורנים, מפעילי מכונות הרמה ואתתים); • Periodical environmental occupational inspection certification, as listed in the [Safety at Work Order 1970](#) (פקודת הבטיחות בעבודה התש"ל); • Import and (or) export permit for hazardous substances according to the [Hazardous Substances Regulation of 1994](#) (תקנות החומרים המסוכנים (ייבוא וייצוא פסולת חומרים מסוכנים) התשנ"ד).

### QATAR NATIONAL

#### Guidance for the proper resuming of work during gradual relaxation of covid-19 restrictions

**Abstract:** The Ministry of Health issued a general guidance for the gradual relaxation of Covid-19 measures which started in 15 June 2020. It includes guidance for the proper resuming of works that aims to guarantee a safe return to the workplaces by making sure that employers implement the necessary sanitary and prevention measures.

**Business Impact:** If the company resumed or is resuming its works in Qatar, it must comply with the guidance for the proper resuming of works issued by the Ministry of Health. It covers compliance with basic Covid-19 measures, proper social distancing, organization of the entry to the workplace, tele-working, awareness, as well as establishing a risk assessment and an emergency plan.

**Analysis: Actionable requirements** If the company resumes its activities, it must assign a compliance officer to make sure that the company respects and implements the sanitary and preventive measures in the workplace. If the company resumes its activities, it must establish a management and emergency plan for the potential cases of Covid-19 in the workplace. If the company resumes its activities, it must undertake a risk assessment in order to set up the necessary plan and measures in the workplace, prior to the employees return. If the company resumes its activities, it maintains a register of the employees involved in any service that requires gatherings in order to facilitate follow up in case of infection. If the company resumes its activities, it must ensure a proper social distancing by keeping at least 1,5 meters between employees, limiting the number of employees where possible, provide distancing signs in the workplace, and others. If the company resumes its activities, it must organize the entry and exit in a way that reduces the number of entries to the workplace. In addition, it must take the temperature of each employee and prohibit anyone with a temperature degree equal or superior to 38 from entering. If the company resumes its activities, it must allow up to 50% of its employees to get back to the workplace while the other 50% works from home. In addition, it must prioritize work from home for employees that are not required to attend the workplace in order to achieve their tasks. If the company resumes its activities, it must show flexibility towards employees older than 60 years of age or employees that have chronic diseases by allowing them to keep working from home for example. If the company resumes its activities, it must provide regular updates, training, and awareness to its employees about the Covid-19 situation.

**What's new** The above-mentioned requirements are new requirements that were issued as guidance by the Ministry of Health. They provide guidance for companies resuming activities in Qatar and require them to respect certain measures to ensure the safe return of the employees while avoiding the spread of the Coronavirus.

## SAUDI ARABIA NATIONAL

### Lockdown completely lifted in Saudi Arabia

**Abstract:** Since 21 June 2020, companies in Saudi Arabia can resume their regular activities without any curfews in place. The resuming of activities must be done in accordance with the set out prevention protocols for each sector in order to maintain safety and fight the spread of the coronavirus.

**Business Impact:** If the company resumes its activities in Saudi Arabia, it must do so by respecting the minimum sanitary standards in the workplace such as the wear of face mask and establishing proper distancing. In addition, the company must comply with the respective preventive protocols set out in order to help avoid the spread of the coronavirus during operations.

**Analysis: Actionable requirements** If the company has activities in Saudi Arabia, it can resume its regular activities without any curfews in place. If the company has activities in Saudi Arabia, it must resume its activities in accordance with the [preventive protocols](#) set out for each by the Ministry of Health. If the company resumes its activities in Saudi Arabia, it enforces the wear of face masks and establishes measures for proper social distancing. If the company resumes its activities in Saudi Arabia, it prohibits gatherings of more than 50 people.

**What's new** The above mentioned requirements were introduced as part of the complete cancellation of lockdown in Saudi Arabia.

**Additional information** [The preventive protocols for reducing the spread of the Coronavirus](#) were developed by the Ministry of Health. They were announced on 5 June and include different protocols issued for specific



sectors such as the public sector protocol, petroleum, petrochemicals, and gas protocol, contracting protocol, and others. Companies must ensure compliance with these protocols at all times.





## D. July 8, 2020





## 1. The US & Canada

### CALIFORNIA

#### Face coverings must be worn in common and public indoor places, as well as when working in common areas, enclosed rooms, or spaces open to the public

**Abstract:** Effective 18 June 2020, companies that conduct in-person operations in California must ensure that individuals are complying with the statewide face coverings requirement. For example, if companies have any employees interacting with members of the public or working in areas open to the public, such employees must wear face coverings. Further, companies with retail or food service establishments must ensure that individuals entering the premises are wearing face coverings unless otherwise exempted.

**Business Impact:** If the company is conducting in-person operations, it must ensure that employees are wearing face coverings when necessary. For example, if employees are interacting with any members of the public, working in common areas, or being present in an enclosed room with other people, such employees must wear face coverings. If the company owns or operates facilities where outside individuals, including the members of the public, may enter the premises, it must ensure that such individuals are also complying with the statewide face coverings requirement. For example, if the company owns or operates a food service establishment, it must ensure that anyone inside of the premise is wearing face coverings except when eating or drinking.

**Analysis: Actionable Requirements** If the facility conducts in-person operations, it ensures that all individuals in the premise, including its employees and any visitors, wear face coverings, as appropriate.

**What Has Changed** California's Guidance for the Use of Face Coverings requires face coverings to be worn statewide. Previously, only the San Francisco Bay Area enforced a face coverings requirement.

**California's Guidance for the Use of Face Coverings** On 18 June 2020, the California Department of Public Health (CDPH) issued a Guidance for the Use of Face Coverings (Guidance) to continue protecting the state from the impact of the 2019 novel coronavirus disease (COVID-19). The Guidance requires the use of cloth face coverings by the general public in most settings outside the home. The Guidance took immediate effect and remains in force until further notice. *Circumstances Requiring Face Coverings* Under the Guidance, CDPH requires all people in California to wear face coverings when inside of, or in line to enter, any indoor public space. Further, employees must wear face coverings when engaged in work that involves any of the following: interacting in-person with any members of the public; working in any space visited by members of the public, regardless of whether anyone is present at the time; working in any space where food is prepared or packaged for sale or distribution; working in or walking through common areas, such as hallways, stairways, elevators, and parking facilities; and being in any room or enclosed space where other people are present and physical distancing is not feasible. Accordingly, companies must ensure that employees and any other persons present at the premises are wearing face coverings as appropriate unless specifically exempted. California's industry-specific guidelines that companies must follow are to be updated to reflect this requirement for the use of face coverings. The updated guidelines will be posted on the [California Coronavirus \(COVID-19\) Response](#) website. *Exemptions to the Statewide Face Coverings Requirement* The Guidance provides a list of exemptions from the face coverings requirement. For example, individuals seated at a food service establishment are not required to wear face coverings while eating or drinking, provided that they can maintain a 6-foot distance from others. Employees engaged in outdoor work are also not required to wear face coverings when working alone and keeping at least 6 feet from the public. Further, the Guidance exempts individuals with a medical condition, mental health condition, or disability that prevent wearing a face covering. However, if such individuals are engaged in work involving regular contact with others, they are advised to use a non-restrictive alternative, such as a face shield, as long as their condition permits the use. **More Information** For more information, see CDPH's [Guidance for](#)

[the Use of Face Coverings](#). Additional information, including the most current COVID-19 status in California, is available on the [California Coronavirus \(COVID-19\) Response](#) website.

## CANADA - NEW BRUNSWICK

### Guidance published for companies re-opening during COVID-19

**Abstract:** As of 17 June 2020, companies can consult the guidance published by Worksafe New Brunswick on topics such as the COVID-19 operational plan, physical distancing and the re-opening of businesses during the novel coronavirus (COVID-19) pandemic.

**Business Impact:** If the company is operating in the Province of New Brunswick or is planning to re-open, as of 17 June 2020, it can consult the guidance on re-opening their business during the Covid-19 pandemic (such as providing for increased hygiene, risk mitigation, and personal protective equipment).

**Analysis:** As of 17 June 2020, companies can consult the [guidance](#) published by Worksafe New Brunswick on re-opening their businesses during the novel coronavirus (COVID-19) pandemic. Under the renewed and revised [Mandatory Order COVID-19](#), as of 2 July 2020, all companies must comply with the guidelines from WorkSafeNB. **The state of emergency** The following measures are in place under the Province of Mandatory order on COVID-19:

2 metres distance must be kept at every workplace;

employees who exhibit symptoms of COVID-19 must not be allowed to enter the workplace; and anyone who has travelled outside New Brunswick must self-isolate for 14 days and not be allowed to enter the workplace.

**WorkSafeNB Guidelines** Every workplace should ensure the health and safety of its employees. Companies should:

ensure that all employees understand and comply with the safety measures it has put in place;

stay informed of new mandatory orders issued by Public Safety and guidelines from Public health;

consult with staff, joint health and safety committee or employee health and safety representative;

inform supervisors and employees of their rights and responsibilities to re reduce the risk of COVID-19 exposure and regularly communicate with the employees;

be prepared for COVID-19 exposure; and

create a COVID-19 operational plan.

**COVID-19 Operational Plan** All workplaces must have a documented plan that specifically addresses COVID-19. It applies to all workplaces, whether the company has continued to operate during the pandemic or is only planning to re-open. The document does not need to be approved by WorkSafeNB or Public Health, but it must be available at any time. Companies can consult the [Covid-19 Operational Plan guide](#) and [Covid-19 Operational Plan for Workplaces template](#) online. **Physical distancing** Physical settings and responsibilities should be

restructured to adhere to the minimum 2-metre (m) requirement. This could be done by increasing the space between employees or reducing the number of people within one space at a given time. Where possible, the employer should give the option to work from home. **Engineering controls** Companies are encouraged to create physical barriers between people when physical distancing is not possible, or increase the ventilation.

**Administrative controls** Companies should redistribute responsibilities to reduce contact between employees by using technology for communication. **Personal Protective Equipment (PPE)** Companies should consider having employees wearing non-medical cloth face masks to protect others. Face masks are required to help prevent transmission of COVID-19 to others when physical distancing or physical barriers are not possible. However, the New Brunswick Chief Medical Officer does not recommend the use of surgical masks by people who do not have any symptoms of respiratory infection. **Active and passive screening** If the company is able to maintain a 2 m distance, a passive screening process should be adopted. This can include self-screening or surveys for employees before entering the workplace. If the company is not able to maintain a 2 m distance, an active screening should be adopted. This can include actively screening employees and customers for symptoms and risks of COVID-19 by a designated individual who verbally asks the employees screening questions.

## CANADA - NEW BRUNSWICK

### Additional measures adopted for companies operating during COVID-19

**Abstract:** As of 2 July 2020, companies should be aware that public gatherings of 50 people are allowed and a record of the names and contact information of all the people who attend the gathering must be kept if the company organizes any gatherings during the COVID-19 pandemic. Furthermore, under the Mandatory Order companies must develop a COVID-19 operational plan outlining how daily operations are managed (such as physical distancing, cleaning and pre-screening of symptoms) and whether the company has continued to operate during the pandemic or is only planning to re-open.

**Business Impact:** If the company operates in the Province of New Brunswick, it should be aware that public gatherings of 50 people are allowed and that it must keep a record of the names and contact information of all the people who attend the gathering if it organizes any gatherings during the COVID-19 pandemic. Furthermore, if the company has continued to operate during the pandemic or is only planning to re-open, it must develop a COVID-19 operational plan outlining how daily operations are managed (such as physical distancing, cleaning and pre-screening of symptoms) and appoint a manager responsible for implementing the plan. These measures are in force until further notice.

#### **Analysis: Actionable requirements**

The company develops a COVID-19 operational plan outlining how daily operations are managed, taking into account measures such as physical distancing, cleaning, disinfecting and pre-screening of symptoms;

The company management appoints a responsible person (manager) for the oversight and implementation of the COVID-19 Operational Plan; and

If the company organizes any gatherings during the COVID-19 pandemic, it maintains a record of the names and contact information of all the people who attended the gathering.

**What has changed?** As of 2 July 2020, the number of people allowed to attend public gatherings is increased to 50 people, from the previous 10 people. As a new Public Health measure, all workplaces, both those that have continued to operate during the COVID-19 pandemic and those planning to re-open, must develop a COVID-19 operational plan that specifically addresses COVID-19 safety measures. Furthermore, companies hosting, organizing and permitting gatherings for the purpose of eating, drinking, socializing, celebration, ceremony or entertainment are required to maintain a record of the names and contact information of all persons who attend. The same obligation applies to companies hosting, organizing and permitting gatherings larger than 50.

**Additional Information** [COVID-19 Operational Plan](#) According to the [New Brunswick's Phased Reopening](#), operational plans are required for all businesses, outlining how the company will manage the safe opening and operation of their business, service or organization. Minimum requirements for the operational plan include components such as:

active screening for staff and enabling staff to stay home when ill;

facilitating physical distancing;

facilitating personal hand hygiene and respiratory etiquette;

ensuring adequate daily cleaning and disinfection of frequently touched surfaces;

following guidelines on community masks;

providing additional employee protection where needed based on risk assessment;

communicating COVID-19 public health measures to the staff;

incorporating guidance on accountability and monitoring into the plan; and

copies of schedules and checklists to support the plan.

The plan must include details on what actions are taken and how they are implemented to achieve the required public health measures. Companies do not have to submit the plan to WorkSafeNB, but they must present it upon inspection. According to the [guidance provided by the Public Health](#), each company must have a manager responsible for implementing the COVID-19 Operational Plan. Companies can consult the [Covid-19 Operational Plan Guide](#) for further guidance. Examples of a Covid-19 operational plan template for a workplace is available [online](#). [Public gatherings](#) Occupancy of any company must be based on the ability to maintain physical

distancing of 2 metres. Controlled venues where seating is offered for the purpose of eating, drinking, socializing, celebration, ceremony or entertainment are required to maintain a record of the names and contact information of all persons who attend. The same obligation applies to companies hosting, organizing, and permitting gatherings of more than 50 people. Owners and occupiers of buildings must take all reasonable steps to prevent gatherings of more than 50 people unless effective procedures ensure adequate screening of symptoms and physical distancing.

## CANADA – MANITOBA

### State of Emergency extended until 15 July 2020

**Abstract:** Effective 15 June 2020, companies operating in the Province of Manitoba should be aware, that the state of emergency has been extended to last until 15 July 2020 due to the novel coronavirus (COVID-19). Furthermore, effective 21 June 2020, companies should note that public gatherings of 50 people indoors and 100 people outdoors are allowed.

**Business Impact:** If the company operates in the province of Manitoba, it should be aware that the state of emergency has been extended to last at least until 15 July 2020. Furthermore, the company should be aware that, as of 21 June 2020, public gatherings of 50 people indoors are allowed and 100 people outdoors.

**Analysis: Actionable Requirements** Companies must ensure that they do not organize public gatherings of more than 50 people indoors or 100 people outdoors.

**What has changed?** Effective 15 June 2020, under [Order in Council 148/2020](#), the state of emergency in the Province of Manitoba is extended to last at least until 15 July 2020. Effective 21 June 2020, under [Orders under section 67 of the Public Health Act](#), public gatherings of 50 people are allowed indoors and 100 people outdoors, provided that a separation of at least 2 metres (6 foot) is maintained. The gathering restriction is introduced as a more relaxed version of a pre-existing rule, which allowed gatherings up to 25 people indoors and 50 people outdoors.

**Additional Information Gathering Restrictions** Larger gatherings are allowed, where distinct groups of 50 or 100 can be separated to prevent contact with other groups. Larger indoor gatherings are permitted, provided that the number of people attending does not exceed 30 per cent (%) of the usual capacity of the premises and that the group can be physically divided into sub-groups of 50 or fewer. Each sub-group must be able to arrive, depart and participate in the gathering without interacting with members of any other sub-group. In addition, adequate physical distancing must continue to be followed. Same requirements apply to larger outdoor gatherings and that the group can be physically divided into sub-groups of 100 or fewer. **General safety measures** The final plan for the third phase of restoring services safely takes effect as of 21 June 2020 and can be consulted [online](#). Companies continue to be encouraged to take steps to help the staff, customers and visitors stay safe by:

- ensuring people are able to reasonably maintain 2 metres of distance;
- only conducting necessary and brief exchanges within 2 metres of others;
- applying enhanced cleaning protocols, especially in common areas like washrooms;
- maintaining physical distancing and food-handling protocols in workplace areas including lunch and common areas;
- ensuring staff stay home when feeling sick; and
- following personal risk reduction measures.

## CANADA - NOVA SCOTIA

### Gatherings of 50 people allowed as of 18 June 2020

**Abstract:** Effective 18 June 2020, companies should be aware that public gatherings of 50 people are allowed, provided that social distancing of 2 meters or 6 feet is maintained in order to prevent the spread of the novel coronavirus (COVID-19). If the company was not required to close during COVID-19 and is able to maintain social distancing, it is exempt from the public gatherings' restriction. Furthermore, if the company is unable to ensure social distancing of 2 metres or 6 feet, it can only have up to 10 people on its premises at a time.

**Business Impact:** If the company is operating in the Province of Nova Scotia, it should be aware that public gatherings of 50 people are allowed, provided that social distancing of 2 meters or 6 feet is maintained. If the company was not required to close during COVID-19 and is able to maintain social distancing, it is exempt from the public gathering's restriction. Furthermore, if the facility is unable to ensure social distancing of 2 metres or 6 feet, it can only have up to 10 people on its premises at a time.

#### **Analysis: Actionable requirements**

If the company is unable to ensure social distancing of 2 metres or 6 feet, it only has up to 10 people on its premises at a time.

**What has changed?** Effective 18 June 2020, gatherings of 10 people without social distancing is allowed. This changes the previous requirement that only members of the same household can gather in groups without social distancing. Effective 18 June 2020, gatherings up to 50 people are allowed, provided that social distancing of 2 metres (m) or 6 feet is maintained. This changes the previous requirement that only gatherings up to 10 people were allowed.

**Additional information** The company is exempt from public gathering restrictions, if:  
it is able to maintain social distancing of 2 m or 6 feet; or

it is listed as an employer exempt from the gathering limit and social distancing (such as businesses who provide, service or repair medical equipment like wheelchairs, beds and home oxygen equipment).

Companies that are too small to ensure physical distancing can have up to 10 people on their premises at a time.

## 2. Europe

### CATALONIA

#### Companies must adopt basic protection and organizational measures to prevent the risk of COVID-19 transmission

**Abstract:** As of 19 June of 2020, companies operating in Catalonia must ensure a minimum interpersonal physical safety distance of 1.5 meters everywhere within their facilities and the use of masks in any publicly accessible space when it is not possible to maintain the minimum safe interpersonal physical distance in their facilities due to the COVID-19 outbreak. This follows from Resolution SLT/1429/2020 of 18 June 2020.

**Business Impact:** The company must ensure a minimum interpersonal physical safety distance of 1.5 meters everywhere within its facilities and the use of a mask in any publicly accessible space when it is not possible to maintain the minimum safe interpersonal physical distance in its facilities due to the COVID-19 outbreak.

#### Analysis: Actionable requirements

If the company is a reopening business operating in Catalonia, it ensures a minimum interpersonal physical safety distance of 1.5 meters, with the equivalent of a safe space of 2.5 m<sup>2</sup> (square meters) per person everywhere within their facilities due to the COVID-19 outbreak; and

If the company is a reopening business operating in Catalonia, it ensures the use of a mask in any space within their facilities that is open to the public, when it is not possible to maintain the minimum safe interpersonal physical distance due to the COVID-19 outbreak.

**What has changed** As Phase III of the Plan for the de-escalation of the extraordinary measures adopted to fight the COVID-19 pandemic in the entire territory of Catalonia ended at 00.00 hours on 19 June 2020, the exceptional measures derived from the declaration of the state of alarm have been left without effect in Catalonia. Therefore [Resolution SLT/1429/2020](#) unifies the measures previously adopted to fight the COVID-19 pandemic in Catalonia. **Additional Information** The resolution leaves without effect any restrictive measures established in the different resolutions approved within the scope of the Catalan Government and the framework of the pandemic response, that oppose or contradict what is found in this Resolution and the applicable Spanish Central Government regulations.

### CASTILE AND LEON

#### Companies to comply with additional health and safety obligations to protect workers from exposure to COVID-19

**Abstract:** As of 21 June 2020, employers are subject to further health and safety duties to protect their workers from the risk of spread of COVID-19 in the workplace following the adoption of Agreement 29/2020 of 19 June. Although most of the obligations set out by the Agreement were already established at national-level by Royal Decree-law 21/2020, the Agreement also imposes additional requirements on companies located in Castile and Leon, such as the obligation to record all the hygiene and prevention measures implemented to avoid exposure to COVID-19 as well as to provide the health authorities with all the information that may be required (including workers' identification and contact details) in the context of COVID-19 contact tracing.

**Business Impact:** The company must comply with the health and safety requirements established by Agreement 29/2020 in order to prevent the risk of exposure to COVID-19 at the workplace as of 21 June 2020 and until the end of the health crisis. In that regard, the company should note that most of the obligations set out



by the Agreement are identical to those already established at national-level by Royal Decree-law 21/2020. However, the Agreement also imposes further duties on the company including, among other things, the obligation to:

prioritise the use of stairs to access the workplace or, where this is not possible, ensure that elevators are only used by 1 person at a time or by multiple persons provided that they wear face masks;

reduce the allowed occupancy of toilets and changing facilities by 50% and reinforce their cleaning and disinfection;

be equipped with waste bins and containers for the disposal of handkerchiefs and other disposable materials that are cleaned at least once a day;

record all the hygiene and prevention measures implemented to avoid the risk of spread of COVID-19 at the workplace and keep these records at the disposal of the health authorities; and

provide the health authorities with all the information that may be required (including workers' identification and contact details) in the context of COVID-19 contact tracing.

### **Analysis: Actionable requirements**

The company takes all necessary measures to avoid the risk of spread and the risk of exposure to COVID-19 and complies with all the health and safety measures set out by health authorities.

The company adopts ventilation, cleaning and disinfection measures which are appropriate to the workplace's characteristics and intensity of use in order to protect workers from COVID-19.

The company provides workers with water and soap, hydroalcoholic gels, or virucidal disinfectants for hand-cleaning to prevent infection with COVID-19.

The company ensures that a minimum safety distance of 1,5 metres is respected among workers and, where the minimum safety distance cannot be guaranteed, it provides them with face masks to prevent the spread of COVID-19 at the workplace.

The company prioritises the use of stairs to access the workplace or, where this is not possible, ensures that elevators are only used by 1 person at a time or by more than 1 person provided that they wear face masks in order to reduce the risk of exposure to COVID-19.

The company reduces the allowed occupancy of toilets and changing facilities according to the provisions of Agreement 29/2020 and reinforces their cleaning and disinfection in order to avoid the spread of COVID-19 in the workplace.

The company is equipped with waste bins and containers for the disposal of handkerchiefs and other disposable materials that are cleaned at least once a day in view of preventing the spread of COVID-19 at the workplace.

The company records all the hygiene and prevention measures implemented to avoid the risk of spread of COVID-19 at the workplace and keeps these records at the disposal of the health authorities.

The company provides the health authorities with all information that may be required (including workers' identification and contact details) in the context of COVID-19 contact tracing.

**What has changed?** On 20 June 2020, the Regional Ministry for Economy and Public Finance (*Consejería de Economía y Hacienda*) published [Agreement 29/2020 adopting the Plan on Preventive and Control Measures](#) to address the health crisis caused by the COVID-19 and to prevent any potential outbreaks in the Autonomous Community of Castilla and Leon. In particular, the Agreement seeks to further develop the urgent prevention, containment and coordination measures set out at national-level by Royal Decree-law 21/2020. The Agreement applies to all companies as of 21 June 2020 and until the end of the health crisis. Although most of the health and safety duties included in the Agreement were already in force at national-level (under Royal Decree-law 21/2020), the Agreement also establishes additional requirements on companies regarding:

the use of elevators;

the maximum allowed occupancy of toilets and changing facilities;

the disposal of waste that may have been in contact with COVID-19;

the recording of the health and safety measures implemented to avoid the risk of exposure to COVID-19; and

the communication of information to health authorities in the context of COVID-19 contact tracing.

[Agreement 29/2020, of 19 June, of the Government of Castilla and Leon, approving the Plan on Preventive and Control Measures to address the health crisis caused by the COVID-19 in the Community of Castilla and Leon](#) is available online in Spanish.

## MADRID

### Employers subject to further COVID-19 health and safety obligations

**Abstract:** As of 21 June 2020, employers are required to comply with the health and safety requirements laid down by Order 668/2020 to prevent the risk of exposure to the coronavirus disease (COVID-19) in the workplace. Although most of the employers' duties included in the Order were already in force under national legislation (namely under Royal Decree-law 21/2020), the Order adopts further obligations regarding the use of finger-print entry systems and of elevators, the maximum allowed occupancy of toilets and changing facilities, and the disposal of waste that may have been in contact with COVID-19.

**Business Impact:** The company is required to comply with the health and safety duties laid down by Order 668/2020 to protect its employees from exposure to COVID-19 at the workplace as of 21 June 2020 and until the end of the health crisis. The company should note that most of the requirements set out by the Order were already in force at national-level according to Royal Decree-law 21/2020. However, the Order also establishes additional obligations on the company which must, among other things:

- replace finger-print entry systems (if any) by alternative entry systems (or disinfect them before and after each use);
- take measures to avoid agglomerations of people (including workers and clients) at the workplace during peak hours;
- prioritise the use of stairs to access the workplace or, where this is not possible, ensure that elevators are only used by 1 person at a time or by multiple persons provided that they wear face masks;
- reduce the allowed occupancy of toilets and changing facilities by 50%;
- be equipped with waste bins and containers for the disposal of waste materials that may have been in contact with COVID-19 and clean them at least once a day; and
- avoid the dumping of waste materials that may have been in contact with COVID-19.

#### **Analysis: Actionable requirements**

The company takes all necessary measures to avoid the risk of spread and the risk of exposure to COVID-19 and complies with all the health and safety measures set out by health authorities.

The company adopts ventilation, cleaning and disinfection measures which are appropriate to the workplace's characteristics and intensity of use in order to protect workers from COVID-19.

The company provides workers with water and soap, hydroalcoholic gels, or virucidal disinfectants for hand-cleaning to prevent infection with COVID-19.

The company adapts working conditions (including the use of common areas, the organisation of workstations and work shifts) to ensure a minimum safety distance of 1,5 metres among workers or provides them with personal protective equipment when the minimum safety distance to protect workers against COVID-19 cannot be guaranteed.

If the company is equipped with finger-print entry systems, it replaces them by alternative entry systems or disinfects them before and after each use to protect workers from exposure to COVID-19 when accessing the workplace.

The company takes measures to avoid agglomerations of people (including workers and clients) at the workplace during peak hours to prevent the risk of COVID-19 infection.

The company prioritises the use of stairs to access the workplace or, where this is not possible, ensures that elevators are only used by 1 person at a time or by more than 1 person provided that they wear face masks in order to reduce the risk of exposure to COVID-19.

The company reduces the allowed occupancy of toilets and changing facilities by 50% in order to avoid the spread of COVID-19 in the workplace.

The company does not abandon or dump waste materials that may have been in contact with COVID-19 and is equipped with waste bins and containers for their specific disposal which are cleaned at least once a day in view of preventing the spread of COVID-19 at the workplace.

If any of the company's employees displays symptoms of COVID-19, the company immediately contacts the telephone number provided by the Regional Ministry for Health or by the corresponding health center, as appropriate, and with the corresponding occupational risk prevention service.

**What has changed?** On 20 June 2020, the Regional Ministry of Health (*Consejería de Sanidad*) issued [Order 668/2020 of 19 June](#) to implement the provisions established at national-level by [Royal Decree-law 21/2020 on urgent prevention, containment and coordination measures to address the health crisis caused by COVID-19](#) in the Autonomous Community of Madrid. Order 668/2020 applies to all employers as of 21 June 2020 and until the end of the health crisis. The majority of the health and safety obligations set out by the Order are identical to those already established at national-level by Royal Decree-law 21/2020, although the Order provides further details. However, as a novelty, the Order lays down brand-new requirements on companies regarding: the use of finger-print entry systems and of elevators; the maximum allowed occupancy of toilets and changing facilities; and the disposal of waste that may have been in contact with COVID-19.

[Order 668/2020, of 19 June, of the Regional Ministry of Health, establishing preventive measures to address the health crisis caused by the COVID-19 following the end of the extension of the state of alarm set out by Royal Decree 555/2020 of 5 June](#) is available online in Spanish.

## NEW SOUTH WALES

### Employers may refer to COVID-19 work guidance for managing work-related risks

**Abstract:** Beginning 2 July 2020, employers can refer to new COVID-19 guidance for managing work-related COVID-19 risks in the workplace. This follows from the circulation of the Guidance on Steps to become a COVID Safe business. The Guidance provides workplace health and safety recommendations that employers can follow to ensure employees' health and safety upon return to work.

**Business Impact:** The company can refer to new COVID-19 guidance on the Steps to become a COVID Safe Business circulated by the New South Wales Government. The company should take into consideration a 3-step plan which includes completing a COVID-19 Safety Plan, registering the company as a COVID Safe business, and showing that the company is COVID safe. In particular, in implementing the safety plan, the company should among other things:

assign workers to specific workstations and minimise worker movement between these stations, where reasonably practical. In instances where it is not practical, the stations must be cleaned thoroughly with detergent/disinfectant between use;

ensure staff maintain 1.5 metres physical distance at all times (including at meal breaks) where practical, and provide hand sanitiser at multiple locations throughout the workplace.

The Guidance also advises the company to submit an online registration as a COVID Safe business to show customers that the company is committed to keeping them safe during this pandemic. Also, in order for the company to show that it is COVID safe, the Guidance recommends:

downloading and displaying COVID Safe posters in order to make customers feel confident in the level of safety;

sharing the completed COVID-19 Safety Plan with staff to ensure their wellbeing;

displaying the COVID Safe badge on digital and social channels;

training new workers to be COVID safe; and

keeping the facilities plan up-to-date when there are new changes.

**Analysis:** On 2 July 2020, the New South Wales (NSW) Government circulated the Guidance on the Steps To Become A COVID Safe Business ("Guidance") to help employers develop and implement plans that will help manage work-related COVID-19 risks. The Guidance includes workplace health and safety measures such as enforcing physical distancing, practicing hygiene and safety, and recording contact details of employees. The Guidance encourages employers to incorporate a 3-step plan which includes completing a COVID-19 Safety Plan, register as a COVID Safe business, and show that the facility is COVID safe. **COVID-19 Safety Plan** The NSW Government requires some businesses to complete a COVID-19 Safety Plan under the [Public Health \(COVID-19 Restrictions on Gathering and Movement\) Order \(No 4\) 2020](#) (such as entertainment facilities, function centres, and information and education facilities). However, businesses can also voluntarily complete

one. The Guidance provides information for different industries planning on completing a COVID-19 Safety plan.

All plans provide advice on:

- hygiene and safety;
- physical distancing;
- recording contact details of staff and customers; and
- staff wellbeing.

For example, the general COVID-19 Safety Plan should include information such as:

- providing staff with information and training on COVID-19, including when to get tested, physical distancing and cleaning;

- assigning workers to specific work stations and minimising worker movement between these stations, where reasonably practical. In instances where it is not practical, the stations must be cleaned thoroughly with detergent/disinfectant between use;

- ensuring staff maintain 1.5 metres physical distance at all times (including at meal breaks) where practical;

- provide hand sanitiser at multiple locations throughout the workplace; and

- clean frequently used areas at least daily with detergent or disinfectant including frequently touched areas and surfaces.

Also, manufacturing and warehousing businesses COVID-19 Safety Plan should include information such as:

- information on how to stay COVID safe when staff and visitors are on site;

- display conditions of entry;

- monitor and manage the number of workers in all areas based on the 4 square metre rule where possible;

- place signs about physical distancing, hygiene, and handwashing practices around the workplaces to remind workers;

- consider placing markers on the floor to help with physical distancing; and

- use telephone or video platforms for essential meetings where practical.

Construction and tradespeople businesses COVID-19 Safety Plan should include information such as:

- staggering start times and breaks for staff members to minimise the risk of close contact where possible;

- displaying signage near lifts or site elevators directing workers to maintain physical distancing wherever practical;

- conducting a task risk assessment to identify control measures necessary to mitigate the spread of COVID-19 when 1.5 metre physical distancing cannot be adhered to;

- having hand sanitiser or wash stations at key points around the site, such as entry and exit points and meal areas; and

- displaying signs about physical distancing, hygiene, and handwashing practices around the workplace where practical.

**Registration as a COVID Safe Business** Facilities may register their businesses online as a COVID Safe Business after a COVID-19 Safety Plan has been completed. After registration, the facility will get:

- digital COVID Safe badge for use on social channels;

- posters on safety and hygiene; and

- reports on how customers and visitors rate the business' safety.

**Showing that the Facility is COVID Safe** Under the Guidance, in order for the facility to show that it is doing its part in keeping the community safe, the facility should:

- download and display COVID Safe posters in order to make customers feel confident in the level of safety;

- share the completed COVID-19 Safety Plan with staff to ensure their wellbeing;

- display the COVID Safe badge on digital and social channels;

- train new workers to be COVID safe; and

- keep the facilities plan up-to-date when there are new changes.

The [Guidance on the Steps to Become A COVID Safe Business](#) can be accessed online.

## SCOTLAND

### Companies manufacturing in Scotland should consult updated guidance on maintaining a safe working environment

**Abstract:** Companies carrying out manufacturing operations should consult guidance on measures to be taken before and after reopening. The guidance was initially published on 26 May 2020 and was updated on 7 July 2020 to reflect the move to restart businesses in the context of the coronavirus pandemic.

**Business Impact:** If the company carries out manufacturing activity, it should consult the guidance issued by the Scottish Government on the steps to take in order to ensure the safety of the workplace as businesses reopen in the context of the coronavirus pandemic. The company should use the guidance to ensure among other things, an appropriate risk assessment is carried out and that any visitors to sites are protected from coronavirus.

**Analysis:** Companies operating in the manufacturing sector should consult updated [guidance issued by the Scottish Government](#) to ensure that facilities run safely in the context of the coronavirus pandemic. The guidance provides advice on how to manage:

assessing risk and involving the workforce in a risk-based approach to a safer workplace;  
workforce planning and supporting those who should come to work, and those who should not;  
operational guides and checklists for changing the workplace environment to protect your workforce  
delivery, distribution and visitors and protecting your workforce and those who come on-site; and  
training and compliance.

The guidance emphasises, in particular, the importance of undertaking a robust and ongoing risk-based assessment with full input from trade union or workforce representatives, and to keep all risk mitigation measures under regular review so that workplaces continue to feel, and be, safe. The guidance sets out the Scottish Government's expectations on the steps manufacturing businesses will take before and after reopening. It does not constitute legal advice, and businesses may wish to seek their own advice to ensure compliance with all legal duties

## UKRAINE

### Adaptive quarantine regime extended in Ukraine until July 31 due to the Coronavirus (COVID-19)

**Abstract:** As of 22 June 2020, the adaptive quarantine regime has been extended in Ukraine for 30 days, until 31 July 2020, to fight against the spread of the Coronavirus (COVID-19). In this context, until set date, all quarantine restrictions remain in areas with high infection rates. This follows from the adoption of Decree No. 500 of 17 June 2020, according to which companies operating in certain sectors (for example, wholesale and retail trade) are highly recommended to make changes to their work regimes (for example, to start the working day at 10 am or later).

**Business Impact:** The company should be aware that the adaptive quarantine regime has been extended in Ukraine until 31 July 2020 in order to curb the spread of the coronavirus (COVID-19). The extension of the latter imposes no obligations on the company. However, if the company operates in certain sectors (such as, wholesale and retail trade, temporary accommodation and catering, insurance activities, arts, sports, entertainment and recreation) it is [highly recommended](#) to adapt the work regime in order to start the working day at 10 am or later. The company should also be aware that two dedicated hotlines operate in the country: [0 800 505 840](#) and [0 800 505 201](#).



**Analysis:** On 22 June 2020, the Ukrainian government extended **the adaptive quarantine regime** in Ukraine due to the coronavirus pandemic for additional 30 days, until **31 July 2020**. Adaptive quarantine means that most of the restrictions have been lifted. However, in areas with high infection rates all quarantine restrictions remain. The measures were introduced by [Decree No. 500 of 17 June 2020](#) "On Amendments to Certain Acts of the Cabinet of Ministers of Ukraine". According to the Decree, these measures could be further extended, if necessary According to Decree No. 500, the re-introduction of anti-epidemic measures can be applied in regions or separate administrative-territorial units on the basis of a decision of the Regional Commission on Technogenic and Ecological Safety and Emergencies (Регіональна комісія з питань техногенно-екологічної безпеки та надзвичайних ситуацій), which is adopted at the request of the Chief State Sanitary Doctor of the region. **In such regions, the following restrictions can be reintroduced:** -participating in or organizing mass events (such as cultural, entertaining, sports, social and religious); -attending educational institutions; and - regular and irregular carriage of passengers by motor transport in suburban, long-distance intercity and interregional passenger traffic (except by car, as one of the exceptions). Additionally, during the adaptive quarantine regime companies are **recommended** to make changes to their work regimes. For example, companies operating in the following sectors are recommended to start the working day **at 10 am or later:** wholesale and retail trade; repair of motor vehicles and motorcycles; postal and courier activities; temporary accommodation and catering; insurance activities; education; and arts, sports, entertainment and recreation.

**Background note** Initially, quarantine measures to prevent the spread of the pandemic were introduced until 3 April 2020 by [Decree No. 211 "On the prevention of the spread in Ukraine of the acute respiratory disease COVID-19 caused by the coronavirus SARS-CoV-2"](#). Consequently, domestic bus, rail and air services were suspended. Educational establishments and all shops except groceries, pharmacies, gas stations and banks were closed. The operation of subways in Kyiv, Kharkiv and Dnipro was suspended. Any public gatherings with more than 10 participants were prohibited. It was only allowed to hold events necessary to provide the activities of central and local government authorities. The intercity and interregional road, rail and air passenger transportation was banned. In addition, Ukraine announced the closure of the borders to all foreigners due to the COVID-19 pandemic. **Useful information** A dedicated [governmental website](#) is available both in Ukrainian and English and provides the relevant updates and recommendations concerning COVID-19. Companies should also be aware that two hotlines operate in the country: [0 800 505 840](#) and [0 800 505 201](#).

## UNITED KINGDOM

### Companies should follow guidance from the Health and Safety Executive on health surveillance of its workers during coronavirus

**Abstract:** Companies that must provide medical surveillance for workers who may be exposed to substances hazardous to health, asbestos, ionizing radiation, lead, noise or vibration, should follow guidance updated on 18 June 2020 from the Health and Safety Executive. It sets a framework for more flexible health and medical surveillance during coronavirus outbreak.

**Business Impact:** If the company must ensure health or medical surveillance for its workers or new workers who may be exposed to substances hazardous to health, asbestos, ionizing radiation, lead, noise or vibration in work, it should consult guidance from the Health and Safety Executive that sets a framework for more flexible health and medical surveillance during coronavirus outbreak. The guidance has been last updated on 18 June 2020. It means, among other things, that full health assessments can be deferred for up to 6 months if the worker has no health problems. While the guidance does not prevent face to face examinations, it allows health



professionals to assess the fitness of workers by other means, for example by telephone call or by video consultation. The guidance also recommends that, for example, 'fitness to work' certificates are issued for a restricted period of time until a face to face medical examination can be conducted.

**Analysis:** The Health and Safety Executive (HSE) has updated its [guidance on health and medical surveillance and safety-critical medicals](#), initially issued on 20 March 2020, enabling the continuation of more flexible health and medical surveillance during coronavirus. The guidance has been **last updated on 18 June 2020**. The guidance concerns employers who must ensure **health and medical surveillance for its workers or new workers** who may be exposed to substances hazardous to health, asbestos, ionizing radiation, lead, noise, or vibration in work. It lays out options for **conducting health and medical surveillance and safety-critical medicals remotely** and allows to **defer face to face examinations for up to 6 months** if there are no health problems. However, the guidance does not prevent health professionals from carrying out face to face medical assessments if they are considered necessary. If a worker has health problems and the appointed doctor **decides that a face to face examination or assessment is justified** (a face to face medical examination with spirometry should only be necessary in exceptional circumstances), the health professionals should undertake a suitable and sufficient risk assessment and put in place appropriate controls, taking into account PHE advice on coronavirus.

**Exposure to substances hazardous to health** -With reference to [Control of Substances Hazardous to Health Regulations 2002 \(COSHH\)](#), regulation 11, periodic health surveillance can be conducted remotely through health questionnaires and periodic medical surveillance (Schedule 6) can be carried out by telephone consultations. -A full assessment can be **deferred for up to 6 months**. -**However, if the worker has problems**, further assessment can take place by a **telephone or video consultation, or a face to face examination**. - Workers who have previously had a full assessment deferred for 3 months, in accordance with HSE guidance issued on 20 March 2020, the full assessment can be further deferred **for up to 3 months** without reviewing the worker again. -For new workers, a full assessment can be deferred for up to 6 months if there are no problems.

**Exposures to Asbestos** - With reference to [Control of Asbestos Regulations 2012 \(CAR\)](#), a **respiratory symptom questionnaire** for periodic medical surveillance can be administered remotely for employees carrying licensed work with asbestos. -**A new medical certificate can be issued for up to 6 months**. - If there are any problems, they can be **assessed further by telephone consultation, and in a face to face examination** if it is considered justified. -Workers who have previously had full assessment deferred for 3 months, in accordance with HSE guidance issued on 20 March 2020, the full assessment can be **further deferred for up to 3 months** without reviewing the worker again. A new medical certificate should be issued. -A respiratory symptom questionnaire can be administered remotely also **for new workers** and a medical certificate can be issued for up to 6 months. -This guidance applies to both workers carrying licensed and non-licensed work with asbestos.

**Exposure to ionizing radiation** -With reference to [Ionizing Radiations Regulations 2017 \(IRR\)](#), periodic medical surveillance of classified persons can be conducted **by a paper review**. -For **high-risk radiation workers**, such as industrial radiographers, or those **classified persons at the end of the 5-year cycle** where a face to face review is planned, a **telephone consultation** can be carried out. -A face to face review can be **deferred up to 6 months** if the worker has no problems. -Workers who have previously had full assessment deferred for 3 months, in accordance with HSE guidance issued on 20 March 2020, the full assessment can be **further deferred for up to 3 months** without reviewing the worker again. -If there are problems, further assessment can take place by **video consultation, or face to face examination**. -**For new workers who have not previously been classified persons**, an appointed doctor will assess fitness on a case by case basis and consider whether enough information could be obtained using **video consultation**. A full assessment can be deferred for up to 6 months but in case there are problems, a face to face examination can take place if considered justified. -For those who (1) have **worked previously as a classified person**, (2) are returning to work with ionising radiation and(3) have had a face to face review within the last 4 years, a telephone consultation can be conducted to review their medical records and detect any new health problems. If the employee has not had a face to face review in the last 4 years, the guidance for new workers should be followed.

**Exposure to Lead** -With reference to [Control of Lead at Work Regulations 2002 \(CLAW\)](#), periodic medical



surveillance can be carried out through **telephone consultations**. -The full assessment can be **deferred for up to 6 months** if the worker has no problems. **-If there are problems**, further assessment can take place by face to face examination if considered justified. -Workers who have previously had full assessment deferred for 3 months, in accordance with HSE guidance issued on 20 March 2020, the full assessment can be **further deferred for up to 3 months** without reviewing the worker again. -If the worker has not been exposed to lead for several weeks, for example, if they have not been in work, their **blood lead levels should be checked within 4-6 weeks of resuming work with lead**. -For new workers, baseline blood lead and haemoglobin levels should be obtained before the individual starts work for the first time with lead, and in any event not later than 14 days after first exposure. If there are no problems, a full assessment can be deferred **for up to 6 months**.

**Exposure to noise** -With reference to [Control of Noise at Work Regulations 2005](#), **audiometry can be deferred for up to 6 months**, if the worker does not identify any relevant problems. -If there are problems a telephone consultation, or a face to face examination if considered justified, can be carried out. -For workers who have previously had audiometry deferred for 3 months, in accordance with HSE guidance issued on 20 March 2020, the audiometry can be further deferred for up to 3 months.

**Exposure to vibration** - With reference to [Control of Vibration at Work Regulations 2005](#), questionnaires for health surveillance can be administered remotely. -A telephone consultation, or a face to face examination if considered justified, can be carried out if there are problems.

**Safety Critical Medicals** -Depending on the role of the worker, an **assessment by telephone or video consultation** can be administered, and face to face medical examinations can be deferred unless considered justified. **-Fitness to work certificates can be issued restricted**, for example by duration, until a face to face medical can be conducted.



## 3. Latin America

### ARGENTINA

#### Argentina has extended the lockdown until 17 July 2020 under stricter conditions

**Abstract:** Until 17 July 2020, Argentina has reimposed a stricter lockdown in the Metropolitan Area of Buenos Aires and some specific areas while the lockdown has been eased in the rest of the country with social distancing measures in place. This follows from Decree 576/2020, that reimposes a strict lockdown in areas where cases continue to increase. Among others, the Decree only allows a total of 30 essential and exempted activities (such as healthcare workers and some specific industries) in the affected areas.

**Business Impact:** If the company operates in the Metropolitan Area of Buenos Aires or in some specific areas (such as Chaco province and Neuquén urban area) and does not carry out any of the activities classified as essential or expressly exempted (such as food or pharmaceutical industries, waste collection, transport, and treatment), it must continue with the cease of its operations until 17 July 2020. The company can remain operational remotely, if possible.

In addition, if the company carries out any of the exempted activities that are not essential (such as the manufacture of products for export), it must provide private means of transport to its workers.

Nonetheless, if the company operates in any other area, it may be able to resume its activities, subject to local authorities' decisions. Among others, the company will have 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.

**Analysis: Actionable requirements** If the facility carries out non-essential operations (such as food or pharmaceutical industries) in the Metropolitan Area of Buenos Aires or specific areas under lockdown (such as Chaco province, or Neuquén urban area), it remains shut down until 17 July 2020. If the facility carries out exempted activities (such as industries with continuous manufacturing processes that cannot be interrupted without harming the machinery) in the Metropolitan Area of Buenos Aires or specific areas under lockdown (such as Chaco Province, or Neuquén urban area), it complies with the industry specific sanitary protocols. If the facility carries out exempted activities (such as industries with continuous manufacturing processes that cannot be interrupted without harming the machinery) in the Metropolitan Area of Buenos Aires or specific areas under lockdown (such as Chaco Province, or Neuquén urban area), it provides private means of transport to its workers. In addition, if the facility carries out its activities in areas where the lockdown has been eased, it complies with the social distancing measures (such as ensuring a distance of at least 2 meters between employees) and complies with the sanitary protocols approved by the local authorities. **What has changed?** Decree 576/2020 extends the lockdown and reimposes stricter conditions in the Metropolitan Area of Buenos Aires (*Área Metropolitana de Buenos Aires -AMBA*) and some other specific areas (such as Chaco province and Neuquén urban area), where the number of COVID-19 cases continue to increase. The Decree also keeps the social distancing measures in the rest of the country, where further industrial and commercial activities are authorized, under the implementation of sanitary protocols. **Additional Information** On 29 June 2020, the Argentine government published Decree 576/2020 which reimposes a stricter lockdown in some areas until 17 July 2020. The lockdown was previously announced until 28 June 2020.

The lockdown has become more stringent in the Metropolitan Area of Buenos Aires (AMBA), includes the City of Buenos Aires and 40 municipalities of the Buenos Aires province, including, among others:

Moreno;

Pilar;

Quilmes;

La Plata; and

General San Martín.

Moreover, the lockdown has also become stricter in the following areas:

Chaco province

General Roca department in Río Negro province; and  
Neuquén urban area in Neuquén province.

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

keep a physical distance of at least 2 meters;

wear face masks;

wash their hands regularly;

cough on their elbows;

disinfect surfaces of common use regularly; and

ventilate closed environments.

In addition, companies carrying out industrial and commercial activities in these areas must comply with the sector protocol specific to their activities and restrict the attendance to closed environments to 50% of their capacity. Moreover, they must ensure that in common areas (such as changing rooms, canteens, offices, and meeting rooms), there is a distance of at least 2.25 meters between employees.

[Decree 576/2020, reimposing a strict lockdown in some areas of Argentina](#), is available online in Spanish.

## BOLIVIA

### Bolivia has extended the lockdown under dynamic conditions until 31 July 2020

**Abstract:** Until 31 July 2020, Bolivia has extended the lockdown with dynamic conditions. This follows from Decree 4276 of 2020, which extends the lockdown in Bolivia due to increase in the number of COVID-19 cases. The lockdown is extended under dynamic condition, meaning that the restrictions vary depending on the epidemic situation of different areas. The lockdown was previously announced until 30 June 2020.

**Business Impact:** If the company carries out essential or exempted activities, it must comply with sanitary protocols issued by the local authorities, work on continuous and uninterrupted shifts, and take the necessary measures to avoid crowds at the entrance and exit of the facility. If the company does not carry out essential activities (such as food, oil and gas, or pharmaceutical industries) or activities exempted by the local authority, it must remain shut down until 31 July 2020.

#### Analysis: New actionable requirements

If the company facility carries out non-essential activities or non-exempted activities (such as food, oil and gas, or pharmaceutical industries) or activities exempted by the local authorities, it remains shut down until 31 July 2020.

#### What has changed?

On 29 June 2020, the Bolivian government published Supreme Decree 4276 of 2020, which extends the lockdown until 31 July 2020. Facilities carrying out essential and exempted activities can continue to operate with the condition that they comply with industry-specific sanitary protocols, maintain physical distance at the workplace, and wear facemasks.

In addition, Decree 4276 of 2020 has not changed any provisions applicable to facilities allowed to be operating under the previous Decrees (please mention those Decree with the link). These facilities must continue to comply with the following existing requirements, among others:

adhere to the industry-specific sanitary protocols;

operate on continuous and interrupted shifts; and

prevent and manage crowd gathering at the facility entrance and exit point.

#### Additional information

Decree 4276 of 2020 extends the lockdown under the same conditions as previously set out by [Decree 4245 of 2020](#). While keeping the general restrictions countrywide, the Decree allows local authorities to make decisions for easing the lockdown in their territories, depending on the local epidemiological situation. Nonetheless,

depending on the evolution of the pandemic and the number of cases, the national authority is entitled to declare again a total lockdown of certain territories.

According to Decree 476 of 2020, the following activities continue to be exempted from the lockdown countrywide, among others:

industrial, manufacturing, agricultural, forest, and wood sectors;  
mining; and  
construction related industries.

In addition, the following preventive measures must be respected countrywide:

physical distance of at least 1.5 meters;  
mandatory use of face masks;  
the use of 70% alcohol solutions or gel alcohol for disinfecting; and  
regular hands washing.

Finally, the decree continues to impose the following restrictions countrywide:

closure of water, air and land borders;  
suspension of international flights;  
suspension of in-class teaching at all educational levels; and  
suspension of cultural, public, political and sportive events, or any other events generating crowds.

[Supreme Decree 4276 of 2020, extending the lockdown until 31 July 2020](#), is available online in Spanish.

## COLOMBIA

### Colombia has extended the lockdown until 15 July 2020

**Abstract:** Until 15 July 2020, Colombia continues under lockdown. This follows from Decree 878 of 2020 that extends the lockdown in the country due to increase in the number of COVID-19 cases. Among others, during the lockdown movement is restricted, and only essential and expressly activities are allowed to remain operational, subject to implementation of sanitary protocols.

**Business Impact:** If the company carries out non-essential activities or non-exempted activities, it must remain shut down until 15 July 2020 and only continue with its operations remotely, if possible. Food, pharmaceutical and manufacturing industries, among others, are considered expressly exempted activities. In addition, if the company carries out essential or exempted activities, it must comply with the sanitary protocols issued by the Ministry of Health and Social Protection. Moreover, if the company operates in an area with a low number of COVID-19 cases, it is likely to be allowed to resume its activities, subject to the authorization of the local authority.

**Analysis: New actionable requirements** If the company carries out non-essential or non-exempted activities, it remains shut down until 15 July 2020, or continues its operations remotely. In addition to the new requirement, Decree 878 of 2020 has not changed existing requirements applicable to facilities carrying out essential or exempted activities during the lockdown. These facilities must continue complying with the corresponding sanitary protocol approved by the Ministry of Health and Social Protection **What has changed?** Decree 878 of 2020 extends the lockdown until 15 July 2020, under the same conditions as in [Decree 749 of 2020](#). The lockdown was previously announced until 1 July 2020. **Additional information** As established in Decree 749 of 2020, Decree 878 of 2020 continues to impose restrictions on movement and commercial and industrial activities. Among others, the following activities continue to be exempted from the lockdown:

healthcare services;  
pharmaceutical industry;  
manufacture of essential need products and food industry;  
agricultural activity;  
construction sector; and  
manufacturing industries.

In addition, the following activities continue to be forbidden during the lockdown:

public or private events involving crowds;  
restaurants and cinemas; and  
group sports;

Finally, companies operating in areas that have no cases or contagion of COVID-19, may be allowed to resume their activities, subject to the authorization of local authorities. [Decree 878 of 2020, extending the lockdown until 15 July 2020](#), is available online in Spanish.

## SÃO PAULO

### Companies to use self-declaration to obtain a sanitary license during the state of public calamity, resulting from the COVID-19 pandemic

**Abstract:** As of 8 May 2020, until the state of public calamity remains in place, companies that produce or import products of health interest, operating in the State of São Paulo, can obtain a sanitary license to start its operations through self-declaration (*autodeclaração*). The Health Secretariat (*Secretária de Saúde - SS*) exceptionally allows the use of the self-declaration in the sanitary licensing procedure to speed up the process during the COVID-19 pandemic.

**Business Impact:** If a company manufactures antiseptic preparations or sanitizers; or if it produces or imports medical devices identified as priorities for use in health services during the COVID-19 pandemic, such as surgical masks, particulate filtering respirators N95, among others, it must apply for a sanitary license electronically through self-declaration.

**Analysis:** On 7 May 2020, the Health Secretariat (*Secretaria de Saúde - SS*) issued [SS Resolution 64](#), providing for self-declaration (*autodeclaração*) as a mechanism to speed up the process for companies producing, importing, acquiring, or commercializing products of health interest to obtain a sanitary license during the COVID-19 pandemic. The extraordinary measures adopted in the context of the State System of Sanitary Surveillance (*Sistema Estadual de Vigilância Sanitária - Sevisa*) are related to the exceptions provided by the National Sanitary Surveillance Agency (*Agência Nacional de Vigilância Sanitária - ANVISA*) ANVISA [Resolutions 350 of 19 March 2020](#) and [356 of 23 March 2020](#) on the Federal level. SS Resolution 64/2020 came into force on 8 May 2020. According to SS Resolution 64/2020, companies subject to less strict sanitary requirements as per the ANVISA RDC Resolutions 350/2020 and 356/2020, such as the ones producing priority medical equipment (face masks) or manufacturing sanitizers, can obtain a sanitary license applicable to operations at the State of São Paulo via self-declaration. The exception of SS Resolution 64/2020 applies to companies benefiting from the ANVISA exemptions, such as being released from the requirement of obtaining prior authorization from ANVISA to conduct their activities, during the COVID-19 pandemic, in particular to the ones manufacturing or commercializing antiseptic preparations or sanitizers, such as ethyl alcohol 70% (p/p) and alcohol gel, and producing, acquiring or importing medical devices identified as priorities for use in health services during the COVID-19 pandemic (such as surgical masks, particulate filtering respirators N95, PFF2 or equivalent, protective glasses, face shields among others). **Self-Declaration** According to SS Resolution 64/2020, the self-declaration mechanism is exceptional and provisional. Still, it does not exempt companies from complying with good practices of production, manipulation, and hygiene. Even though the objective of SS Resolution 64/2020 is to speed up the sanitary licensing procedure, the self-declaration procedure does not prevent the public authorities to conduct inspections without prior notice. By applying for a sanitary license through the self-declaration, the company's legal and technical representatives are not exempted from any obligations or liabilities (on the civil, administrative, and criminal levels) before the public authorities and the sanitary regulations, regarding the activities performed. In addition to the Self-Declaration mechanism, SS Resolution 64/2020 also establishes that during the calamity state, the Sanitary Surveillance Center (*Centro de Vigilância Sanitária - CVS*) can issue ordinances and technical norms regulating existing legislation on services and products of health interest. CVS





ordinances can also establish the criteria for registration through self-declaration and inspection of the establishments.



## 4. Asia & Oceania

### AUSTRALIA

#### Employers may refer to the COVID-19 Guidance on the safe transition back to the workplace after the pandemic restrictions

**Abstract:** Beginning 4 June 2020, employers can refer to the COVID-19 Guidance for developing and implementing plans for a safe transition back to the workplace. This follows from the circulation of the COVID-19 Guidance. The Guidance provides workplace health and safety recommendations that employers can follow to ensure employees' health and safety upon return to work.

**Business Impact:** The company can refer to the COVID-19 Guidance for preparing and planning employees' safe transition back to the workplace. The company should develop and implement a transition plan for returning employees which should align with the company's circumstances. In particular, the plan should align with: easing of other restrictions across the economy; broader government policy and health advice; physical distancing guide; and the COVID-19 Safe Workplace Principles.

The Guidance also suggests that the company should consider incorporating the following measures in their transition plans:

current advice from the Department of Health, Safe Work Australia, Comcare, and state and territory authorities, including appropriate physical distancing measures in workplaces, personal and physical workplace hygiene practices and how workers are supported in adhering to this advice;

work health and safety implications and obligations under both the transition back to the usual workplace and work from home arrangements; and

workplace attendance arrangements where physical distancing in the workplace cannot be maintained - for example, rostering workers to work from the office or home on different days or alternative weeks or facilitating more flexible start and finish times.

**Analysis:** On 4 May 2020, the Australian Government (Comcare) circulated the COVID-19 Guidance ("Guidance") to help employers develop and implement plans for safely transitioning back to the workplace as lockdown restrictions ease. The Guidance includes workplace health and safety measures such as maintaining 'COVIDSafe sites' through physical distancing, good personal hygiene, and cleaning regimes. The Guidance encourages employers to focus transition plans on the continued delivery of critical functions as well as to ensure workplace safety for workers. Since any single approach to transition back to the workplace is not practical for all facilities, the Guidance recommends each facility's transition plans to be tailored to their respective circumstances. In particular, the plan needs to align with:

broader government policy and health advice

easing of other restrictions across the country

broader government policy and health advice

physical distancing guide, and

the COVID-19 Safe Workplace Principles.

In addition, the Guidance recommends that employers that cannot maintain physical distancing in the workplace consider modifying attendance arrangements in the workplace. For example, employers can consider rostering workers to work from the office or home on different days or alternative weeks, or facilitating more flexible start and finish times. All strategies adopted in the workplace should extend to supporting workers who need to work from home through regular check-ins, team catch-ups, teleconferences, and other virtual mechanisms to maintain regular communication between employers and employees. **Considerations for employers** The Guidance suggests that employers should consider incorporating the following measures in their transition plans. These include:

adhering to current advice from the Department of Health, Safe Work Australia, Comcare, and state and territory authorities, including appropriate physical distancing measures in workplaces, personal and physical workplace hygiene practices and how workers are supported in adhering to this advice  
assessing whether some workers or categories of workers have a greater need to be in the workplace than others and as such should be prioritized  
considering ongoing work health and safety implications and obligations under both the transition back to the usual workplace and work from home arrangements  
modifying workplace attendance arrangements where physical distancing in the workplace cannot be maintained - for example, rostering workers to work from the office or home on different days or alternative weeks or facilitating more flexible start and finish times, and  
taking into consideration the personal circumstances of the workers such as whether they have been classified as a vulnerable worker such as a 65-year-old worker with one or more chronic medical conditions and workers with a compromised immune system.  
The [COVID-19 Guidance](#) can be found online.

## HONG KONG

### The government extends the ban on the public gatherings of more than 50 persons from 3 July 2020 to 16 July 2020

**Abstract:** From 3 July 2020 to 16 July 2020, companies are allowed to hold a group gathering even up to 50 persons in any public places amid the COVID-19 pandemic. The prohibition on the number of group gatherings does not apply to the exemption activities like transportation, work, or special meeting required by law.

**Business Impact:** If the company has facilities in Hong Kong, it must note that the ban on public gatherings of more than 50 persons has been extended from 3 July to 16 July 2020, except for work or specific meetings required by law. The company still needs to note that the offence to the prohibition, including each individual participating in the public gather, is subject to a fine and imprisonment of six months.

**Analysis: Actionable Requirements** The facility does not hold public gatherings of more than 50 people in any public places from 3 July 2020 to 16 July 2020 to prevent the spread of diseases (COVID-19) unless the event belongs to exempted group gatherings, such as work or a group gathering approved by the Secretary for Food and Health.

**What Has Changed** The [Prevention and Control of Disease \(Prohibition on Group Gathering\) Regulation \(G.N. \(E.\) 70 of 2020\)](#) (預防及控制疾病(禁止羣組聚集)規例) (2020年第70號號外公告)) extends the ban on the public gathering from **3 July 2020 to 16 July 2020**. The G.N. (E.) 70 of 2020 follows the [Prevention and Control of Disease \(Prohibition on Group Gathering\) Regulation \(Cap. 599G\)](#) (預防及控制疾病(禁止羣組聚集)規例) (the "Regulation") that sets forth a ban on group gatherings in any public place to prevent the spread of coronavirus disease (COVID-19). The prohibition does not apply to certain exempted group gatherings, such as group gathering for the purposes of transportation, performing governmental functions, work, or special meetings required by law.

**Additional Information** *Public place* means a place to which the public or a section of the public may or are permitted to have access from time to time, whether by payment or otherwise. Under the [Prevention and Control of Disease \(Prohibition on Group Gathering\) Regulation \(Cap. 599G\)](#), the ban does not apply to exempted group gathering specified in Schedule 1 or a group gathering that is permitted by the Chief Secretary (Secretary for Food and Health). Examples of exempted group gatherings prescribed in Schedule 1 include:  
for the purposes of or related to transportation;  
at a place of work for the purposes of work; or  
group gathering during any of the following meetings at which no food or drinks is served and, in the case of a

group gathering of more than 50 persons, ensures are in place for separating them in different rooms or partitioned areas, each accommodating not more than 50 persons-  
a meeting of a body that must be held within a specified period in order to comply with any Ordinance or other regulatory instrument that governed the operation of the body or its business;  
a shareholders' meeting of a company listed on a recognized stock market (as defined by section 1 of Part 1 of Schedule 1 to the Securities and Futures Ordinance (Cap. 571)) that is held in accordance with any Ordinance or other regulatory instrument that governs the operation of the company or its business  
The offence to the regulation, including each person participating in the group gathering, is subject to a fine and imprisonment for six months.

## JAPAN NATIONAL

### Deadline for applying for safety inspections on the power magazines and Specified Facilities has been postponed for 4 months

**Abstract:** As of 26 June 2020, facilities owning or occupying power magazines (火薬庫) or Specified Facilities (特定施設) are provided with postponed deadlines for applying for the safety inspections (保安検査) conducted by the Minister of Economy, Trade, and Industry or the Prefectural Governor.

**Business Impact:** If the company is subject to the safety inspection for its power magazines (火薬庫) or Specified Facilities (特定施設) and is required to apply for the safety inspection between 1 June and 30 September 2020, it now has 4 months more to submit such application due to the COVID-19 epidemic. Moreover, the company should be aware that some pyrotechnics (such as current emergency circuit breakers (電流緊急遮断器)) are now exempted from the regulation of Explosives Control Law.

**Analysis: Actionable Requirements** The [Amendment to the Enforcement Ordinance of Explosives Control Law and Others](#) (火薬類取締法施行規則等の一部を改正する省令) introduces no new requirements on facilities.

Facilities owning or occupying power magazines (火薬庫) or Specified Facilities (特定施設) continue to be required to undergo safety inspections (保安検査) on the power magazines and Specified Facilities conducted by the Minister of Economy, Trade, and Industry or the Prefectural Governor. **What has changed** In principle, the abovementioned facilities must submit the application for the safety inspection within 11 months from the date of receiving the certificate of the previous inspection. However, due to the impact of the COVID-19 epidemic in Japan, the deadline for submitting such application is postponed. More specifically, if in principle, for a facility, the deadline for submitting the application for the safety inspection is due between 1 June and 30 September 2020, such deadline is now postponed for 4 months. The Public Notice on announcing the postponed deadline is available [here](#). **Additional Information** Specified Facilities include:

Dangerous workshop (危険工室: that is, a workshop with the danger of explosion or combustion);  
Explosives, etc. temporary storage;  
sun drying area;  
workshop for deactivating unexploded bombs;  
mobile manufacturing facilities; and  
workshop for mobile manufacturing facilities.

Moreover, the [Amendment to the Public Notice on Designating Pyrotechnic Exempted from the Explosives Control Law](#) (火薬類取締法の適用を受けない火工品を指定する告示の一部を改正する件) updates the list of pyrotechnics (火工品) that are exempted from the regulation of Explosives Control Law. The newly added pyrotechnics that are exempted from the regulation of Explosives Control Law include, for example, current emergency circuit breakers (電流緊急遮断器) and parachute opening device for drones.

## 5. Middle East & Africa

### GHANA

#### Facilities are subject to workplace inspections for their compliance with COVID-19 mitigation protocols

**Abstract:** Effective 1 July 2020, the Ministry of Employment and Labour ("MELR") will randomly inspect offices, shops and factories nationwide, to ensure workplace enforcement of COVID-19-responsive protocols outlined by the government, the World Health Organization and Ghana's health services. By the time of inspection, MELR inspectors envisage a workplace having completed a COVID-19-responsive risk assessment as well as a communication plan, among other protocols.

**Business Impact:** As of 1 July 2020, the company's work premises are subject to unannounced inspections by authorized officers from the Ministry of Employment and Labour ("MELR"). According to the MELR, it will verify whether the company has a number of COVID-19-responsive protocols and measures in place including physical distancing, the use of face coverings, an isolation room for quarantining workers who fall sick on the work premises, a risk assessment and a response plan.

**Analysis:** On 26 June 2020, the Ministry of Employment and Labour ("MELR") released a [press statement announcing random inspections of workplaces to ensure compliance with COVID-19 protocols](#) ("Statement"). According to the Statement, beginning 1 July 2020, all factories, shops and offices are subject to unannounced inspections based on COVID-19 workplace [guidelines](#) released by the National Tripartite Committee ("NTC") on 28 April 2020. **COVID-19 Protocols subject to inspection** During unannounced inspection visits, the MELR will request from employers:

- a Statement of management's commitment and responsibilities to reduce the risk of COVID-19 at a particular workplace;
- a Response Plan indicating preparedness for COVID-19 prevention at the workplace;
- evidence of regular consultation of occupational health services, local public health authorities and other partners to promote and develop informational materials and other technical advice to prevent risk of exposure;
- a workplace system to provide reliable information on emerging situations of COVID-19;
- a Monitoring and Evaluation mechanism for COVID-19 prevention;
- a Risk Assessment of potential interaction between workers and non-workers in the workplace;
- evidence of training of management and workers on the correct use, maintenance and disposal of Personal Protective Equipment ("PPE");
- evidence of communication between management, workers and workers' representatives or over the phone;
- evidence of physical distancing during meetings;
- an isolation room for persons who develop COVID-19 symptoms in the workplace, while awaiting transfer to an appropriate health facility; and
- evidence of arrangements for disinfection of the workplace.

#### Background

The National Tripartite Committee (NTC) was formed under the [Labour Act, 2003 \(Act 651\)](#) and is composed of the Minister of Employment and Labour Relations (who doubles as its Chairman) and other government representatives, as well as representatives from the Ghana Employers Association and Organised Labour. One of the NTC's functions is to advise on occupational health and safety issues.

On 28 April 2020, the NTC agreed on the following [workplace safety guidelines](#) ("Guidelines") for employers:

- the provision of appropriate PPE to employees;
- the establishment of a Safety Committee in the workplace to deal with COVID-19 issues;
- the appointment of a Focal Person to educate workers and liaise with health professionals;
- the enablement of social distancing in the workplace;
- collaboration with unions to help ensure workers' compliance with COVID-19 prevention protocols; and



the enforcement of the wearing of face coverings in the workplace.

The Guidelines, which have only recently been made public, also envisage MELR inspections of workplaces to ensure that COVID-19 protocols are being followed. According to the MELR, there has been a recent sharp rise in COVID-19 cases in workplaces, which has necessitated unannounced inspections.







## E. July 1, 2020



## 1. The US & Canada

### US FEDERAL

#### OSHA issues guidance to assist in reopening non-essential businesses during the evolving COVID-19 pandemic

**Abstract:** On 18 June 2020, the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) issued a guidance for employers and employees to assist in reopening non-essential businesses. The guidance provides recommendations and best practices; however, companies should follow any applicable state or local regulations regarding reopening.

**Business Impact:** If the company is a non-essential business during the COVID-19 pandemic, it should review the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) guidance when developing its reopening plan. OSHA's guidance provides general strategies for basic hygiene, social distancing, identification and isolation of sick employees, workplace controls and flexibilities, and employee training. The company should use OSHA's guidance in conjunction with any state or local requirements for reopening businesses.

**Analysis:** On 18 June 2020, the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) issued a guidance to assist employers and workers in safely reopening non-essential businesses and returning to work. OSHA's guidance can be used as a guideline in developing a reopening plan; however, companies should follow any applicable state or local regulations related to reopening their business.

**Planning for Reopening** While companies must follow any applicable state or local requirements in their reopening plan, OSHA provided general strategies employers should continue to focus on strategies for basic hygiene, social distancing, identification and isolation of sick employees, workplace controls and flexibilities, and employee training. During Phase 1, companies should consider making telework available, wherever possible. For companies that return to the workplace, they should consider limiting the number of people in the workplace. During Phase 2, companies should make telework available, wherever possible; however, non-essential business travel can resume. Companies can begin to ease the limits on the number of people in the workplace; however, companies should continue to maintain social distancing practices. During Phase 3, companies could resume unrestricted staffing or worksites. Overall, reopening plans should address the following: - hazard assessment; - hygiene; - social distancing; - identification and isolation of sick employees; - returning to work after illness or exposure; - controls (e.g., engineering and administrative controls, work safety practices, and personal protective equipment (PPE)); - workplace flexibilities (e.g., telework and sick leave); - training; and - anti-retaliation. **Applicable OSHA Standards** OSHA has identified 6 standards, in addition to the General Duty Clause, that apply to businesses reopening as shelter-in-place and stay-at-home orders begin lifting. While covered employers are always responsible for complying with all applicable OSHA requirements, the standards that OSHA identified are: - PPE (29 CFR 1910.132); - respiratory protection (29 CFR 1910.134); - sanitation (29 CFR 1910.141); - hazard communication (29 CFR 1910.1200); - access to employee exposure and medical records (29 CFR 1910.1020); and - recording and reporting occupational injuries and illnesses (29 CFR 1904). OSHA identifies the requirements for PPE, respiratory protection, and sanitation as especially relevant for preventing the spread of COVID-19.

**More Information** OSHA's [Guidance on Returning to Work](#) is available online. Companies can find more information on OSHA's COVID-19 website.

## MASSACHUSETTS

### Governor Baker announces the start of Phase II, Step 2 and more businesses can open under sector-specific safety standards

**Abstract:** Effective 22 June 2020, Massachusetts will enter Phase II, Step 2 of the COVID-19 reopening plan. Phase II, Step 2 allows offices to operate at 50 percent capacity and restaurants to provide indoor table service, provided that facilities comply with all the Phase II mandatory general safety standards and any applicable sector-specific safety standards.

**Business Impact:** Effective 22 June 2020, if the company is considered a Phase II, Step 2 business, it can reopen provided that it complies with all the mandatory general safety standards and any applicable sector-specific safety standards.

**Analysis: Actionable Requirements Existing:** -If the facility is permitted to be open during Phase II of the COVID-19 reopening plan, it operates its physical workspace according to the Phase II restrictions, such as limited occupancy and sanitation requirements. **New:** - If the facility is a Phase III or Phase IV business under the COVID-19 reopening plan, it closes its brick-and-mortar facility to workers, customers, and the public until authorized to open.

**What has changed?** Effective 22 June 2020, under Executive Order 37 (EO-37), the existing requirements are amended to now allow Phase II, Step 2 businesses to reopen in addition to essential businesses, Phase I businesses, and Phase II, Step 1 businesses, as long as they follow the Phase II safety restrictions. EO-37 also restricts Phase III and Phase IV businesses from opening until a subsequent order authorizes the next phase of reopening in the state.

**Additional Information** Phase II, Step 2 allows the following businesses to operate: - indoor table service at restaurants; - close contact personal services, with restrictions; - retail dressing rooms, by appointment only; and - offices, at 50 percent capacity. **Phase II Restrictions** To open, and remain open, Phase II, Step 2 businesses must follow general COVID-19 workplace safety rules and any applicable sector-specific rules. Before opening, businesses must: - bring the workplace into full compliance with all general COVID-19 safety rules and all sector-specific rules; - complete the self-certification to verify compliance with the general and sector-specific COVID-19 rules; and - post on the premises all public notices and advisories that are required. **Mandatory Safety Rules for All Workplaces** The mandatory general workplace safety rules include, but are not limited to: - establishing protocols to ensure that employees can practice adequate social distancing; - requiring face coverings or masks for all employees; - providing handwashing capabilities throughout the workplace; - training employees regarding the social distancing and hygiene protocols; and - establishing and maintaining cleaning protocols specific to the business. A full list of the mandatory rules can be found [online](#). **Sector-Specific Rules** Businesses must also follow the applicable sector-specific rules to open during Phase II and remain open. For example, sector-specific rules for Phase II, Step 2 office facilities include, among others: - limiting occupancy within their office space to no more than 50 percent of either (a) the maximum occupancy level specified in any certificate of occupancy or similar permit or as provided for under the state building code or (b) the business or organization's typical occupancy as of 1 March 2020; - ensuring separation of 6 feet or more between individuals, unless this creates a safety hazard due to the nature of the work or the configuration of the workspace; - limiting meeting sizes, ensuring 6 feet of social distancing during meetings, and encouraging remote participation; - ensuring access to handwashing facilities on site, including soap and running water, wherever possible and encourage frequent handwashing; alcohol-based hand sanitizers with at least 60 percent alcohol may be used as an alternative; - supplying workers at workplace location with adequate cleaning products (e.g., sanitizer, disinfecting wipes); - establishing and communicating a worksite specific COVID-19 Prevention Plan for all office locations; - conducting frequent cleaning and disinfection of site (at least daily and more frequently if feasible); and - keeping cleaning logs that include date, time, and scope of cleaning. For sectors that do not have a specifically listed guidance, the facility can follow the [Safety Standards and Checklist: Sectors Not Otherwise Addressed](#). These standards establish minimum standards for any business that is permitted to reopen but is not specifically addressed by sector-specific COVID-19 safety standards. For example, businesses must: - separate

workstations that cannot be separated by 6 feet or more with physical partitions; - close or reconfigure worker common spaces and high-density areas where workers are likely to congregate (e.g., break rooms, eating areas) to allow social distancing; - ensure access to handwashing facilities on site, including soap and running water, and allow sufficient break time for workers to wash hands frequently (alcohol-based hand sanitizers with at least 60 percent alcohol may be used as an alternative); - provide regular sanitation of high-touch areas, such as workstations, equipment, screens, doorknobs, restrooms throughout the workplace; and - provide training to workers on up-to-date safety information and precautions, including hygiene and other measures aimed at reducing disease transmission. The sector-specific standards, including checklists, can be found [online](#).

**More Information** [EO-37](#) is available online. More information on the [general standards](#) and [sector-specific standards](#) can be found on [Mass.gov](#).

## NEW HAMPSHIRE

### Companies must comply with workplace safety standards as the state opens up

**Abstract:** All businesses that are conducting in-person operations must comply with workplace safety guidelines, established in Emergency Order #52, to protect their workers and customers from the COVID-19. Among other things, companies must require all employees who are sick or not feeling well to stay home and develop a process for screening all employees reporting for work for COVID-19 related symptoms. New Hampshire also established industry-specific safety guidelines that include standards for manufacturing operations and retail businesses.

**Business Impact:** Effective 16 June 2020, if the company conducts in-person operations in New Hampshire, the company must comply with the Universal Business Guidelines and Industry Specific Guidelines for Businesses established by the New Hampshire Emergency Order #52. Among other things, the company must develop a process for screening all employees reporting for work for COVID-19 related symptoms, instruct the employee, who is screened to have COVID-19 symptoms, to leave the premises immediately, and plan for potential COVID-19 cases. The company must continue to comply with guidelines until 1 August 2020.

**Analysis: Actionable Requirements** All businesses operating in New Hampshire must comply with the Universal Business Guidelines. The Universal Business Guidelines require businesses to:

Require all employees who are sick or not feeling well to stay home;

Develop a process for screening all employees reporting for work for COVID-19 related symptoms;

Instruct the employee, who is screened to have COVID-19 symptoms, to leave the premises immediately and seek medical help;

Promote frequent hand hygiene;

Provide alcohol-based hand sanitizer;

Implement workplace cleaning and disinfection practices;

Implement social distancing and other appropriate measures to mitigate exposures such as modifying schedules;

Allow employees to work from home;

Plan for potential COVID-19 cases;

Update the employee illness policy; and

Communicate with employees and customers about steps being taken to prevent the spread of COVID-19 in the workplace.

Businesses operating manufacturing facilities in New Hampshire must comply with the Industry Specific Guidelines for Businesses related to manufacturing operations. Workplace safety standards for manufacturing facilities include:

Adjusting manufacturing processes to build in social distancing;

Staggering shifts, breaks, and meals;

Providing training for employees about workplace safety standards;



Following CDC guidance for business and employers to plan; and  
Requiring sanitization of equipment and/or workspace areas in the beginning, middle, and end of each shift.  
Businesses operating retail facilities in New Hampshire must comply with Industry Specific Guidelines for Businesses related to retail businesses. Workplace safety standards for retail business include:  
Requiring all staffs to wear face coverings at all times even if other individuals are not present;  
Providing alcohol-based hand sanitizer;  
Staggering shifts, breaks, and meals;  
Providing training for employees about workplace safety standards;  
Implementing screening procedures for COVID-19 related symptoms;  
Limiting the number of customers inside a store at a given time; and  
Assigning staff to monitor social distancing.  
The list of actionable requirements is not exhaustive.

### What has changed?

The listed workplace safety standards are introduced for the first time.

On 16 June 2020, the New Hampshire Governor Chris Sununu issued an Emergency Order #52 to establish COVID-19 Universal Business Guidelines and Industry Specific Guidelines for Businesses was established. Companies operating in New Hampshire must comply with the Emergency Order and attached guidelines until 1 August 2020. **More Information** Emergency Order #52 is available [here](#). Universal Business Guidelines are available [here](#). Industry Specific Guidelines for Businesses are available [here](#).

## NEW YORK

### Food establishments in certain regions can provide food and beverage for on-premises consumption after complying with reopening requirements and developing a COVID-19 Safety Plan

**Abstract:** Effective 12 June 2020, companies that own or operate food establishments, such as business cafeterias and onsite canteens, must determine whether they are permitted to reopen indoor spaces for food consumptions. If allowed to open indoor spaces, companies must review and comply with the reopening guideline for food services. Companies located in regions that have not yet entered Phase 3 must continue to prohibit on-premises consumption of food and beverage.

**Business Impact:** If the company owns or operates any food establishment, such as a business cafeteria or onsite canteen, in a region that has entered Phase 3 of the regional phased reopening plan, it is now permitted to provide food or beverage for on-premises consumption. The company must review industry-specific guidance for food services and implement mandatory preventive measures, such as physical distancing and cleaning. The company must also affirm compliance with the guidance. Lastly, the company must develop a written Safety Plan and conspicuously post a copy of the Safety Plan on its premise. If the company is located in a region that has not yet entered Phase 3, it must continue to provide food or beverage for off-premises consumption only.

### Analysis: Actionable Requirements

If the facility owns or operates food establishments in a region that has not yet entered Phase 3, it ensures that no food or beverage is served for on-premises consumption.

If the facility is an essential services provider or a non-essential Phase 1, 2, or 3 business, it ensures that employees are practicing social distancing at the workplace.

If the facility is an essential services provider or a non-essential Phase 1, 2, or 3 business, it ensures that all employees who may interact with the public wear face coverings provided by the facility.

If the facility is a non-essential Phase 1, 2, or 3 business, it reviews and implements all applicable preventive measures provided in the state's industry-specific reopening guidance.

If the facility is a non-essential Phase 1, 2, or 3 business, it affirms business compliance to the state's industry-



specific reopening guidance.

If the facility is a non-essential Phase 1, 2, or 3 business, it develops a site-specific COVID-19 Reopening Safety Plan.

If the facility is a non-essential Phase 1, 2, or 3 business, it conspicuously posts its COVID-19 Reopening Safety Plan.

**What Has Changed** The Executive Order (EO) Number 202.41 allowed food establishments in regions that have entered Phase 3 to reopen indoor areas, provided that they comply with the reopening requirements.

**Executive Order No. 202.41** On 13 June 2020, the New York State Governor Andrew Cuomo issued EO No. 202.41 as a continued effort to slow the spread of the 2019 novel coronavirus disease (COVID-19). EO No. 202.41 extends the termination dates of the New York State on PAUSE order and the Phase 1 and Phase 2 orders to 13 July 2020. Further, it directs certain regions to begin Phase 3 of the state's [regional phased reopening plan](#), effective 12 June 2020. *Regional Reopening of Phase 3 Industries* Previously on 16 March 2020, [EO No. 202.3](#) required food establishments to stop serving food or beverage for on-premises consumption. EO No. 202.41 lifts this on-premises consumption restriction in regions that have reached Phase 3. As of the date EO No. 202.41 took effect, 5 of the 10 regions entered Phase 3. Those regions are the Central New York, North Country, Finger Lakes, Southern Tier, and Mohawk Valley regions. Accordingly, food establishments located in these regions are permitted to reopen indoor spaces for services and consumption. Such companies must review and comply with the New York State Department of Health's (DOH's) reopening guidelines. Companies can use the [Reopen Lookup Tool](#) to determine whether they are eligible to reopen.

*Guidelines for Phase 3 Industries* The guidance and the Safety Plan template for food establishments are posted on the [New York Forward](#) website. The guidance includes mandatory measures that companies must take, such as physical distancing and cleaning and hygiene. The guidance also provides best practices specific to food services, such as:

providing a single-use, paper, disposable menus or displaying menus on whiteboards, chalkboards, televisions, or projectors;

using audio announcements, text messages, or notices on screens to communicate with customers; and ensuring kitchen staffs are dedicated to 1 station throughout their entire shift to the extent possible.

**More Information** For more information, see the Office of the Governor website for [EO No. 202.41](#). Additional information, including the most current COVID-19 status in New York State, is available on [DOH's website](#).

## VIRGINIA

### Governor Northam announces the public health guidelines for Phase 3, which the state could enter into as early as 1 July 2020

**Abstract:** Governor Northam announced Phase 3 of the "Forward Virginia" plan, which will continue to ease restrictions on businesses. Phase 3 could begin as early as 1 July 2020.

**Business Impact:** As early as 1 July 2020, the company could see eased public health restrictions under Phase 3 of the reopening plan. Under Phase 3, all businesses must comply with general requirements, such as best practices for physical distancing, enhanced cleaning and disinfection, and enhanced workplace safety. If the company owns or operates a food court, dining establishment, or onsite canteen, it can allow indoor dining, if certain restrictions are followed. If the company operates a fitness center or exercise facility, it can open those facilities at 75 percent capacity, if certain restrictions are followed. If the company is a non-essential brick and motor retail business, it can open at full capacity, if certain restrictions are followed.

#### Analysis: Actionable Requirements:

If the facility is deemed a non-essential retail establishment, it ensures that all applicable physical-distancing requirements are met.

If the facility has a fitness center, gymnasium, recreation center, indoor sports facility, or an indoor exercise facility in its building, it limits all in-person access to no more than 75 percent the establishment's capacity.



The facility implements telework procedures or adheres to social distancing protocols.

**What has changed?** The above existing requirements will change under the Phase 3 guidelines. First, non-essential retail establishments can now be open at full capacity, while adhering to social distancing protocols, rather than only at 50 percent capacity. Second, fitness centers in buildings can open indoor areas at 75 percent occupancy rather than 30 percent under Phase 2. Finally, other workspaces, such as offices, can be open so long as the social distance and cleaning requirements are met. Further, public gatherings will be allowed for up to 250 people, rather than 50 people.

**Additional Information** *General Requirements for All Businesses* All business sectors that are not otherwise expressly mentioned must follow the Phase 3 guidelines as best practices. The guidance includes information on the following topics: - physical distancing practices; - enhanced cleaning and disinfection; and - enhanced workplace safety. *Non-Essential Brick And Mortar Retail Businesses* Once Virginia enters Phase 3, any non-essential brick and mortar retail business may operate at full capacity, provided the business complies with the guidelines for all business sectors and sector-specific guidance. The sector-specific guidance for non-essential retail includes, among others: - posting signage at the entrance that states that no one with a fever or symptoms of COVID-19, or known exposure to a COVID-19 case in the prior 14 days, is permitted in the establishment; - assisting customers in keeping at least 6 feet of space between individuals or households while shopping and waiting in line, by marking 6-foot increments on the floor or operating alternate checkout lines; - ensuring that employees and patrons maintain at least 6 feet of physical distancing between individuals who are not members of the same household at all times; - requiring that employees who are working in customer-facing areas wear face coverings over their nose and mouth; - performing a thorough cleaning and disinfection of frequently contacted surfaces; and - ensuring there is a way to sanitize shopping cart and basket handles. If a non-essential retail business cannot adhere to the requirements, it must close. *Fitness Centers and Exercise Facilities* Once Virginia enters Phase 3, fitness centers or exercise facilities may open indoor spaces at 75 percent capacity, as long as the facility complies with the guidelines for all business sectors and sector-specific guidance. The sector-specific guidance for fitness centers and exercise facilities includes, among others: - posting signage at the entrance that states that no one with a fever or symptoms of COVID-19, or known exposure to a COVID-19 case in the prior 14 days, is permitted in the establishment; - limiting occupancy to no more than 75 percent of the lowest occupancy load on the certificate of occupancy, if applicable, while maintaining a minimum of 10 feet of physical distancing between all individuals as much as possible; - screening patrons for COVID-19 symptoms prior to admission to the facility; - ensuring the cleaning and disinfection of shared equipment after each use; and - supplying hand sanitizer stations or handwashing stations for patrons, members, and guests. If a fitness center or exercise facility cannot adhere to the requirements, it must close.

**More Information** The general and sector-specific guidelines can be found on the [Governor's website](#). Governor Northam's press release regarding Phase 3 guidelines and when the state may enter Phase 3 can be found [online](#).

## 2. Europe

### ENGLAND

#### Physical distancing to be reduced to a minimum of one metre where 2 metres is not possible

**Abstract:** From 4 July 2020, physical distancing in England will be reduced from 2 metres to one metre where it is not possible to stay 2 metres apart.

**Business Impact:** The company should be aware that from 4 July, it will need to comply with a minimum physical distancing of one-metre between persons where it is not possible to keep 2 metres apart. If a distance of one metre is applied, the company may need to take mitigating measures to prevent the potential spread of COVID-19. Further guidance on physical distancing and mitigation measures is expected to be issued.

**Analysis:** From 4 July, physical distancing guidelines will be updated to allow people to keep a minimum distance from one another of one metre where it is not possible to stay 2 metres apart. In such cases, it will be encouraged to implement mitigation measures to reduce the risk of transmission of COVID-19. It is expected that guidance for companies will be updated to provide additional details on how the one-metre distance will apply in the workplace and the mitigation measures which may need to be taken. This change will apply only to England.

### GERMANY - FEDERAL

#### Contact restrictions prolonged and temporary simplification of approval procedures implemented

**Abstract:** On 26 May 2020, the Federal Government in coordination with the 16 State Governments decided to prolong the coronavirus contact restrictions until 29 June 2020. This agreement has to be legally implemented by each State Government. The newly adopted Act to ensure proper planning and approval procedures during the Covid-19 pandemic (PlanSiG temporarily allows permitting authorities to simplify planning and approval procedures during the Covid-19 pandemic by allowing online and digital procedures.

**Business Impact:** If the company is applying for a relevant permit to a local authority it should be aware of the changes made to planning and approval procedures during the COVID-19 pandemic.

**Analysis:** On 26 May 2020, the Federal Government in coordination with the 16 State Governments [announced that contact restrictions that were implemented due to the SARS-CoV-2 pandemic should be prolonged until 29 June 2020](#), with the possibility to prolong it even further. This agreement has to be implemented with specific legislation in each state. However, the Government of Thuringia already decided to end contact restrictions and to transform all coronavirus restrictions into recommendations. Before the 29 June 2020, the Federal Government and State Governments will announce if the contact restrictions will be prolonged any further. On 28 May 2020, the Federal Government published the [Act to ensure proper planning and approval procedures during the Covid-19 pandemic \(PlanSiG\)](#). It aims at ensuring that planning and approval procedures are not unduly delayed during the Covid-19 pandemic. The Act regulates the following temporary changes:  
Public announcements do not have to be published on public notice boards anymore but rather can instead be announced on the internet;  
If decisions or documents have to be published during planning or approval procedures, they can also be published on the internet;  
The obligation to submit documentation to the authorities can be waived under specific circumstances which have to be declared by the local authority;  
If an authority decides whether a local face-to-face appointment is necessary during planning or approval

procedures, it must take into consideration the coronavirus contact restrictions and the increased health risks for all participants. They can also carry out online meetings, if necessary.

These changes apply to the following legislation, among others:

the Act on Environmental Impact Assessment (UVPG);

the Federal Immission Control Act (BImSchG);

the Closed Substance Cycle Management Act (KrWG);

the Building Act (BauGB);

the Act on the Protection from Ionising Radiation (StrlSchG);

the Water Management Act 2009 (WHG 2009);

the Act on Energy Industry (EnWG); and

the Federal Nature Conservation Act (BNatSchG 2009).

The provisions of the PlanSiG will expire on 31 March 2021.

## GERMANY - THURINGIA

### End of contact restrictions in public places and further relaxations of corona restrictions

**Abstract:** As of 13 June 2020, mandatory contact restrictions no longer apply in Thuringia as a consequence of the amended Th Ordinance on basic infection protection rules to curb the spread of the coronavirus SARS-CoV-2 (ThürSARS-CoV-2-IfS-GrundVO).

**Business Impact:** The company should be aware that contact restrictions do not apply anymore in public spaces. If the company operates a facility with public traffic in closed rooms it must record the contact details of visitors or customers. Companies should pay attention to all measures announced by the State Government and their local community, as restriction measures can be taken for specific communities if the daily number of new infections per 100,000 inhabitants reaches 50 or more.

**Analysis:** On 12 June 2020 the State Government of Thuringia published the [Th Ordinance for the reorganization of the necessary measures to curb the spread of the coronavirus SARS-CoV-2 and to improve the options for action under infection protection law](#) amending the Th Ordinance on basic infection protection rules to curb the spread of the coronavirus SARS-CoV-2 (ThürSARS-CoV-2-IfS-GrundVO). The Amendment ends the mandatory contact restrictions in Thuringia that were implemented as part of the restrictions to slow down the infection rate of the SARS-CoV-2 coronavirus. This means that there are no more restrictions on how many persons can be in contact with each other or gather in public places. However, it is still recommended to keep a distance of at least 1.5 meters and use mouth-to-nose-protection. All facilities with public traffic in closed rooms must record the contact details of visitors or customers. The same applies to restaurants or canteens with public access that serve their guests in closed rooms. Data protection must be guaranteed. All areas with public traffic must maintain a written infection protection concept.

For shops, all restrictions will be maintained. This means that customers must wear mouth-to-nose protection while shopping, a distance of 1.5 m must be guaranteed between all persons inside the shop, and there has to be a specific space per person in shops, which has to be determined by the operator of the shop. Operators have to present a written hygiene, clearance, and infection protection concept (infection protection concept). All shops have to comply with an enhanced cleaning and disinfection regime and must avoid crowds and especially queues. Customers must be informed with clearly visible notices and regular announcements about the obligation to regulate distances and to comply with protective measures.

Employers are still obligated to comply with their respective health and safety regulations. This applies in particular to [the SARS-CoV-2 occupational safety standard published by the Federal Ministry of Labor and Social Affairs](#).

Non-compliance with hygiene rules can be fined with up to 5,000 Euros by local authorities.

This version of ThürSARS-CoV-2-IfS-GrundVO will be valid until 15 July 2020.

## ITALY NATIONAL

### The Public Prosecutor clarifies that companies are obliged to apply the measures to combat the spread of the Covid-19 virus at the workplace contained in the shared Protocols

**Abstract:** Since 18 May 2020, companies can refer to some clarification on the obligatory nature of the measures to combat the spread of the Covid-19 virus at the workplace contained in the shared Protocol adopted by Government at the beginning of the health emergency. Companies can also consult a Note by the National Institute for Insurance against Occupational Accidents and Illnesses (INAIL), which clarifies that the existence of a workplace Covid-19 infection does not automatically entail the criminal or civil responsibility of the employer.

**Business Impact:** The company can refer to some clarification by the Public Prosecutor regarding the obligatory nature of the measures to contain the spread of the Covid-19 virus at the workplace, as specified in the shared Protocol adopted by Government at the beginning of the health emergency. If the company does not adopt the containment measures in the shared protocols, it can face the same sanctions that apply for violations of occupational health and safety measures under the Health and Safety Code (including the mandatory suspension of activities). Furthermore, the company can consult a Note by the National Institute for Insurance against Occupational Accidents and Illnesses (INAIL), which clarifies that the existence of a workplace Covid-19 infection does not automatically entail the criminal or civil responsibility of the employer.

**Analysis:** On 18 May 2020, the Public Prosecutor at the Bergamo Tribunal (*Procura della Repubblica presso il Tribunale di Bergamo*) published a set of [operational indications](#), which clarify the mandatory application, by companies, of the [shared protocol containing health and safety measures to contain the COVID-19 contagion at the workplace](#) adopted by the Government at the beginning of the health emergency. The document is directed to the enforcement authorities, but it provides useful indications to companies to better understand how to apply the preventive measures specified in the shared protocol. **The containment measures under the shared protocol are mandatory** The Public Prosecutor clarified that, since 4 May 2020, all companies must apply the containment measures of the shared protocol, originally annexed to the [Decree of the President of the Council of Ministers of 26 April 2020](#). The Protocol addresses various aspects of workplace safety, including, for example, how to enter and exit the company's premises, access methods for external suppliers, cleaning and sanitation of the workplace and personal hygiene, and managing communal areas. Among other things, companies are also required to adequately inform all workers on the health and safety measures to adopt, depending on the specific tasks and responsibility of each individual worker, with a particular focus on the use of personal protective equipment (PPE) to avoid spreading the contagion. Since 11 June 2020, the shared Protocol is annexed to the [Decree of 11 June 2020](#) (Annex 12), which applies until 17 July 2020. **Violations of the shared protocol** The Public Prosecutor also clarified that companies that do not adopt the containment measures specified in the shared protocols face the same sanctions that apply for violations of occupational health and safety measures under the Health and Safety Code. Therefore, failure to implement the containment measures contained in the shared protocol and to ensure adequate levels of protection to employees can result in the suspension of the company's activities until the safety conditions are restored. **Covid-19 infection as a workplace accident** Finally, companies can refer to a recent [Note by the National Institute for Insurance against Occupational Accidents and Illnesses \(INAIL\)](#), which clarifies that the existence of a workplace Covid-19 infection does not automatically entail the criminal or civil responsibility of the employer. In this regard, it must be considered that the multiplicity of the methods of contagion and the changeability of the provisions to be adopted in the workplace, subject to continuous updating by the authorities in relation to the epidemiological trend, make the identification of civil and criminal liability of employers extremely difficult.

## SCOTLAND

### Companies must continue to comply with physical distancing measures

**Abstract:** Companies operating in Scotland must continue to comply with physical distancing measures in the workplace if employees cannot work from home.

**Business Impact:** The company must continue to ensure that physical distancing of 2 metres between persons is applied in the workplace.

#### **Analysis: Actionable requirements**

Companies must take all reasonable measures to ensure that a distance of 2 metres is maintained between any persons on their premises or waiting to enter their premises.

Companies must keep closed canteen facilities unless there are no practical alternatives for workers to obtain food.

Companies listed in [Schedule 1](#) to the [Health Protection \(Coronavirus\) \(Restrictions\) \(Scotland\) Regulations 2020](#) must remain closed or comply with applicable restrictions.

**What has changed** On 18 June 2020, the [Health Protection \(Coronavirus\) \(Restrictions\) \(Scotland\) Amendment \(No. 4\) Regulations 2020](#) was published. The existing requirements for workplaces are not impacted.

Workplaces which remain open during the emergency period must continue to ensure any persons on-site are able to maintain a distance of 2 metres from one another. Businesses listed in Schedule 1 must remain closed or comply with additional restrictions. Guidance on how to maintain distancing between persons and which businesses must close remains available under [Coronavirus \(COVID-19\) Phase 2: business and physical distancing guidance](#).

## SWITZERLAND NATIONAL

### Extensive lifting of COVID-19 related measures from 22 June 2020

**Abstract:** As of 22 June 2020, companies can decide whether their staff should work from home or return to the office. This applies also to people at especially high risk (for example over the age of 65 or adults with an underlying medical condition); however, companies must guarantee the protection of the health of staff by putting in place appropriate hygiene and social distancing measures. Furthermore, events and gatherings of up to 1000 people are now permitted. In case of such events, contact tracing must be possible at all times, and event organizers must ensure that the maximum number of people that may need to be contacted does not exceed 300.

**Business Impact:** The company must be aware that as of 22 June 2020, most of the COVID-19 related restrictions are lifted or eased in Switzerland. The company can now decide whether employees should work from home or return to the office. This also applies to people at exceptionally high risk - over the age of 65 years or adults with an underlying medical condition - provided that the company ensures the necessary measures of hygiene and social distance. The company must guarantee that all employees comply with the recommendations on hygiene and social distance of the Federal Office for Public Health against the spread of COVID-19. Furthermore, the company should be aware that events and gatherings of up to 1000 people are again permitted. However, contact tracing must be possible at all times, and event organizers must ensure that the maximum number of people that may need to be contacted does not exceed 300.

**Analysis: Actionable Requirements** -The facility ensures compliance with the recommendations of the Federal Office for Public Health concerning hygiene and social distancing at the workplace during the COVID-19 epidemic. **What Has Changed** The Federal Council repealed its previous [Ordinance 2 of 13 March 2020](#)

establishing COVID-19 related measures and replaced it with new Ordinances lifting most of the measures which were in place. For example, as of 22 June 2020, employers can decide whether employees should work from home or return to the workplace. Employers must however still ensure the protection of employees through, for instance, social distance and hygiene measures. **Additional Information** On 19 June 2020, as part of the fourth phase of the COVID-19 epidemic, the Federal Council adopted [Ordinance on Measures during the Special Situation to Combat the COVID-19 Epidemic](#) lifting most of the restrictions which were introduced due to COVID-19. Consequently, as of 22 June 2020, employers can decide whether employees should work from home or return to the office. Therefore, the recommendation to work from home is lifted, as are the guidelines on protecting people at especially high risk (for example, over the age of 65 years or adults with an underlying medical condition). These employees may also return to the workplace, however, the employer must guarantee the protection of the health of employees by putting in place appropriate measures (for example, social distancing and hygiene). Furthermore, from 22 June 2020, events, and gatherings of up to 1000 people are again permitted. However, contact tracing must be possible at all times. Event organizers must ensure that the maximum number of people that may need to be contacted does not exceed 300. This can be achieved by dividing the venue into sectors. Large-scale events of more than 1000 people will be permitted from the beginning of September, as long as there is no deterioration in the epidemiological situation. All publicly accessible venues (establishments, businesses, organizations) must have a set of [precautionary measures](#) in place. There are no special rules for individual categories of establishments, events or educational institutions. There are no longer any model sets of precautionary measures. However, business sectors and associations can still refer to them as an aid. In view of the low number of cases, the Federal Council reduced the minimum social distance that should be kept between 2 people from 2 metres to 1.5. If masks are worn or partitions are in place, the distance may be further reduced. **Background Information** The Federal Council started introducing measures against the coronavirus on 28 February 2020, and gradually tightened those measures up until 21 March, before progressively easing them again in three phases from 27 April. In contrast to the way the first wave of the epidemic was managed, in the event of a renewed increase in COVID-19 cases, the prime responsibility will rest with the cantons. Constantly updated information on COVID-19 is accessible at the [dedicated webpage of the Federal Office for Public Health entitled "New Coronavirus"](#).

## UNITED KINGDOM

### Companies should consult updated guidance documents concerning social distancing in workplaces

**Abstract:** Since 24 June 2020, companies should consult updated guidance documents concerning working safely during COVID-19 as changes to social distancing guidelines have been included.

**Business Impact:** If the company has employees on-site at the workplace, it can implement a one-metre social distancing rule if it is not viable to apply a 2-metre distance between workers. If the company does implement one-metre distancing, it will have to take mitigating actions against the spread of COVID-19 which are set out in its risk assessment. This may mean to company needs to update its risk assessment. The company should also pay attention to other local guidance documents in Scotland, Wales and Northern Ireland to ensure that it follows the applicable social distance for that region.

**Analysis:** On 24 July 2020, various guidance documents concerning working safely during COVID-19 were updated following the UK government's announcement that one metre of social distancing will be applied, from 4 July, when 2 metres is not viable. In cases where 2 metres is not viable, a one-metre distance between workers will be sufficient as long as risk mitigation is implemented. Companies should consider and set out the mitigations they will introduce in their risk assessments. As Public health is devolved in Northern Ireland, Scotland and Wales; this guidance should be considered alongside local public health and safety requirements and legislation in Northern Ireland, Scotland and Wales where stricter social distancing requirements may be applied. The [government's previous announcement](#) indicates that the one-metre distance is applicable to



England. The Northern Ireland Assembly has also indicated that it will allow one-metre of social distancing from 29 June in Northern Ireland. The guidance documents which have been updated to reflect the change to social distancing include:

[Working safely during COVID-19 in factories, plants and warehouses;](#)

[Working safely during COVID-19 in labs and research facilities;](#)

[Working safely during COVID-19 in offices and contact centres.](#)

These guidance documents are to help employers, employees and the self-employed in the UK understand how to work safely during the COVID-19 pandemic, ensuring as many people as possible comply with social distancing guidelines.

## WALES

### Companies must follow guidance on maintaining physical distancing in the workplace

**Abstract:** Companies must take into account guidance from the Welsh Government concerning steps to be taken for maintaining physical distancing in the workplace.

**Business Impact:** The company must give due regard to the guidance from the Welsh Government concerning reasonable measures to maintain physical distancing in the workplace. As a result, the company should take into account the activities being carried out at the workplace and determine which measures are reasonable in its particular situation considering factors such as cost and capacity of those in the workplace. Actions it may determine to take include staggering shifts, reducing the number of people in the workplace and increasing space between staff. If the company carries out work in confined spaces or other activities requiring close contact between people, it will be unable to implement the physical distancing requirement in these instances.

**Analysis:** Under [regulation 7A of the Health Protection \(Coronavirus Restrictions\) \(Wales\) Regulations 2020](#), companies are required to take into account the Welsh Government's guidance document on [taking all reasonable measures to maintain physical distancing in the workplace](#). The guidance is intended to assist people in understanding what "taking all reasonable measures" means and what to do if it is not possible to maintain a distance of 2 metres in certain circumstances. The requirement to take all reasonable measures to maintain a distance is an objective test that is intended to be applied consistently, it is neither an absolute rule that has to be applied all of the time in all circumstances nor is it a test that will apply in the same way in all circumstances. It is about taking proportionate action where it is practicable to do so. The general message from the Welsh Government remains the same:

where possible stay at home to save lives  
minimise the risk of transmission in the workplace.

The duty to ensure physical distancing falls on the person responsible for the work being undertaken in the workplace. However, everybody in a workplace has a personal responsibility to comply with the 2-metre requirement to ensure that the risk of transmission of coronavirus across Wales is reduced. The most effective way of ensuring physical distancing is to enable some or all staff to work from home, some or all of the time. As "reasonable measures" there is an expectation that employers should be as flexible as possible and make adjustments wherever that is possible. This may include issuing staff with laptops or mobile phones and facilitating communication from wherever members of staff may be. There is no hard and fast rule of what constitutes a reasonable measure. This can vary within different functions of an organization as well as between sectors. The test of whether a measure is reasonable is an objective one. It will be for a business to justify the reasonable measures that they have adopted and to demonstrate how they have considered that these are proportionate and minimize the risks faced by workers who have to continue to attend work in their workplace. Considerations to take account include:

cost;

the nature of the work;

if measures can be put in place without compromising the health and safety of others; and



the nature and capacity of those in the workplace.

Reasonable measures which may be appropriate include:

reducing the number of people working on the premises at any one time;

increasing space between staff;

appropriate provision of rest space;

altering the tasks undertaken; and

staggering shifts.

Physical distancing may not be possible where:

tasks require 2 or more people to be undertaken safely, such as heavy lifting or carrying dangerous chemicals;

dual working is required to ensure safety; or

work is being carried out in confined spaces.



## 3. Latin America

### ARGENTINA BUENOS AIRES

#### Guidance on the disposal of personal protective equipment used in the prevention of COVID-19 contagion

**Abstract:** On 19 June 2019, the Provincial Body for Sustainable Development (*Organismo Provincial para el Desarrollo Sostenible -OPDS*) published basic guidelines for the correct disposal of Personal Protective Equipment (PPE) used for the prevention of COVID-19 contagion (such as face masks and gloves) in industrial and commercial facilities. Among others, companies are advised to place such waste in separate bags, disinfect the waste, and leave it for at least 72 hours before taking it out of the facility.

**Business Impact:** The company can now refer to [guidelines for the appropriate disposal of Personal Protective Equipment \(PPE\) used for the prevention of COVID-19 in industrial and commercial facilities](#). Among others, the company is advised to dispose of this PPE in separate and special labelled containers, disinfect the PPE before disposing of it, and to close and isolate the waste bag for 72 hours before the waste collector picks it up.

**Analysis:** The Provincial Body for the Sustainable Development has published on its website several recommendations for the disposal of disposable Personal Protective Equipment (PPE) or reusable PPE that has been damaged and cannot be reused. Among other measure, it recommends to:

- provide training to employees on the use and removal of face masks (or any other PPE), and the frequency with which they must be replaced;
- sort and collect such waste separately;
- allocate a specific place on each floor that is easily accessible by all employees and keep sufficient PPE at these locations for all employees on that floor;
- clearly identify waste containers for PPEs with a label stating "disposed PPEs" (*EPP desechados*);
- place inside the containers a primary bag for introducing the disposed PPEs, covered by a second bag, for facilitating the manipulation of the waste;
- reserve these containers for PPEs, and not to mix them with other industrial or household waste;
- disinfect the disposed PPEs with a 1:50 bleach solution (1 part of bleach per 50 parts of water);
- label the waste bag with the date in which it was closed, and a sign stating "do not open" (*no abrir*);
- isolate the bag with disposed PPEs for 72 hours;
- treat such isolated waste after the 72 hours of isolation as non-special industrial waste; and
- allocate a place within the facility for temporary storage of this waste from where the waste collectors can pick it up.

[The guidelines for the correct disposal of PPEs used for the prevention of COVID-19 in industrial and commercial facilities](#) is available online in Spanish.

### BRAZIL FEDERAL

#### Companies must be aware of further essential activities allowed to operate during the COVID-19 pandemic

**Abstract:** Since 29 April 2020 and 7 May 2020, companies carrying out further activities classified as essential (*atividades essenciais*) are allowed to operate during the COVID-19 pandemic. The newly listed activities include, among others, industrial and mining activities and the storage of substances, materials or equipment containing toxic, inflammable, or high-risk products.

**Business Impact:** If the company carries out any of the activities now classified as an essential activity (*atividade essencial*), such as industrial activities, storage, use and control of substances, materials or equipment containing toxic, inflammable, or high-risk products or mining activities, it is now allowed to operate during the COVID-19 pandemic. The company must comply with the prevention measures and requirements established by Law 13.979/2020, such as compulsory testing, or exceptional and temporary authorization certificates, and restrictions from local governmental authorities.

**Analysis:** [Decree 10.329 of 28 April 2020](#) and [Decree 10.342 of 7 May 2020](#) update the list of essential activities (*atividades essenciais*) allowed to operate during the COVID-19 pandemic established by [Decree 10.282 of 20 March 2020](#). They are in force since 29 April 2020 and 7 May 2020, respectively. Decree 10.329/2020 excludes intermunicipal transport, water distribution, and public lightening from the list of activities allowed to operate during the COVID-19 pandemic, as the Decree was issued by Federal Government and those activities are subject to regulation from the States, Federal District and Municipal Government. It also specifies that maintaining supplies and engineering construction are essential activities of electrical energy generation, transmission, and distribution. Furthermore, Decree 10.329/2020 includes new essential activities, such as: - distribution, marketing and delivery of construction materials; -storage, use and control of substances, materials or equipment containing toxic, inflammable, and high-risk products that fulfill safety, sanitary, meteorology, environmental and fire prevention requirements established by national laws (unspecified); -storage and logistic of general loads; -repair and maintenance services of tires and automotive parts; -products, services, activities and start-ups related to facing COVID-19; -production which interruption can cause damage to facilities and equipment, such as of steel, aluminum, pottery or glass; and -mining activities. Decree 10.342/2020 adds civil construction activities and industrial activities to the essential activities list. As a result, companies carrying out any of the listed essential activities are allowed to operate during the COVID-19 pandemic, subject to prevention measures and requirements established by [Law 13.979 of 6 February 2020](#) (such as compulsory testing, or exceptional and temporary authorization certificates) and restrictions from local governmental authorities.

## BRAZIL FEDERAL

### Companies importing specific medical devices and PPE during the COVID-19 health emergency to obtain an automatic import license from ANVISA

**Abstract:** From 30 April 2020 and until 20 October 2020, companies importing medical devices and personal protective equipment (PPE) to face COVID-19 are granted an automatic import license at the Integrated Foreign Trade System (*Sistema Integrado de Comércio Exterior - SISCOMEX*). This follows from ANVISA RDC Resolution 379 of 30 April 2020.

**Business Impact:** If the company imports medical devices or personal protective equipment (PPE) to face COVID-19 to be used by its workers onsite, it will be granted an automatic import license when applying for it in the Integrated Foreign Trade System (*Sistema Integrado de Comércio Exterior - SISCOMEX*). If the company imports foreign PPE to face COVID-19 not regulated by the National Agency for Sanitary Vigilance - ANVISA (*Agência Nacional de Vigilância Sanitária – ANVISA*) but regulated and placed on the market in other member-states of the International Medical Device Regulators Forum (IMDRF), it must attach a disclaimer (*Termo de Responsabilidade*) to SISCOMEX Integrated View System (*Sistema Visão Integrada*). As before, the company is not required to hold a valid operating license (*Autorização de Funcionamento de Empresa - AFE*) from ANVISA.

**Analysis:** [ANVISA RDC Resolution 379](#) of 30 April 2020 amends [ANVISA RDC Resolution 356 of 23 March 2020](#), which extraordinarily and temporarily sets flexible requirements and licenses for the manufacture, import and purchase of medical devices and personal protective equipment (PPE) to face COVID-19. It applies since 30 April 2020 to companies manufacturing, importing or purchasing surgical masks, protection glasses, facial

protectors, N95 and PFF2 air purifier respirators or equivalents, disposable hospital uniforms - waterproof and non-waterproof aprons/bonnets, caps, disposable medical socks, valves, circuits and respiratory connections. The main change introduced is an automatic import license at the Integrated Foreign Trade System (*Sistema Integrado de Comércio Exterior - SISCOMEX*) for medical devices and PPE to face COVID-19. ANVISA RDC Resolution 379/2020 is in force since 30 of April 2020 and until 20 October 2020 (180 calendar days), and can be renewed for equal and successive periods for as long as the Health Ministry acknowledges the COVID-19 health emergency. Applications for the import of the mentioned products submitted before 30 April 2020 remain ensured. ANVISA RDC Resolution 379/2020 does not specify whether they will be granted an automatic import license. **Automatic import license for medical devices and PPE ANVISA RDC Resolution 379/2020** introduces an automatic license for importing surgical masks, protection glasses, facial protectors, N95 and PFF2 air purifier respirators or equivalents, disposable hospital uniforms - waterproof and non-waterproof aprons/bonnets, caps, disposable medical socks, valves, circuits and respiratory connections to face COVID-19. The license must be obtained at [SISCOMEX system](#). As before, companies are not required to perform any other technical or procedural analysis to such products ([ANVISA RDC Resolution 81 of 5 November 2008](#)), and remain exceptionally and temporarily exempted to obtain an operating license (*Autorização de Funcionamento de Empresa - AFE*) and other sanitary licenses from the National Sanitary Surveillance Agency (*Agência Nacional de Vigilância Sanitária - ANVISA*). Companies importing foreign products not regulated by ANVISA, but regulated and placed on the market in another member-state of the International Medical Device Regulators Forum (IMDRF) must have an AFE and the disclaimer (*Termo de Responsabilidade*) contained in Annex I of ANVISA RDC Resolution 379/2020 to SISCOMEX Integrated View System (*Sistema Visão Integrada*). ANVISA RDC Resolution 379/2020 also establishes that companies manufacturing, importing, and purchasing medical devices and PPE to face COVID-19 must provide the traceability products and identification of those responsible for placing them on the market. Companies are liable for the installation, maintenance, traceability, monitoring and disposal of the product for its entire life-cycle. This is an update to the generic warranty obligation that was already set by ANVISA RDC Resolution 356/2020. As before, operators are subject to inspections, monitoring and quality control by sanitary authorities, such as the National Laboratory and Health Inspection Network (*Rede Nacional de Laboratórios de Vigilância Sanitária - RNLVISA*).

## BRAZIL FEDERAL

### Companies only authorized to import and distribute products to face COVID-19 pandemic which are registered with specific foreign authorities

**Abstract:** Since 29 May 2020, companies importing or distributing products, medicines, equipment and health supplies to face the COVID-19 pandemic registered with the Food and Drug Administration (FDA), the European Medicines Agency (EMA), the Pharmaceuticals and Medical Devices Agency (PMDA) or the National Medical Products Administration (NMPA) and which are authorized to be placed on the market on the United States of America, European Union, Japan or China must hold an exceptional and temporary authorization (*autorização excepcional e temporária*) issued by the National Agency for Sanitary Vigilance (*Agência Nacional de Vigilância Sanitária – ANVISA*) to import or distribute them in Brazil.

**Business Impact:** If the company imports or distributes products, medicines, equipment, or health supplies not registered with the National Sanitary Surveillance Agency (*Agência Nacional de Vigilância Sanitária – ANVISA*) to face the COVID-19 pandemic, it must hold a valid exceptional and temporary authorization (*autorização excepcional e temporária*) from ANVISA. The ANVISA only grants this authorization if the marketing of these products is authorized by the competent authorities of China (National Medical Products Administration - NMPA), Japan (Pharmaceuticals and Medical Devices Agency - PMDA), the European Union (European Medicines Agency - EMA) or the United States (Food and Drug Administration - FDA).



**Analysis:** [Law 14.006](#) of 28 May 2020 updates the procedure to obtain exceptional and temporary authorization (*autorização excepcional e temporária*) to import and distribute products to face the COVID-19 pandemic established by [Law 13.979 of 6 February 2020](#). It came into force on 29 May 2020. Law 14.006/2020 clears out that the exceptional and temporary authorization to import or distribute products not registered with the National Sanitary Surveillance Agency (*Agência Nacional de Vigilância Sanitária - ANVISA*) is only granted if these products, medicines, and equipment can be placed on the market in China, Japan, the European Union and the United States of America. Previously, this authorization was granted to all products subject to sanitary surveillance from ANVISA. Products authorized to be placed on the market in the United States of America, the European Union, Japan or China are those holding a certificate issued respectively by the Food and Drug Administration (FDA), the European Medicines Agency (EMA), the Pharmaceuticals and Medical Devices Agency (PMDA), or the National Medical Products Administration (NMPA). The exceptional and extraordinary authorization is now granted by ANVISA, and no longer by the Health Ministry (*Ministério da Saúde*). Law 14.006/2020 does not establish the deadline for an ANVISA decision on the authorization request.





## 4. Asia & Oceania

### AUSTRALIA NORTHERN TERRITORY

#### Companies in the Northern Territory can consult COVID-19 guidance for lifts

**Abstract:** As of 16 June, companies whose workers need to use lifts to access the workplace can consult the COVID-19 guidance for lifts drafted by NT WorkSafe. The guidance provides for measures employers should implement in order to reduce the amount of time workers spend in the lift or waiting for lifts (such as designating specific pathways and movement flows for those exiting the lifts).

**Business Impact:** If the workers of the company need to use lifts to access the workplace, it should consult the COVID-19 guidance for lifts drafted by NT WorkSafe. The guidance provides for measures employers should implement to reduce the amount of time workers spend in the lift or waiting for lifts (such as designating specific pathways and movement flows for those exiting the lifts).

**Analysis:** On 16 June 2020, the Australian Northern Territory WorkSafe published the [COVID-19 guidance for lifts](#). **General COVID-19 guidance** Companies located in Australia Northern Territory should be aware that it is no longer a requirement under the [directions of the Northern Territory Chief Health Officer](#) to have 4 square metres of space per person in an indoor environment. However, companies should still continue to follow the physical distancing principles, such as:

if possible in the circumstances – keeping 1, 5 metres away from any person who is not a member of the person's family, a friend or an acquaintance; or

otherwise – keeping close contact to less than 15 minutes.

**COVID-19 guidance for lifts** *Measures to implement in the lift waiting area* Employers whose workers need to use lifts to access the workplace should implement the following measures in the lift waiting area: where possible, designate specific pathways and movement flows for those exiting the lifts; and change the lift programming to facilitate for a more efficient flow of passengers, such as decreasing the time that doors stay open on each floor (where safe to do so) and where there are multiple lifts, assign specific lifts to certain floors based on demand (such as 'Lift A' to service floors 1-5, 'Lift V' to service floors 6-8).

If the company shares the building with other businesses, they must consult with those employers and the building manager on any COVID-19 measures they plan to implement. Companies should also consult with their workers and their representatives on what measures to put in place. *Measures to implement in the lift* Employers whose workers need to use lifts to access the workplace should implement the following measures in the lift:

ensure that workers practice good hygiene in lifts, including the health advice to cough or sneeze into their arm or a clean tissue;

place signage in the lift reminding workers and others to practice good hygiene by washing their hands or using appropriate hand sanitizer after exiting the lift; and

implement regular cleaning of high touchpoints such as lift buttons and railings.

### CHINA NATIONAL

#### Companies in low-risk regions of COVID-19 are subject to additional regulations on air-conditioning, personal protection and other daily health protection measures

**Abstract:** Effective 18 June 2020, under Guidance on the Normalized Prevention and Control of the COVID-19 Pandemic in Key Sectors, Key Locations and for Key Personnel During Summer in Low-risk Regions (Revised Edition), certain companies in low-risk regions of COVID-19 are advised to adopt additional preventive measures concerning mask wearing, disinfection, ventilation and air-conditioning. The affected companies are advised to

reduce worker gathering, strengthen cleaning and disinfection, standardize air conditioning management and use, and improve public health awareness.

**Business Impact:** If the company locates in low-risk regions of COVID-19 pandemic, the company is advised to store anti-epidemic materials, formulate emergency work plans, establish a staff health monitoring system, frequently clean and disinfect public areas and propagate COVID-19 prevention and control knowledge. In addition, the company is advised to train the workers to pay attention to personal hygiene. If the company has canteens on its premises, the company is advised to purchase food and other raw materials from reliable supplying channels and adopt divided meal services and staggered meal services. When new cases of COVID-19 occur on the company's premises, the company is advised to conduct thorough disinfection for the air conditioning and ventilation system under the guidance of the local disease prevention and control agency and re-open only after passing the hygienic evaluation.

**Analysis:** On 18 June 2020, the Comprehensive Group of Joint Prevention and Control Mechanisms of the State Council in Response to New Coronavirus Pneumonia

(国务院应对新型冠状病毒肺炎疫情联防联控机制综合组) published the [Guidance on the Normalized Prevention and Control of the COVID-19 Pandemic in Key Sectors, Key Locations and for Key Personnel During Summer in Low-risk Regions \(Revised Edition\)](#)

(《低风险地区夏季重点场所重点单位重点人群新冠肺炎疫情常态化防控相关防护指南(修订版)》) to provide

summer-specific guidance for normalized prevention and control of COVID-19 in low-risk regions. The guidance focuses on but is not limited to preventative measures for the following places and personnel. **Office buildings and office spaces** Offices are advised to:

- store masks, hand sanitizers, disinfectants and other anti-epidemic materials, and at the same time formulate emergency work plans;
- establish a staff health monitoring system and register staff health status daily, and seek medical care in a timely manner if suspected cases are discovered;
- ensure effective ventilation;
- clean and disinfect the surfaces of high-frequency contact objects such as elevators, public toilets and other public equipment facilities and door handles;
- keep the public areas and office areas clean and empty the garbage in time;
- equip public toilets with sufficient hand sanitizer and ensure the normal operation of water supply facilities such as faucets; when conditions permit, equip quick-drying hand disinfectants or inductive hand disinfection equipment in the lobby, elevator entrances, and receptions;
- train the workers to pay attention to personal hygiene, such as washing hands in time, avoid touching mouth, eyes, nose with unclean hands, cover mouth and nose with tissues when sneezing or coughing, or use elbow to cover;
- ensure service personnel wear disposable medical masks or medical surgical masks during their work, while office workers do not need to wear masks when there is no personnel gathering, good ventilation, and a distance of 1 meter or more from others is kept;
- propagate COVID-19 prevention and control knowledge through posters, electronic screens and bulletin boards; and
- conduct thorough disinfection for the air conditioning and ventilation system under the guidance of the local disease prevention and control agency, and re-open only after passing the hygienic evaluation when new cases of COVID-19 occur on the company's premises.

**Shopping malls** All aforementioned guidance for offices applies to shopping malls. In addition, shopping malls are advised to:

- set "1-meter line" to remind customers to keep a safe distance when queuing for payment;
- recommend customers to self checkout, use non-contact scanning code payment, minimize queue time and try to limit shopping time within two hours;
- ensure that workers wear disposable medical masks or medical surgical masks and disposable gloves when working.

**Places other than offices in an enterprise** All aforementioned guidance for offices applies to these places (for example, meeting room, canteen, and workers' dormitory). In addition, the enterprises are advised to:

purchase food and other raw materials from reliable supplying channels and ensure traceable sources for canteens; and  
adopt divided meal services and staggered meal services for canteens.

## CHINA NATIONAL

### Employers must implement measures to prevent heatstroke during summer 2020

**Abstract:** Effective 08 June 2020, Circular of National Health Commission on Heatstroke Prevention in 2020 requires that companies must implement measures according to The Measures on Heatstroke Prevention (《防暑降温措施管理办法》) to prevent heatstroke while carrying out normalized COVID-19 pandemic prevention and control. Companies are prohibited to arrange pregnant female employees and young workers to work in high-temperature working environment. Companies must also provide qualified workers with sufficient heatstroke and cooling drinks and necessary medicines. In addition, companies must formulate emergency plans for high temperature and heatstroke and organize drills of the plans.

**Business Impact:** If the company has employees who works in high-temperature workplaces or during high-temperature weather, the company must conduct health examinations for those workers before the onset of hot weather. The company must provide job position adjustments to workers with medical conditions which make the employee unsuitable to work in high-temperature working environment. The company must equip the workplaces with necessary ventilation and cooling facilities and provide sufficient heatstroke prevention and cooling drinks and necessary medicines for workers who work in high temperature. The company must also formulate emergency plans and organize drills for high temperature and heatstroke. If the company has pregnant workers or young workers, the company is prohibited to arrange them to work in high-temperature workplaces. The company must provide emergency rescue personnel and a sufficient amount of first-aid drugs according to the number of workers engaged in high-temperature operations and operating conditions. All required measures here are reiterating the existing requirements in The Measures on Heatstroke Prevention(《防暑降温措施管理办法》).

**Analysis:** On 08 June 2020, Department of Occupational Health published the [Circular of National Health Commission on Heatstroke Prevention in 2020 \(国家卫生健康委办公厅关于做好2020年防暑降温工作的通知\)](#), which requires companies to implement following measures according to The Measures on Heatstroke Prevention (《防暑降温措施管理办法》) to prevent heatstroke during summer 2020. **Medical Examination**

**requirements:** Employers must conduct health examinations for workers who work in hot weather conditions before the onset of hot weather. For employee with heart, lung, cerebrovascular diseases, tuberculosis, central nervous system diseases, or other medical conditions which make the employee unsuitable to work in high-temperature working environment, the employer must provide job position adjustments during the summer.

**Pregnant workers and young workers:** Employers are prohibited to arrange pregnant female employees and young workers to work in:

high-temperature workplace operations which are classified with level(s) higher than Class III according to the "Workplace occupational hazards operation classification Part 3: High temperature"

(《工作场所职业病危害作业分级第3部分：高温》);

high-temperature workplaces and outdoor open-air operations during high-temperature weather with temperatures above 35°C; or

workplaces with temperatures above 33°C.

**Working condition requirements:** Employers must equip workplaces with necessary ventilation and cooling facilities. Employers must also provide sufficient heatstroke prevention and cooling drinks and necessary medicines for workers who work at high temperature, and must not provide money to replace heatstroke



prevention and cooling drinks. If any symptoms of heatstroke are found, the company must immediately take rescue measures, and employees with severe symptoms must be sent for medical treatment in time. **Planning and training requirements:** Employers must formulate emergency plans for high temperature and heatstroke and organize drills. Before and during the employment of workers, in order to improve the workers' ability of self-help and mutual rescue, employers must strengthen the training of occupational health knowledge such as high temperature protection and first aid for heatstroke. Employers must also provide instructions on how to wear protective equipment such as masks correctly to avoid occupational heatstroke caused by unscientific wearing of respiratory protective equipment during pandemic prevention and control. **Emergency rescue worker and emergency medicine requirements:** Based on the number of workers engaged in high-temperature operations and high-temperature weather operations and operating conditions, the employers must provide emergency rescue personnel and a sufficient number of first-aid drugs.

## MOSCOW CITY

### The City of Moscow introduces free coronavirus (COVID-19) antibody tests for companies

**Abstract:** As of 12 June 2020, companies can benefit from free coronavirus (COVID-19) antibody tests (ИХЛА-тесты). This follows from the launch of a public-private partnership by the Government of Moscow, according to which such tests will be conducted at the expense of the city budget.

**Business Impact:** The company can benefit from a public-private partnership launched by the Government of Moscow, according to which the company can receive free coronavirus (COVID-19) (ИХЛА-тесты) antibody tests for its employees.

**Analysis:** According to the [press release](#) published by the Government of Moscow on 12 June 2020, companies can benefit from free coronavirus (COVID-19) antibody tests (ИХЛА-тесты) for their employees. More specifically, the Government of Moscow launched a public-private partnership, according to which companies can choose a public medical institution which will test the company's employees for COVID-19 antibodies at the expense of the city budget. The list of medical institutions involved in the partnership can be found on the [website](#) of the Ministry of Health of the Russian Federation. Before the test can be taken, the company must conclude an agreement with the selected medical institution. The place where the tests will be taken is chosen by the employer (for example, in the medical institution or in the office of the company). Conducting COVID-19 antibody tests is not obligatory by law. However, according to [Decree No. 55-UM of 7 May 2020](#) employers are obliged to ensure testing for COVID-19 once in every two weeks for not fewer than 10% of the employees as of 1 June 2020.

## NEW ZEALAND

### Companies should be aware of changes to notice of restricted areas under the Biosecurity Act 1993, amendments to the form of publication of required documents and potential for conducting remote hearings under the Resource Management Act 1991.

**Abstract:** Since 15 May 2020 companies operating during COVID-19 should be aware of changes to the form of the giving of notice declaring areas restricted places under the Biosecurity Act 1993. These forms may include email or fax, while the Epidemic Preparedness (COVID-19) Notice 2020 is in force. Companies should further be aware of the possibility of remote hearings and changes to the required display of documents such as the

potential use of internet sites under the Resource Management Act 1991, for the period 25 March 2020 to 31 October 2021.

**Business Impact:** Although the Act does not impose direct requirements on businesses, if the business is conducting operations during COVID-19, they should be aware that for the period in which the COVID-19 Notice is in force the procedure for the giving of notices by inspectors or authorized persons under the Biosecurity Act 1993 in declaring a restricted place has changed. These notices may be given by a variety of methods, including, among others, by email or fax. Businesses should furthermore be aware that if they are required under the Resource Management Act 1991 to make documents available for physical inspection during the COVID-19 period from 25 March 2020 to 31 October 2021, they may now do so:

- by providing the documents in electronic form, free of charge on an internet site and providing advice on how they may be obtained or accessed; or
- by making them available for inspection; and
- upon request, by making a physical copy of the documents available for purchase at a reasonable cost.

Businesses should also be aware that, if they are required to attend a hearing by an authority under the Resource Management Act 1991, the hearing in question may be conducted remotely, such as through an audio link, an audio-visual link or a similar facility.

**Analysis: Actionable requirements** There are no actionable requirements for companies. **What has changed?** The [COVID-19 Response \(Further Management Measures\) Legislation Act 2020](#) (the Act) amends the [Biosecurity Act 1993](#) for the period in which the Epidemic Preparedness (COVID-19) Notice 2020 (the COVID-19 Notice) is in force. These amendments allow for changes to the form in which notice can be served by inspectors/authorized persons when declaring a place restricted under the 1993 act. The Act also makes amendments to the [Resource Management Act 1991](#), allowing for the use of internet sites to make required documents available to the public and hearings to be performed remotely by authorities. The Act allows that where a document is required under the 1991 act to be made available to the public for inspection in physical form, those documents may be made available:

- in electronic form, free of charge on an internet site; and
- where the person responsible provides advice on how it may be obtained or accessed.

In addition, the person may:

- make it available for inspection; and
- upon request, make a physical copy of the document available for purchase at a reasonable cost.

The 1991 act is also amended to allow that where hearings are conducted under the act this may be done remotely. **Additional Information Amendments to the Biosecurity Act 1993** The Act amends the 1993 Act by amending the potential form of notices issued by inspectors to declare a place a restricted place, for the period under which the COVID-19 Notice is in force. The COVID-19 Notice was adopted under the Epidemic Preparedness Act 2006 on 25 of March 2020, and remains in force until 25 June 2020, unless renewed under the 2006 act, or an earlier expiry date is notified. These notices may be directed at persons, bodies (incorporated or not) or partnerships, and for the period when the COVID-19 Notice is in force, may take the form of any of the following:

- delivering the notice to the person, an officer of the body or any one of the partners in a partnership;
- delivering the notice to the person, officer of the body or partner's usual or last known place of residence or business;
- sending the notice by pre-paid post to the person, officer of the body or partner's usual or last known place of residence or business;
- sending the notice by fax or email to the person or partner's fax number or email address, or the fax number or email address of the registered office of the body;
- delivering the notice to the body's registered office, or the usual or last known place of business of the partnership;
- sending of the notice by pre-paid post addressed to the body at the registered office of the body or to the usual or last known place of business of the partnership.

The notice must be served on every occupier of each place in the restricted place or by delivering a copy in the manners above. Where the inspector/authorised person cannot with reasonable diligence, discover an occupier of the place who can be found quickly, they may give notice by affixing the notice in a conspicuous location in/at



the place. Where written notice is made by post, the notice is deemed given or made at the time when it would have been delivered in the ordinary course of the post in the absence of evidence to the contrary. These provisions are repealed with the expiry or revocation of the COVID-19 Notice. *Amendments to the Resource Management Act 1991* The amendments allow for local authorities, consent authorities, and persons with authority to conduct hearings under the 1991 act, to direct that hearings be given using remote facilities, on the initiative of the authority itself or at the request of the person with the right to be heard at the hearing. This may be done via audio link, audio-visual link, or a similar facility. The authority must, where reasonably practicable, enable access to the hearing, by making it available live for free, for example, on an internet site, or as soon as is practicable, by making a recording of it or a written transcript available on an internet site for free. The amendments do not apply to a public hearing if the relevant authority is represented by 1/more persons appearing in person at the hearing and 1/more persons make submissions or give evidence using a remote facility. Meetings of local authorities required to be open to the public are excluded under the amendments. The amendments are applicable from 25 March 2020 and will be repealed 31 October 2021.

## SINGAPORE NATIONAL

### More sectors are permitted to reopen and must comply with additional safety regulations on mask-wearing, safe distancing, and disinfection in response to COVID-19 pandemic

**Abstract:** Effective 2 June 2020 and further expanded on 19 June 2020, more sectors, including retailers, offices, manufacturers, and warehouses, are listed as permitted services which can resume operations. The affected sectors are required to take additional safety management measures in response to COVID-19. The affected companies must appoint Safe Management Officer(s) to assist in implementation of Safe Management Measures. The affected companies must arrange workers to work in split teams and keep a safe distance of at least one meter between persons at all times, and those employees who can work from home must continue to do so. The reopened sectors also must implement health checks and protocols to manage potential COVID-19 cases.

**Business Impact:** If the company is a permitted enterprise, the company must appoint Safe Management Officers to assist in implementation of Safe Management Measures. For employees who can work from home, the company must arrange them to continue to do so. The company must also take measures to reduce physical interaction and ensure safe distancing between persons on the permitted premises. For common spaces and equipment shares by employees or visitors, the company must conduct cleaning and disinfection frequently. In addition, the company must check fevers and respiratory symptoms for employees and visitors and require all persons who enter workplaces to make a declaration. The company must group workers into 2 or more groups and requires workers to wear masks when condition permits.

#### Analysis: Actionable Requirements

If the company is a permitted enterprise, the company arranges its employees go to office only if necessary to access systems and equipment which cannot be accessed from home, or to fulfill legal requirements and employees who can work from home must continue to do so, beginning 2 June 2020.

If the company is a permitted enterprise, the company groups workers in 2 or more groups, minimize interactions between workers, and require workers to wear a mask if condition permits, beginning 2 June 2020.

If the company is a permitted enterprise, the company immediately reports the onset of of the symptom or feeling physically unwell to person(s) appointed by the company for the purpose of receiving the report, beginning 2 June 2020.

If the company is a permitted enterprise other than a public place, the company takes reasonable steps to ensure a distance of at least one meter between any 2 individuals, beginning 2 June 2020.

If the company is a permitted enterprise, the company takes measures to ensure every worker is assessed to determine whether he or she is a symptomatic case before entering the permitted premises and refuse entry of



any worker who is a symptomatic case, beginning 2 June 2020.

If the company is a permitted enterprise, the company takes measures to effectuate a safe and expeditious evacuation of the permitted premises in the event of an outbreak of or suspected COVID-19 infections among workers or other individuals who are present at the permitted premises, beginning 2 June 2020.

If the company is a permitted enterprise, the company ensures that any common area is periodically cleaned each day, and any toilet or sink is provided with adequate toilet paper, liquid soap or detergent, litter bins, and clean towels or hand dryers and are supplied with easily accessible disinfecting agents, beginning 2 June 2020.

If the company is a permitted enterprise, the company ensures that any machinery, equipment or plant on the permitted premises which is shared by workers, customers and visitors beginning 2 June 2020.

If the company is a permitted enterprise, the company appoints at least one Safe Management Officer to monitor compliance, remedy non-compliance, conduct analysis of risks of COVID-19 infections and make recommendations to mitigate any identified risks, assisted by one or more Safe Distancing Officer for every 50 permitted enterprise workers ordinarily present at the work site, beginning 2 June 2020.

If the company is a permitted enterprise, the company ensures that the permitted premises are cleaned and disinfected at the ends of daily business and before work starts after any closure of business or undertaking if condition permits, beginning 2 June 2020.

If the company is a retail store which has more than 930 square meters of total floor area attributable to it, the company ensures that the total number of customers and visitors within the retail common area of the company does not exceed, at any time, the total floor area divided by 10 (rounded up to the nearest whole number), beginning 19 June 2020.

If the company is a permitted enterprise, the company ensures workers to make a health declaration before entering workplace, beginning 2 June 2020.

**What has changed?** The actionable items listed above are new requirements that are being introduced for the first time.

On 2 June 2020 and 19 June 2020, the Minister for Health amended [the COVID-19 \(Temporary Measures\)\(Control Order\)](#) to explicitly detail safety management requirements for permitted enterprises who resume business. **Definitions:**

“Permitted enterprise” means enterprise who provided permitted services (a list of permitted services can be found at <https://covid.gobusiness.gov.sg/permittedlist/>).

“Permitted premises” means any premises or a vessel, where a permitted enterprise ordinarily carries on any business, undertaking or work connected with providing its authorized service, but excludes any vehicle or aircraft.

“Symptomatic case” means an individual who shows or declares that he or she has coughing, sneezing, breathlessness, a runny nose, loss of sense of smell or anosmia.

“Retail common areas” means areas in the permitted premises that are used, or intended for use by the public; or in common by the owners or lessees of retail shops in the premises in relation to the conduct of their retail businesses in their retail shops in the premises, such as stairways, escalators and lifts, walkways and car parking areas.

## 5. Middle East & Africa

### ALGERIA NATIONAL

#### Amendment to lockdown and prevention measures introduced

**Abstract:** Executive Decree No. 20-159 amending the confinement and preventive measures for the fight against the coronavirus introduces new curfew hours in certain wilayas while relaxing lockdown in others. In addition, it ensures the continuity of commercial activities and services and regulates public transport.

**Business Impact:** If the company has activities in Algeria, it must check if the wilaya where it has a presence remains under lockdown or was completely relaxed. In case of lockdown, the company must respect the curfew timing which is between 5 A.M until 8 P.M. In addition, if the company resumed its operations, it must ensure appropriate implementation of the existing sanitary measures inside the workplace.

**Analysis: Actionable requirements** If the company has activities or offices in the wilayas that still have curfew hours, it must make sure to operate between 5 A.M until 8 P.M only. If the company has activities or offices in the wilayas that are no longer under lockdown, it can resume its activities while remaining compliant with the minimum sanitary measures such as enforcing the wear of face masks. If the company resumes its activities, it must do so in accordance with the existing preventive measures such as wearing face masks, providing preventive measures signs inside the workplaces, organizing entry to buildings and offices, and providing sanitizers.

**What has changed** The curfew hours in certain wilayas has become from 5 A.M until 8 P.M while in other wilayas the lockdown has been completely relaxed.

### ISRAEL

#### Companies can benefit from several regulatory easements adopted in connection with the outbreak of the Coronavirus (COVID 19)

**Abstract:** As of 23 March 2020, companies which have a negative impact on the environment, can benefit from several regulatory easements introduced by the Ministry of Environmental Defense in order to assist companies during the outbreak of the coronavirus (COVID-19). For example, permits for the production of hazardous substances and air emission permits will be extended without prior inspection from the Ministry of Environmental Defense. Additionally, producers and (or) importers of packaging waste, electrical and electronic waste as well as plastic bags waste will be able to postpone the submission of waste recycling reports for the first quarter of the year (due 1 April 2020) until 1 July 2020 unless extended by the Ministry.

**Business Impact:** If a company operates facilities which have a negative impact on the environment it can benefit from temporary regulatory easements provided by the Ministry of Environmental Defense due to the coronavirus (COVID-19) outbreak. For example, if the company holds a permit for the production of hazardous substances, it will receive a one-year renewal unless the request contains grave changes from current conditions. Such renewal will be fulfilled provided the company complies with safety distances separation and ensures presence of a vital emergency team at all times. If the company holds an air emissions permit, it can send a renewal request 3 months after the emergency period. A permit with pending request which expires during the emergency period will be automatically extended for 4 months. Moreover, if the company applies for a permit with environmental prerequisites and has an authorized specification plan, it will be granted a one-year permit.

**Analysis:** On 23 March 2020 the Ministry of Environmental Defense (המשרד להגנת הסביבה) issued a [list of temporary environmental easements for companies which have a negative effect on the environment](#) (הנחיות) (כלליות מטעם המשרד להגנת הסביבה למחזיקי היתרים ורישיונות לתקופה של השבתת המשק באופן חלקי או מלא) in order to assist companies during the coronavirus (COVID-19) pandemic. Additionally, on 25 March 2020 the Ministry published another easement regarding the [extended producer responsibility waste recycling reports](#) (אחריות יצרן) (מורחבת - דו"ח יעדי מחזור) The easements introduced concern issues, such as, the extension of air emission permits, permit for the production of hazardous substances, as well as business permits with environmental prerequisites without prior inspection of the premises by the Ministry of Defense. Furthermore, producers, importers and/or retailers will be able to postpone the submission of waste recycling reports for the first quarter of the year (due 1 April 2020) until 1 July 2020 unless extended by the Ministry. The easements apply to current permits and only during the “**emergency period**” (until 1 July 2020 unless extended by the Ministry). **Permit for the production of hazardous substances** (היתר רעלים) Permits for the production of hazardous substances will be renewed without the Ministry's prior on-site inspection. The facility must comply with 'separation safety distances' (מדיניות מרחקי הפרדה), which is an obliged safety distance between the site of operation and residential area and/ or area of public use. The renewal will be granted unless the company asks for grave changes in the permit (“grave changes”- addition of above 20% amount or adding new hazardous substances). Additionally, the new permits will not include new regulatory requirements which were not included in the former permit. The new requirements will apply only after the emergency period ends. Furthermore, hazardous waste must continue to be discharged according to the permit. **Lastly, facilities must apply the following measures:** a vital emergency team must be present 24/7 at the facility; and if the facility is shutdown, an on-site check-up of the premises once in 2 days is obligatory.

**Air emissions permit** (היתר פליטות): While ensuring compliance with [Limitation 8589](#) as regards the minimum amount of workers allowed in workplaces (10% of the entire workforce), which may cause deviation of the emissions allowed, the company must do all it can to ensure permit compliance, public health and environmental protection.

With this in mind, if the permit renewal request period is within the “emergency period”, the company can send the request 3 months after the “emergency period” has ended. If the renewal request is still pending and the “emergency period” expires, permits will be automatically extended for 4 months. If the “emergency period” continues after this extension, the Ministry will provide further aid. Lastly, the periodical testing of air emissions dated until 1 July 2020 can be postponed until 1 September 2020. **Business permit with environmental prerequisites** (רשיון עסק עם תנאים מטעם נותן האישור במשרד להגנת הסביבה) The company which holds the business permit with environmental prerequisites (for example, facilities operating gas stations, waste collection and management) must ensure permit compliance, even in times of emergency or willful shutdown. Based on the current business permit, if a permit expires, an automatic temporary one-year renewal will be given. The same applies to a new permit if the company holds an authorized specification plan. Nevertheless, grave changes will not be allowed without thorough on-site Ministry inspection. **Extended producer responsibility waste recycling reports** (אחריות יצרן מורחבת - דו"ח יעדי מחזור) [Extended producer responsibility waste recycling reports](#) apply to drink containers (מכלי שתייה), packaging waste (טיפול באריזות); electrical and electronic waste (including batteries) (הפחתת שימוש בשקיות פלסטיק) and plastic bags waste (טיפול בצידוד חשמלי ואלקטרוני ובסוללות). The producers and importers of these products must take full responsibility regarding the collection and recycling of the waste created by placing these products in the market. As a result of the emergency period and the limited work capacity, the producers, importers and/or retailers can postpone the submission of waste recycling reports for the first quarter of the year (due 1 April 2020) until 1 July 2020 unless extended by the Ministry.

## KUWAIT NATIONAL

### Companies must comply with specific prevention measures during resuming of activities

**Abstract:** Since 24 June 2020, companies must comply with general prevention measures and conditions for the gradual resuming of activities in Kuwait. The measures apply to the private and to the public sector, as part of the relaxation plan approved by the Council of Ministers.

**Business Impact:** If the company is resuming its activities in Kuwait, it complies with the measures introduced in Ministerial Decision No. 99 of 2020 to ensure a proper resuming of activities without the spread of the coronavirus. The measures include regular sanitizing and cleaning of surfaces and equipment, the mandatory wear of face masks, enforcing proper social distancing and taking workers' temperatures regularly.

**Analysis: Actionable requirements** If the company resumes its activities, it rearranges the workplace in a way that would allow at least 2 square meters for each person, and ensures that all desks and chairs are appropriately separated keeping at least 2 meters of distancing. If the company resumes its activities, it prohibits gatherings in common areas and provides instruction signs wherever necessary in the workplace. If the company resumes its activities, it must make sure that the employees bring their own food along with their own plates and cutleries. If the company resumes its activities, it enforces the wear of face masks at all time and provides sanitizing and cleaning products for self-sanitizing and the cleaning of surfaces or equipment. If the company resumes its activities, it encourages full time and part-time tele-working, if possible, and takes all the necessary measures to implement it. If the company resumes its activities, it only allows 30% of its employees to return the the workplace and does regular temperature check. Employees having a temperature exceeding 37.5 must be prohibited from entering the workplace. If the company resumes its activities in a building it owns or exploits, it sanitizes the building at least once a day. If the company undertakes construction activities, it must also take precautionary measures for the transport of goods such as sanitizing vehicles, organizing pick-up and drop-up, enforcing the wear of face masks, organizing schedules in a way that avoids overcrowd and others.

**What has changed** The above-mentioned requirements are introduced as part of the gradual relaxation of the lockdown in Kuwait, and the resuming of works in the different sectors. They aim to ensure a proper resuming of normal life in a way that would prevent the spread of the coronavirus.



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