



# Enhesa Regulatory Developments

## COVID-19

### Weekly Updates

August 31, 2020

Ref: Reports from August 1 to August 31, 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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## 1. August 31, 2020

### 1.1 The Us & Canada

#### 1.1.1 UNITED STATES FEDERAL Companies may use or market 32 additional surface disinfectants for COVID-19

**Abstract:** Companies that conduct in-person operations in the United States may now use an additional 32 new surface disinfectants approved by the Environmental Protection Agency (EPA) to sanitize their facilities in order to protect their employees from COVID-19.

**Business Impact:** If the company operates with employees or customers onsite, it must take measures to prevent the spread of COVID-19 by using an Environmental Protection Agency (EPA) approved surface disinfectant. If the company manufactures, distributes, or markets surface disinfectants that are intended to help slow the spread of COVID-19, it must market it as such only if the product meets the criteria set out by the EPA.

**Analysis:** On 23 July 2020, the U.S. Environmental Protection Agency (EPA) added 32 new surface disinfectants to List-N, in addition to the 460 products that it had previously approved to help slow the spread of COVID-19. List N includes all the surface disinfectants that the EPA has approved for use against SARS-CoV-2 (COVID-19).

The EPA approves the disinfectants on List N if the product has:

been tested against the coronavirus SARS-CoV-2 (COVID-19);

demonstrated efficacy against a different coronavirus similar to SARS-CoV-2 (COVID-19); and

demonstrated efficacy against a pathogen that is harder to kill than SARS-CoV-2 (COVID-19).

The EPA notes that disinfectant products may be marketed and sold under multiple different brand and product names. Therefore, List N users should use the first two sections of a product's registration number when searching List N, rather than its brand name.

**More Information:** Additional information on EPA's approval of the 32 new disinfectants can be found on the [EPA website](#).

#### 1.1.2 UNITED STATES - MARYLAND Facilities operating during the COVID-19 state of emergency must comply with updated operating requirements, including occupancy and sanitation requirements

**Abstract:** On 3 August 2020, facilities operating during the COVID-19 state of emergency must continue to comply with existing operation requirements for the prevention of disease spread which have been reorganized but not substantially changed. Governor Hogan issued an updated executive order reorganizing existing requirements to be located in a single document.

**Business Impact:** If the facility operates during the COVID-19 state of emergency, it must continue to comply with general and industry-specific directives and local orders regarding, among other things, occupancy and sanitation requirements for the duration of the state of emergency. While the applicable requirements have not changed in substance, any signage requirements directing facilities to make available copies of the latest executive order to building occupants must now make Executive Order 20-08-03-01 available.



**Analysis: Actionable Requirements** If the facility operates during the COVID-19 state of emergency, it complies with all applicable local orders and state-wide general and industry-specific operating directives.

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

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

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

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

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

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

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

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

**What Has Changed** On 3 August 2020, Governor Hogan reissued the above requirements and reorganized existing requirements for facilities operating during the COVID-19 state of emergency and combined them with the order that contains Maryland's face covering requirements. As a result, all applicable COVID-19 requirements may be found in one document. However, the Maryland face-covering requirements only impose mandatory obligations on individuals, rather than companies. Thus, the above requirements are located under a new executive order but have not substantially changed.

**Analysis New order** While the applicable requirements have not changed in substance, any signage requirements directing facilities to make available copies of the latest executive order to building occupants must now make Executive Order 20-08-03-01 available. *General requirement to comply with local and state-wide orders and directives* The current versions of any state-wide directives applicable to facilities operating during the COVID-19 state of emergency are available on the [Governor's Orders and Guidance web page](#). Facilities are also required to comply with any applicable local directives that are more stringent than the state-wide requirements.

**More Information** For more information, see the [3 August 2020 Executive Order issued by Governor Hogan](#).

### 1.1.3 UNITED STATES - NEW JERSEY Jersey enters Level 1 of the Safe Exit Framework from COVID-19

**Abstract:** As of 8 August 2020, offices and facilities are advised to follow guidelines issued by the Government to protect against COVID-19, such as to encourage and support workers to wash their hands.

**Business Impact:** The company is advised to follow the 'Advice for businesses during Level 1' guidelines issued by the Government to protect against COVID-19, such as encourage and support workers to wash their hands, maintain a social distancing of 1 metre at the workplace at all times, collect information of its customers and clean areas that are frequently touched.

**Analysis:** On 8 August 2020, the Government of Jersey published the 'Advice for businesses during Level 1' [guidelines](#) that aim to prevent the spread of COVID-19. They reflect the 'Level 1' of Safe Exit Framework. They do not set any mandatory requirements, but general instructions for facilities, including the ones specified for the offices or food and drink premises at the facilities.

All employers should encourage and support staff to follow the advice on protection against COVID-19, which includes: washing hands or using sanitising gel with 60-70% alcohol content; avoiding touching of the face; and catching a cough or a sneeze in a tissue, bin it and washing hands.

Facilities should encourage and support their workers to wash their hands on arrival at work or after having contact with surfaces such as handrails, door handles, light switches.

Facilities should have a strategy in place to support physical distancing of 1 metre between everyone on their premises including staff or any other third party.

Measures to do so might include, but are not limited to:

limiting the numbers of staff or third parties allowed on the premises or part of the premises at any one time; marking out walk-ways to control the flow of pedestrian movement and if possible, designate one-way entrances and exits; and

reducing or spacing out the number of tables, workstations and seating areas.

In addition, all workers are encouraged to cover their mouth and nose, for instance with face masks, visors or scarfs.

**Cleaning** Facilities should put a particular emphasis on cleaning surfaces that are regularly touched or used by staff and customers, for example:

door handles;

switches;

toilets; and

changing rooms.

**Collecting information** Upon arrival, facilities should ask their customers to share their contact details, explaining that it is necessary to identify those that are at the highest risk of having caught the virus from a person who has been confirmed as having COVID-19. If the customer consents, facilities should ask them to provide the following information that is needed by the contact tracing team:

full name;

mobile contact number; and

date and time of arrival.

**Offices** Further, the guidelines set numerous provisions to support effective hygiene and social distancing in an office environment, such as to:

limit and control the number of staff in the building at any one time, which may include staggering arrival, departure and break times or shift patterns. The employees should be encouraged to work from home, where this is possible;

ensure access to adequate handwashing facilities, such as liquid soap and hand sanitiser; and

restrict access to areas such as small meeting rooms, and limit the number of people in confined spaces such as kitchens.

**Physical distancing in food and drinks businesses** Additionally, facilities that have a canteen present onsite should consider introducing the following guidelines: a) Working in kitchens physical distancing guidelines should be followed at every stage of food production; and the maximum permitted levels of staffing within the kitchen is that which prevents staff from coming within the recommended physical distance of one another

**Spacing of tables** set tables to facilitate physical distancing of at least 2 metres between the customers; spacing tables and chairs with regard to the potential proximity of passers-by; physical distancing of queueing will be required if a large number of individuals arrive at a particular time; and prevent customers from sitting at tables until they have been cleaned and sanitised.

## 1.2 Latin America

### 1.2.1 DOMINICAN REPUBLIC - NATIONAL Companies must follow temporary measures to prevent the spread of coronavirus (COVID-19) in the national territory

**Abstract:** Since 20 July 2020, companies must follow exceptional and temporary measures to prevent the spread of coronavirus (COVID-19), such as implement mandatory teleworking due to the restriction to move freely in the national territory and restrict all types of general gathering (like companies' ability to hold meetings).

**Business Impact:** If the company is operating during the state of national emergency, it must comply with the exceptional and temporary measures to prevent the spread of coronavirus (COVID-19). For instance, the company must respect the national restriction to move freely within the territory. Therefore, it must implement teleworking among its workers, and it ensures its workers are not holding meetings or gathering in any way. This is due to Decree No. 265-20 declaring a state of national emergency for a period of 45 calendar days within the national territory.

**Analysis: Actionable Requirements** The following requirements apply to companies operating during the state of national emergency:

(New) If the company operates during the national health emergency, it must respect the national restriction to move freely within the territory. It must implement teleworking among its workers.

(New) If the company operates during the national health emergency, it ensures its workers are not holding meetings or gatherings.

**What Has Changed** The above list of requirements is introduced for the first time.

**Additional Information** The National Health Emergency has been declared for 45 calendar days (until 3 September 2020) with the possibility to be extended. The measures are introduced to protect people as a result of the outbreak of COVID-19.

**The Executive Power** (*Poder Ejecutivo*) will submit periodic reports to the Bicameral National Congress Commission (*Comisión Bicameral del Congreso*), to monitor the actions, measures and provisions adopted during the state of emergency. [Decree No. 265-20](#) declaring a state of national emergency due to COVID-19 is available online in Spanish.

### 1.2.2 GUATEMALA - NATIONAL Companies resuming their activities must implement stricter measures in the workplace to prevent the spread of COVID-19

**Abstract:** Since 27 July 2020, companies must take stricter measures to avoid the spread of the coronavirus (Covid-19) in the workplace if they want to resume their activities during the state of public emergency. For instance, it is mandatory that employees use a mask within the workplace, and they must comply with the national curfew between 9 a.m. and 5 p.m.

**Business Impact:** If the company resumes its activities during the state of public calamity, it must comply with stricter measures to avoid the spread of the coronavirus (Covid-19) in the workplace. For instance, it provides and ensures that all workers use a mask within the workplace, guarantees transport to their workers with all the applicable sanitary conditions, and it encourages and allows teleworking, providing all the necessary equipment for its development. This is due to Presidential Decree No. 26-07-2020 establishing strict measures and ordering their compliance due to the state of public calamity.

- Analysis: Actionable Requirements** The following requirements apply to all companies that are resuming their activities:
- (New) If the company starts operating during the state of public calamity, it avoids concentration or crowds of workers or costumers in workplaces.
  - (New) If the company starts operating during the state of public calamity, it provides and ensures that all workers use a mask within the workplace.
  - (New) If the company starts operating during the state of public calamity, it follows and complies with the Prevention, Containment and Response of Covid-19 cases Plan (*Plan para la Prevención, Contención y Respuesta*) and the Protocol for Attention and Response to the New Coronavirus - Epidemiological Surveillance of Acute Respiratory Infection by Covid-19 (*Protocolo para la Atención y Respuesta Frente al Nuevo Coronavirus -Vigilancia Epidemiológica de Infección Respiratoria Aguda*), issued by the Ministry of Public Health and Social Assistance (*Ministerio de Salud Pública y Asistencia Social*).
  - (New) If the company had workers likely to be exposed to Covid-19 virus and have fulfilled their quarantine period, it ensures they are separated from all other workers or costumers within the workplace.
  - (New) If the company starts operating during the state of public calamity, it follows and respects the national curfew between 9 p.m. and 4 a.m. of the next day and makes sure no shifts are taking place during that period of time.
  - (New) If the company starts operating during the state of public calamity and carries out legal, administrative or office work, it complies with the curfew to work only between 9 a.m. and 5 p.m. (this measure is in force since 8 August 2020).
  - (New) If the company has workers within the risk group (such as workers over 60 years old or with certain health conditions), it must let them continue to stay in isolation and work from home.
  - (New) If the company starts operating during the state of public calamity, it is mandatory to guarantee transport to their workers with all the applicable sanitary conditions.
  - (New) If the company starts operating during the state of public calamity, it encourages and allows teleworking, providing all the necessary equipment for its development.
  - (New) If the company starts operating during the state of public calamity, it implements signs within the workplace with the maximum capacities for each workspace.
  - (Existing) If the company starts operating during the state of public calamity and provides customer services activities to the public, it implements protection screens in the workplace.
  - (Existing) If the company starts operating during the state of public calamity, it ensures social or physical distancing of at least 1.5 meters is respected within the workplace.
  - (Existing) If the company starts operating during the state of public calamity, it must provide and ensure workers are frequently and appropriately cleaning and disinfecting their hands, with alcohol gel greater than 60% or antibacterial soap.

**What has changed** Most of the above list of requirements is introduced for the first time. However, certain requirements are repeated to clarify that they apply to all companies resuming activities.

**Additional Information** The company is responsible to provide appropriate masks to all personnel as personal protective equipment (PPE). Failure to comply with the proper use of the mask within the workplace is considered an offense and the sanction will be determined on a case by case basis in accordance with the Health Code, the Public Order Law (*Ley de Orden Público*), the Criminal Code or the Labor Code. Moreover, workers who willfully breach isolation or quarantine, or who collaborate with it, will be liable for the consequences that may derive from contagion to third parties. Employees who work in districts different from where they live are exempted from the curfew restriction, as long as they are carrying out essential work, such as banking, insurance and health activities. Also, workers over 60 years old who, due to the nature of their work or profession, must continue to carry out their professional activities or services, may exceptionally continue going to work if their employers implement extreme sanitary measures under their strict responsibility. If discrimination takes place due to Covid-19 illness, it can be considered as a crime in accordance with the provisions of article 202 bis of the Criminal Code. [Presidential Decree No. 26-07-2020](#) establishing strict measures and ordering their compliance due to the state of public calamity is available online in Spanish.

### 1.2.3 MEXICO Facilities must implement sanitary measures to reopen during Covid-19 pandemic



**Abstract:** Since 1 June 2020, facilities that are reopening or operating during the Covid-19 pandemic must implement sanitary measures to prevent the spread of the virus within its facilities. These measures are established in the Specific Technical Guidelines for the Reopening of Economic Activities.

**Business Impact:** The company with more than 251 employees must implement the sanitary measures that are established in the Specific Technical Guidelines for the Reopening of Economic Activities. Some of the measures include: entrance/exit protocol and sanitary filters for workers and for visitors; sinks that operate adequately and have running water and soap; signs on the floor indicating the work posts always respecting the minimum distance of at least 1.5 meters; and a Health and Safety Committee that oversees the implementation of the sanitary measures to prevent the spread of the virus in the workplace.

**Analysis: Actionable requirements** If the facility is considered a large size company (more than 101 employees for commercial and services establishments and more than 251 for industrial establishments), it implements the following safety measures for the different areas of the facilities:

#### **Entrance/Exit areas**

have different entrances and exits for personnel or divide the single access with physical barriers to have specific spaces for the entry and exit;  
provide disinfectant floor mats, or issue disposable footwear protectors; and  
establish entry protocols with sanitary filters that include taking body temperature.

#### **Common areas (canteens, changing rooms, lockers, cafeterias, meeting rooms, waiting rooms or reception area)**

provide a sink with soap, water, and disposable paper towels, or 60% alcohol disinfectant gel dispensers in the access to common areas;  
place signs on the floor indicating the place that the worker can occupy, always respecting the minimum distance of 1.5 meters between people in the case of changing rooms or lockers;  
place physical barriers on the same table separating one diner from another (the barriers separate the front and sides of each worker), and ensure that the distance between tables is of 1.5 meters in cafeterias or canteens;  
ensure that extraction systems in common areas work correctly and have filter changes according to what the supplier establishes;  
place signs on the floor or in seats that workers occupy in meeting rooms or waiting areas ensuring at least 1.5 meters between people; and  
use natural ventilation in common areas when possible.

#### **Office or administrative areas**

limit work areas using physical barriers protecting the front and sides of the workers in areas where 2 or more employees are concentrated within 1.5 meters;  
have signs or markings on the floor indicating the work posts always respecting the minimum distance of at least 1.5 meters;  
ensure extraction systems in administrative areas work properly and have filter changes according to what the supplier establishes;  
provide employees with 60% alcohol-based disinfectant gels; and  
use natural ventilation in offices or administrative areas, when possible.

#### **Sanitary facilities** Restrooms have:

sinks that operate adequately and have running water and soap;  
disposable paper towel dispensers; and  
natural ventilation if possible.

**Production areas** place physical barriers in the production process area and place signs on the floor ensuring the minimum distance of 1.5 meters between workers at stations and work areas; and place 60% alcohol disinfectant gel dispensers at the workplace if possible or at the entrance of the area where the production process is carried out.

**All areas** - allows teleworking for those who, due to their health conditions, age, pregnancy or are breastfeeding, require it; - establishes staggered schedules for entry, modification of shifts, flexible schedules or other actions that avoid concentrations of workers on-site at certain times and in workspaces when teleworking is not possible; - holds work meetings preferably by telephone or videoconference, otherwise ensuring safe distance, respiratory hygiene, cleaning and disinfection of the place, tables, chairs and objects of common use, before and after each meeting; - limits conducting social events; - has daily cleaning and disinfection protocols for areas, surfaces, objects of contact and common use, including washing with water, soap and disinfecting with a solution of sodium hypochlorite at 0.5% (equivalent to 5000 ppm); - has mechanisms to supervise or verify compliance with safe distance guidelines (technological, visual, documentary, etc.); and - has sufficient waste bins in different places to dispose of used face masks.

**Committee or responsible person** assign a committee or person to be responsible for the implementation, follow-up, and supervision of the measures for the New Normality within the framework of COVID-19 (*Nueva Normalidad en el marco de COVID-19*).

carry out the categorization of the workplace to identify the measures to be implemented;

ensure that general control strategy is correctly implemented;

keeps informed of the instructions that federal authorities give to inform employees regarding new measures that need to be implemented;

identifies the population in a vulnerable situation for the implementation of the necessary protection measures; and confirms the correct implementation of all measures at the company or workplace.

**Additional information** The [Specific Technical Guidelines for the Reopening of Economic Activities](#) (Guidelines) establish health safety measures at the workplace that must be implemented by the workplaces for their continuity or return to work. Correct compliance with the measures is the responsibility of the workplace. The Guidelines include general strategies to promote health and safety in the workplace, which have been presented in previous documents published by the government. These strategies include:

health promotion;

health protection;

contagion prevention measures in the workplace; and

the use of personal protective equipment (PPE).

## 1.3 Asia & Oceania

### 1.3.1 MEGHALAYA Employers must implement health and safety measures including strict social distancing rules in the workplace

**Abstract:** Since 19 March 2020, employers must ensure that they follow the health and safety precautions issued by the Health and Family Welfare Department of the Government of Meghalaya among other things, employers operating during the Pandemic must ensure all workers wear appropriate face masks and maintain proper social distance in the workplace. Meghalaya Epidemic Diseases, COVID-19 Regulations, 2020 apply to public places including workplaces with an area of 250 square feet or more.



**Business Impact:** If the company operates facilities with an enclosed indoor area of 250 or more square feet of floor space, it must comply with the health and safety precautions issued by the Health and Family Welfare Department of the Government of Meghalaya to curb the impact and spread of COVID-19. The company, among other things, must ensure that their workers:

maintain a social distance of 6 feet or 2 meters away from each other;  
wear face masks/ coverings in the workplace; and  
do not use smokeless tobacco or spit in the workplace.

**Analysis:** The following actionable requirements are applicable to facilities that are establishments with any enclosed indoor area used as a place of work containing 250 or more square feet of floor space:

If the facility operates an indoor area used as a workplace, it ensures workers do not smoke smokeless tobacco or spit on the work premises.

If the facility operates an indoor area used as a workplace, it ensures that its workers maintain a social distance of 6 feet or 2 meters away from each other.

If the facility operates an indoor area used as a workplace, it ensures that all its workers wear face coverings or masks on site.

**What has changed?** The requirements listed above under the Meghalaya Epidemic Diseases, COVID-19 Regulations, 2020, must be followed in tandem with the National advisories and guidelines issued by the Ministry of Health and Family Welfare including mandatory guidelines on:

'Use of masks by public'; and

the 'Do's and Don'ts' issued by the Ministry of Health and Family Welfare on the use of face masks are applicable and are to be complied with.

**Additional Information:** The 'Use of masks by public' guideline can be found in the Enhesa knowledgebase at : [https://legislation.ehsmonitor.com/IN-ML/JUR/National Do's and Don'ts Advisory.pdf](https://legislation.ehsmonitor.com/IN-ML/JUR/National%20Do's%20and%20Don'ts%20Advisory.pdf) The 'Do's and Don'ts' advisory can be found in the Enhesa knowledgebase at : [https://legislation.ehsmonitor.com/IN-ML/JUR/National use of masks by public guidelines.pdf](https://legislation.ehsmonitor.com/IN-ML/JUR/National%20use%20of%20masks%20by%20public%20guidelines.pdf)

**Related Definitions** A **public place** includes any enclosed indoor area used by the general public as a place of work containing 250 or more square feet of floor space, including but not limited to, all restaurants, retail stores, lobbies and malls, offices, including waiting rooms, and other commercial establishments; public conveyances; educational facilities; hospitals, clinics, nursing homes, and other health care and medical facilities; and auditoriums, elevators, theaters, libraries, art museums, concert halls, indoor arenas, and meeting rooms, as well as outdoor areas of market places, public roads, sports stadiums or fields.

## 2. August 25, 2020

### 2.1 The US & Canada

#### 2.1.1 US FEDERAL EPA Region 8 acts against companies selling and importing mislabeled and unregistered pesticide products claiming efficacy against COVID-19

**Abstract:** Companies that sell or import disinfectant pesticide products in the United States should be aware the U.S. Environmental Protection Agency (EPA) is issuing advisory letters and notices of refusal of admission orders against companies that are selling mislabeled and unregistered pesticide products advertised for use on the coronavirus and other pathogens.

**Business Impact:** If the company sells or imports disinfectant products claiming to be effective against COVID-19, it must properly label and register the product with the U.S. Environmental Protection Agency (EPA). EPA Region 8 has issued advisory letters and notices of refusal of admission orders to companies for selling and importing mislabeled and unregistered pesticide products. These enforcement actions do not directly impact the company; however, it should ensure that it properly labels and registers with EPA before it sells or imports the product.

**Analysis:** On 30 July 2020, the U.S. Environmental Protection Agency (EPA) Region 8 announced that issued 17 Advisory Letters and 14 Notice of Refusal of Admission Orders since 1 April 2020 to companies selling or importing mislabeled and unregistered pesticide products advertised for use on the coronavirus (COVID-19) and other pathogens. EPA Region 8 issued 17 Advisory Letters to address pesticide products and devices marketed with false or misleading claims of efficacy against COVID-19 and other pathogens. Products claiming to disinfect against COVID-19 must be registered with EPA. EPA Region 8 also issued 14 Notice of Refusal of Admission Orders to stop illegal disinfectants and devices from entering the country. The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) requires that all imported pesticides are registered and produced in a registered establishment. The [EPA Region 8 Press Release](#) regarding these enforcement actions can be found online. EPA's [List N: Disinfectations for Use Against SARS-CoV-2 \(COVID-19\)](#) is available online. Other helpful information can be found on EPA's coronavirus webpage.

#### 2.1.2 US – MICHIGAN State reaffirms that employers must not discharge, discipline, or retaliate against an employee for staying home

**Abstract:** On 7 August 2020, Michigan Governor Gretchen Whitmer issued Executive Order 2020-166, reaffirming the order prohibiting employers from discharging, disciplining, or otherwise retaliating employees for staying home when they have symptoms of COVID-19 or have had close contact with a person who tested positive. People in Michigan are ordered to stay home until 24 hours from the date their COVID-19 symptoms have resolved after tested positive and to self-quarantine for 14 days after they had close contact with a positive case of COVID-19.

**Business Impact:** The company must continue to refrain from discharging, disciplining, or otherwise retaliating employees for staying home to comply with the self-quarantine period. On 7 August 2020, Michigan Governor Gretchen Whitmer issued Executive Order 2020-166, reiterating self-quarantine measures and prohibition on retaliation against employees who self-quarantine pursuant to the Executive Order. The company must treat employees, who are staying at home in order to comply with self-quarantine measures, as if they are taking medical leave under the Paid Medical Leave Act. To the extent that the employee has no paid leave, the leave may be unpaid. However, employers are free to discharge or



discipline an employee once the employee is allowed to return to work after the self-quarantine period but declines to do so and as long as if such discipline or discharge is lawful.

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

If the company operates in-person operations in Michigan, it does not discharge, discipline, or otherwise retaliate against employees who stay home due to COVID-19 symptoms.

**What has changed?** The above requirement is not new. It has been reaffirmed by Executive Order 2020-166.

**Additional Information** *Employers Must Not Retaliate* The Executive Order prohibits employers from discharging, disciplining, or otherwise retaliating against employees who stay home to self-quarantine as ordered by the Executive Order. Employers must treat such employees as if they are taking medical leave under the Paid Medical Leave Act. To the extent that the employee has no paid leave, the leave may be unpaid. However, employers are free to discharge or discipline an employee once the employee is allowed to return to work after the self-quarantine period but declines to do so and as long as if such discipline or discharge is lawful. The Executive Order clarifies that it does not create a private right of action against an employer for failing to comply with this order. *Required Self Quarantine Duration* All people who test positive for COVID-19 or display symptoms of COVID-19 to stay home or place of residence until:  
24 hours have passed since the resolution of fever without the use of fever-reducing medications;  
10 days have passed since their symptoms first appeared or since they were swabbed for the test that yielded the positive result; and  
other symptoms have improved.

Additionally, all individuals who have had close contact with a person who tests positive for COVID-19 or with an individual who displays one or more of the principal symptoms of COVID-19 must self-quarantine until either:  
14 days have passed since the last close contact with the sick or symptomatic individual; or  
The individual displaying COVID-19 symptoms receives a negative COVID-19 test.

**More Information** Executive Order 2020-166 is available [here](#).

### **2.1.3 US - NEW YORK Companies can reopen gyms and fitness centers at limited capacity after complying with reopening requirements and developing a COVID-19 Safety Plan**

**Abstract:** Effective 24 August 2020, companies that own or operate gyms or fitness centers in New York State should note that they are permitted to resume operations of such facilities. Accordingly, companies must review and comply with the reopening guidelines for gyms and fitness centers. However, companies located in a jurisdiction that specifically delays the reopening until a later date must continue to close the operation.

**Business Impact:** If the company owns or operates a gym or fitness center in its building, it is permitted to resume its operation, beginning 24 August 2020. The company must review industry-specific guidance for gyms and fitness centers and implement mandatory preventive measures, such as occupancy restrictions, 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. Failure to comply with the reopening requirements may lead to potential enforcement actions as local health departments must conduct inspections before reopening or within 2 weeks of reopening. If the company is located in a jurisdiction that delays the reopening to a later date, it must continue to cease its operation until otherwise permitted to reopen.

**Analysis:** On 17 August 2020, the New York State Governor Andrew Cuomo announced the lifting of the restriction on gyms and fitness centers operation during the COVID-19 public health emergency. Specifically, Governor Cuomo allows for the reopening of gyms and fitness centers in all regions of the state, unless a specific jurisdiction decides to postpone the

reopening. Accordingly, depending on the localities, companies that own or operate gyms or fitness centers may resume their operations, beginning 24 August 2020.

**Reopening of Gyms and Fitness Centers** As stated in Governor Cuomo’s announcement, companies that reopen gyms and fitness centers are subject to rigorous health and safety standards. To ensure that necessary COVID-19 precautionary measures are implemented, local health departments (LHDs) must inspect gyms and fitness centers before reopening or within 2 weeks of reopening. Accordingly, companies must ensure strict adherence to the guidelines promulgated by the New York State Department of Health (DOH). *Reopening Guidelines* DOH’s reopening guidance for gyms and fitness centers is posted on the [New York Forward](#) website. Companies must review and affirm compliance with the guidance. Further, companies must develop a written Safety Plan detailing the measures that they have taken and are taking to prevent the spread of COVID-19. Companies must conspicuously post a copy of the Safety Plan on the premises and make them available to DOH or other local authorities upon request. The guidance includes mandatory measures that companies must take, such as physical distancing and cleaning. For example, companies must ensure capacity within the gym or fitness center is limited to no more than 33 percent of the maximum occupancy, inclusive of employees. Further, companies must require acceptable face-coverings to be worn at all times and record contact information for use in contact tracing efforts. The guidance also provides best practices recommended for gyms and fitness centers. For example, companies are advised to use appointments, reservations, or remote check-ins for ensuring compliance with occupancy restrictions. Companies are also encouraged to adjust hours of operation as necessary to enable enhanced cleaning procedures. *Regional Reopening* Lastly, Governor Cuomo permits local elected officials to postpone the reopening of gyms and fitness centers until 2 September 2020. Accordingly, companies must check with the appropriate jurisdictions to determine whether they are eligible to reopen.

**More Information** For more information, see the [17 August 2020 Press Release](#) from the Governor’s Pressroom. Additional information, including the most current COVID-19 status in New York State, is available on [DOH’s website](#).

## 2.2 Europe

### 2.2.1 GERMANY-FEDERAL New SARS-CoV-2 Occupational Health and Safety Rule further details the Occupational Health and Safety requirements during the epidemic

**Abstract:** As of 10 August 2020 companies can benefit from the new SARS-CoV-2 Occupational Health and Safety Rule released by the Federal Ministry of Labor and Social Affairs. It further details occupational health and safety requirements of the Labour Protection Act (ArbSchG) with respect to SARS-CoV-2 for the period of the epidemic situation of national importance as determined in accordance with paragraph 5 of the Infection Protection Act (IfSG).

**Business Impact:** The company should be aware of the SARS-CoV-2 Occupational Health and Safety Rule and ensure that it complies with it in all its operations. Compliance with the SARS-CoV-2 Occupational Health and Safety Rule is not mandatory. However, if employers comply with it they are deemed to be in compliance with the requirements of the Labour Protection Act (ArbSchG). If the employer opts for another solution, it must ensure at least the same level of health and safety for employees.

**Analysis:** On 10 August 2020, the Federal Ministry of Labor and Social Affairs published the [SARS-CoV-2 Occupational Health and Safety Rule](#) further detailing the requirements of the [Labour Protection Act \(ArbSchG\)](#) and the federal [SARS-CoV-2 Occupational Safety and Health Standard](#) during the Covid-19 pandemic. Compliance with the SARS-CoV-2 Occupational Health and Safety Rule is not mandatory. However, if employers apply its provisions they are deemed to be in compliance with the requirements of the Labour Protection Act (ArbSchG). If the employer opts for another solution, it must ensure at least the same level of health and safety for employees. The SARS-CoV-2 Occupational Health and Safety



Rule is applicable in all 16 states even though there is different legislation in each state on the handling of the COVID-19 pandemic. Therefore companies should always be informed about and ensure compliance with the state legislation of the state they are located in. The aim of the SARS-CoV-2 Occupational Health and Safety Rule is to effectively protect the health of employees during the epidemic through occupational health and safety measures. The rule is divided into five abstracts:

Scope of Application;

Definitions;

Recommendations for the risk assessment during the Covid-19 pandemic;

Protective Measures, which are divided into basic protective measures and those in the focus of the SARS-CoV-2 Health and Safety Standard; and

Occupational Health Prevention.

**Risk Assessment** Based on paragraphs 5 and 6 of the Labour Protection Act (ArbSchG), the employer has to review the existing risk assessment and the defined occupational health and safety measures with regard to any additional occupational health and safety measures required due to the epidemic. To do so the employer must seek advice from occupational safety and health specialists and occupational physicians and must coordinate with employee representatives. It has to be examined whether and to what extent additional individual protective measures have to be taken for employees who are part of a risk group. The Occupational Health Recommendation: [Dealing with particularly vulnerable workers as a result of the SARS CoV 2](#) epidemic gives guidance for company physicians on this topic.

**Protective Measures** The 17 points of the SARS-CoV-2 Occupational Health and Safety Standard (“C-ASS”) are further detailed on the basis of state-of-the-art techniques, occupational health, hygiene, and other reliable knowledge of occupational science as well as state regulations. The 14 overarching points (“C-ASS” 1-3, 6-16) are listed in section 4: Protection measures, the remarks on construction sites, agriculture, and forestry, field and delivery services, transport and travel within the company, public transport as well as accommodation (“C-ASS” 4 and 5) are described in the Annex to this rule and the guidance on occupational health prevention (“C-ASS” 17) in section 5. The order of the protection measures is based on the principles of paragraph 4 of the Labour Protection Act (ArbSchG). Thus, technical measures take priority over organizational measures, and these in turn over personal measures. The different measures have to be appropriately linked. Which of these measures is appropriate in the specific operational situation depends on the risk assessment. In general, the employer has to take measures to minimize the number of unprotected contacts between persons as well as the concentration of airborne viruses in the work environment. Appropriate measures for this are, for example, compliance with the distance rule, working in fixed teams, the separation of breathing areas, the use of remote contacts, increased ventilation, and intensified surface cleaning.

**SARS-CoV-2 Occupational Safety and Health Standard** The SARS-CoV-2 Occupational Safety and Health Standard explains temporary additional measures to protect against infection with SARS-CoV-2, including technical, organizational, and personal measures. The most important measures, which are also further detailed in the SARS-CoV-2 Occupational Health and Safety Rule are the following, among others:

If a distance of 1.5 m cannot be guaranteed, alternative protective measures must be taken, such as the installation of transparent partitions or mouth-and-nose protection;

Skin-friendly liquid soap and towel dispensers must be made available for hand cleaning;

Sufficient distancing must be ensured in break rooms and canteens, for example, by placing tables and chairs far enough apart;

Switching off air conditioning and ventilation systems is not recommended, particularly in rooms where infected persons are treated or where infectious material is handled, as doing so can lead to an increased airborne aerosol concentration and a thus higher risk of infection;

Office Work should be performed if possible at home, especially if office premises would otherwise have to be used by multiple people with insufficient distancing;

Business trips and face-to-face interactions such as meetings should be reduced to the absolute minimum and, as far as possible, technical alternatives made available such as telephone or video conferencing;

The use of means of access must be adapted so that safe distancing can be maintained. At points where people tend to



gather, safe distances must be marked out in queuing areas, for example, with adhesive tape;  
Occupancy of work areas and communal facilities must be reduced by measures to spread utilization over time. When creating shift schedules, care must be taken to assign the same employees to shared shifts where possible to reduce the number of different contacts at work;  
Particularly strict attention must be taken to ensure that personal protective equipment of any kind and work clothing is individually assigned;  
Additional psychological stress factors should be taken into account in risk assessment and suitable measures taken.

**Occupational Health Protection** In the epidemic situation, the requirements of the [Ordinance on Occupational Health Prevention \(ArbMedVV\)](#) continue to apply for the personal information and advice of employees on individual work-related health risks. In addition to the existing occupational physician tasks, the prevention treatment at the request of the employee also plays an important role. In this context, the following topics can be addressed, among others: risks of infection, pre-existing diseases, as well as fears and psychological stress.

### 2.2.2 GERMANY-BAVARIA Companies with at least 50 employees in collective accommodations might be subject to specific hygiene measures

**Abstract:** As of 12 August 2020, companies and agricultural holdings having at least 50 employees in collective accommodations, might be requested to comply with specific hygiene measures by the local authorities. This is part of the latest Amendment of the Sixth Bavarian Infection Protection Ordinance (6. BayIfSMV), published on 11 August 2020 by the Bavarian State Ministry of Health and Care.

**Business Impact:** If the company operates collective accommodations for at least 50 employees in total, they must comply with all hygiene measures of the SARS-CoV-2 Occupational Health Standard and they should be aware that local authorities might obligate them to comply with more specific hygiene measures and report to them regularly.

**Analysis: Actionable Requirements:** (Existing) The company complies with the Federal SARS-CoV-2 Occupational Safety and Health Standard during the COVID-19 pandemic. **What has changed?** On 11 August 2020, the Bavarian State Ministry of Health and Care published the [Ordinance to amend the Sixth Ordinance on Infection Control Measures and the Entry-In-Quarantine Ordinance](#) which introduces the right for local authorities to request specific hygiene measures from all companies and agricultural businesses operating collective accommodations for at least 50 employees in total. Operators are responsible for compliance with protection and hygiene measures and in case local authorities would request specific measures, operators would have to regularly check and document compliance with those measures. Measures could be a maximum amount of persons allowed in each accommodation, the documentation of the regular cleaning in the accommodation, and providing employees with sufficient soap and hygiene products, among others.

**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 Ordinance to amend the Sixth Ordinance on Infection Control Measures and the Entry-In-Quarantine Ordinance only implements changes to collective accommodations. The following requirements remain applicable 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;

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.

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

**Abstract:** From 15 August 2020, companies operating in Portugal are subject to specific 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 63-A/2020 and apply until, at least, 31 August 2020.

**Business Impact:** If the company resumes its operation during the COVID-19 outbreak, it 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.

**Analysis: Actionable Requirements:** [Resolution of the Council of Ministers 63-A of 14 August 2020](#) does not create new actionable requirements for companies.

**What Has Changed:** The requirements for companies are the same as the ones set forth by [Resolution of the Council of Ministers 55-A of 31 July 2020](#).

**Brief Analysis:** [Resolution of the Council of Ministers 63-A of 14 August 2020](#) extends the state of contingency and alert in Portugal, due to the COVID-19 pandemic. It came into force on 15 August 2020. 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. Resolution 63-A/2020 restates the requirements introduced by [Resolution of the Council of Ministers 55-A of 31 July 2020](#). 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 63-A/2020 is integrated into the Portuguese Government's legislative and regulatory response to fighting COVID-19. The state of contingency and alert provides the Portuguese Government with temporary extraordinary powers and competences to handle periods of public unrest. It differs from the state of calamity, contingency and alert insofar as it assigns the power to approve additional extraordinary measures to Municipalities and, as such, limits the central government's competences to approve further countrywide measures.

## 2.2.4 PORTUGAL Licensing procedures for major changes to industrial facilities manufacturing medical devices, PPE, ethyl alcohol or biocidal disinfectants simplified

**Abstract:** Since 13 March 2020, operators of industrial facilities manufacturing medical devices, personal protective equipment, ethyl alcohol or biocidal disinfectants intended to prevent the spread of the new coronavirus benefit from a simplified licensing procedure in case of a major change to their facilities. Employers providing social masks (*máscaras de uso social*) to their workers must ensure they comply with the technical requirements established by the National Authority for Medication and Health Products (INFARMED) and by the Authority for Economic and Food Safety (ASAE). These requirements follow from Decree Law 36/2020 which apply retroactively since March 2020.

**Business Impact:** If the company intends to make a major change to an industrial facility manufacturing medical devices, personal protective equipment (PPE), ethyl alcohol or biocidal disinfectants intended to prevent the spread of the new coronavirus (SARS-CoV-2) (such an increase in the production capacity), it must submit a simplified notification to the Agency for Competitiveness and Innovation (*Agência para Competitividade e Inovação - IAPMEI*) and will get a reply to its request within 5 working days. The company is no longer required to submit a notification prior to a major change to a category 3 industrial facility manufacturing any of these products. If the company provides social masks (*máscaras de uso social*) to its workers to protect them of contamination with COVID-19, it must ensure they comply with the health and safety requirements established by the National Authority for Medication and Health Products (*Autoridade Nacional do Medicamento e Produtos de Saúde - INFARMED*) and by the Authority for Economic and Food Safety (*Autoridade de Segurança Alimentar e Económica - ASAE*). If the company imports social masks not complying with these requirements, it must have an authorisation from the ASAE.

**Analysis: Actionable requirements** -If the company manufactures or places social masks (*máscaras de uso social*) on the market in Portugal, it ensures they comply with the technical requirements established by the National Authority for Medication and Health Products (*Autoridade Nacional do Medicamento e Produtos de Saúde, - INFARMED*) and by the Authority for Economic and Food Safety (*Autoridade de Segurança Alimentar e Económica - ASAE*). -If the company provides social masks (*máscaras de uso social*) to its workers, it ensures they comply with the technical requirements established by the National Authority for Medication and Health Products (*Autoridade Nacional do Medicamento e Produtos de Saúde, - INFARMED*) and by the Authority for Economic and Food Safety (*Autoridade de Segurança Alimentar e Económica - ASAE*).

**What has changed** The above listed actionable requirements are new requirements introduced by Decree Law 36/2020. Identical requirements already applied to medical devices and personal protective equipment (PPE) intended to prevent the spread of the new coronavirus (SARS-CoV-2). Decree Law 36/2020 also simplified the licensing procedure for major changes to existing industrial facilities manufacturing medical devices, personal protective equipment (PPE), ethyl alcohol or biocidal disinfectants intended to prevent the spread of the SARS-CoV-2. Operators of category 1 or 2 facilities must now submit a notification with a brief description of the intended changes, their maximum production and storage capacity and the new raw materials to be used and new products to be manufactured to the Agency for Competitiveness and Innovation (*Agência para Competitividade e Inovação - IAPMEI*). The IAPMEI must make a decision on the request within 5 working days. Operators of category 3 facilities are no longer to submit a prior communication of these changes to the entity coordinating the licensing procedure.

**Brief analysis** [Decree Law 36/2020](#) amended and republished [Decree Law 14-E/2020 establishing an exceptional temporary regime for the devise, production, importing, national marketing and use of medical devices for human use and of personal protective equipment](#) (PPE), to extend its scope to the manufacture import and marketing of social masks (*máscaras de uso social*) and simplify the licensing procedure of industrial facilities manufacturing medical devices, PPE, ethyl alcohol or biocidal disinfectants intended to prevent the spread of the new coronavirus (SARS-CoV-2). Decree Law 36/2020 entered into force on 16 July 2020 but applies retroactively since 13 March 2020.

**Industrial licensing** Decree Law 36/2020 establishes that authorised major changes to the operation of category 1 or 2 industrial facilities manufacturing medical devices, personal protective equipment (PPE), ethyl alcohol or biocidal

disinfectants intended to prevent the spread of the new coronavirus (SARS-CoV-2) will cease to be valid 30 calendar days after the date when it will be repealed. Decree Law 36/2020 is expected to apply until the end of the health emergency caused by the new coronavirus. According to [Decree Law 169/2012](#), category 1 or 2 industrial facilities are those likely to cause significant environmental impacts, such as those subject to environmental impact assessment, requiring an integrated permit, subject to the major accident prevention scheme, or subject to the European greenhouse gas emission allowance trading (EU-ETS). Category 3 industrial facilities are those not classified as category 1 or 2. Among others, major changes are those increasing the facility's built area or production capacity by at least 30%.

**Safety requirements for medical devices, personal protective equipment and social masks** According to Decree Law 14-E/2020, manufacturers and importers of the medical devices for personal use and PPE listed in its Annex, such as face masks, must ensure they display the CE mark or comply with the health and safety rules set forth by the National Authority for Medication and Health Products (*Autoridade Nacional do Medicamento e Produtos de Saúde, - INFARMED*) and by the Authority for Economic and Food Safety (*Autoridade de Segurança Alimentar e Económica - ASAE*). Employers are authorised to provide the PPE or social masks listed in the Annex to Decree Law 14-E/2020 to their workers, provided that it either displays the CE mark, complies with the rules set by the INFARMED or the ASAE, or that their import has been authorised by the ASAE.

### 2.2.5 SLOVENIA Covid-19 related gathering restrictions to remain in force until further notice

**Abstract:** As of 13 August 2020, companies located in Slovenia should be aware that Covid-19 related gathering restrictions are to remain in force until further notice, as announced by the Slovenian Government. This means that companies must continue to comply with the hygiene recommendations of the National Institute of Public Health and ensure that they do not organize public gatherings of more than 50 people.

**Business Impact:** Companies located in Slovenia should be aware that Covid-19 related gathering restrictions are to remain in force until further notice, as announced by the Slovenian Government on 13 August 2020. This means that companies must continue to comply with the hygiene recommendations of the National Institute of Public Health and ensure that they do not organize public gatherings of more than 50 people.

**Analysis: Extension of gathering restrictions** On the basis of an expert assessment, the Government of the Republic of Slovenia announced that the gathering restrictions imposed by the [Ordinance on the temporary general restriction or prohibition of gathering people in the Republic of Slovenia OJ 92/20](#) will continue to apply. This means that companies located in Slovenia must continue to:  
ensure they do not organize public gatherings of more than 50 people; and  
in case they organize a public gathering or event, ensure that all hygiene recommendations of the National Institute of Public Health are taken into account and that contact between people is minimised.

## 2.3 Latin America

### 2.3.1 ARGENTINA NATIONAL Argentina has extended the lockdown until 30 August 2020 under the same conditions as the previous extension



**Abstract:** Until 30 August 2020, Argentina has extended the lockdown under the same conditions as the previous extension. This follows from Decree 677/2020 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 minor changes, the Decree reimposes the lockdown in some provinces where it was previously lifted with social distancing measures in place (such as some departments of La Rioja, Salta and Santiago del Estero), and adds the activity of health and safety professionals to the list of exemptions.

**Business Impact:** If the company operates in the Metropolitan Area of Buenos Aires or in some specific areas (such as Jujuy, Salta or Santa Cruz provinces) 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 to cease its operations until 30 August 2020. The company can remain operational remotely, if possible. If the company carries out industrial activities in Buenos Aires City, it is now exempted from the lockdown. In addition, the company can now hire. If the company operates in any other area where the lockdown has been lifted, it can continue with its activities, subject to the authorization of the local authorities. Among others, the company must continue to comply with the sanitary protocols specific to its activity, ensure there is a physical distance of at least 2 meters between workers, and comply with any decision of local authorities regarding opening hours and operating days. In addition, the company can organize employees in turns for granting the physical distance in rooms used for resting or eating.

**Analysis: Actionable requirements** If the company carries out activities in areas under lockdown (such as the Metropolitan Area of Buenos Aires or Salta province) and does not carry out essential or expressly exempted activities, it remains shut down, or continues its operations remotely, until 30 August 2020. Additionally, if the company has resumed activities, it must continue to comply with the 2 meters physical distance, adequately ventilate areas allocated for rest, food, or any other activity within the working environment.

**What has changed?** Decree 677/2020 extends the lockdown until 30 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. The Decree keeps the same conditions as the previous extension, but reimposes the lockdown in some areas that were previously exempted. In addition, it exempts industrial activity in Buenos Aires City (*Ciudad Autónoma de Buenos Aires -CABA*) and the activity of health and safety professionals from the lockdown.

**Additional information** On 2 August 2020, the Argentine government published Decree 677/2020, which extended the lockdown. The lockdown continues to be imposed in Jujuy, Santa Cruz, Tierra del Fuego provinces and the Metropolitan Area of Buenos Aires (*Área Metropolitana de Buenos Aires -AMBA*), which includes the City of Buenos Aires and 35 municipalities of the Buenos Aires province, including, among others:

La Matanza;  
Vicente López;  
Lanús; and  
Avellaneda.

In addition, the Decree reimposes the lockdown in the following provinces, which were previously under the social distancing phase:

La Rioja;  
Santiago del Estero; and  
Salta.

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

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: physical distance of at least 2 meters;

use of face masks;

regular hands washing;

disinfection of surfaces of common use; and

ventilation of closed environments.

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

Finally, employees over 60 years of age, pregnant women, workers included within risk groups (such as people with diabetes, respiratory diseases, or under cancer treatment) or workers whose presence at home is required for taking care of children or elders continue to be exempted countrywide from attending their workplaces, as established by [Resolution 207/2020](#).

[Decree 677/2020, extending the lockdown and social distancing measures until 30 August 2020](#) is available online in Spanish.

### 2.3.2 ARGENTINA NATIONAL Companies resuming activities must not request employees to provide a medical certification on COVID-19

**Abstract:** As of 14 August 2020, companies resuming activities or reincorporating employees to the workplace must not require employees to provide any medical certification or test on COVID-19. This follows from Joint Resolution 5/2020, issued by the Ministry of Health and the Ministry of Labor, Work and Social Protection that establishes the prohibition to require employees such medical certifications.

**Business Impact:** If the company has resumed activities and reincorporates or hires employees, it is not entitled to request them to provide any medical certification regarding COVID-19.

**Analysis: Actionable requirement** If the company has resumed activities and hires or reincorporates employees to the activity, it does not require them to provide any medical certification or test on COVID-19.

**What has changed?** Joint Resolution 5/2020 establishes that companies are not entitled to require employees reincorporating to the activity or new employees to submit a medical certification or test regarding COVID-19.

**Additional information** On 14 August 2020, the Ministry of Health (*Ministerio de Salud*) and the Ministry of Labor, Work and Social Protection (*Ministerio de Trabajo, Empleo y Seguridad Social*) published Joint Resolution 5/2020 establishing that companies are not entitled to require employees to present a medical certification on COVID-19 when they resume or start activities. The authorities decided to issue the Joint Resolution because many companies were requiring employees to present the mentioned medical certifications, which did not have any legal ground. In addition, the requirement of medical certifications on COVID-19 could lead to workers discrimination and violate patients' privacy. [Joint Resolution 5/2020, imposing a prohibition to require employees to submit a medical certification on COVID-19](#) is available online in Spanish.

### 2.3.3 MEXICO CITY Manufacturing facilities must implement sanitary measures to operate during Covid-19 pandemic

**Abstract:** As of 12 June 2020, manufacturing facilities that are operating during the Covid-19 pandemic must implement sanitary measures to prevent the spread of the virus within its facilities. These measures are established in the Guidelines on health protection measures to be complied with by the manufacturing industry to resume activities towards a safe return to the new normality in Mexico City.

**Business Impact:** As a manufacturing plant, the company must implement the sanitary measures that are established in the Guidelines on health protection measures to be complied with by the manufacturing industry to resume activities towards a safe return to the new normality in Mexico City. Some of the measures include:

- establishing an entrance/exit protocol and sanitary filters for workers and for visitors;
- surface disinfection and cleaning;
- posts the signs in different areas for specific purposes regarding measures to prevent the spread of Covid-19;
- maintains and operates ventilation systems based on the guidelines;
- ensure the Health and Safety Committee oversees the implementation of the sanitary measures to prevent the spread of the virus in the workplace; and
- collaborate with local and federal authorities in the implementation of the sanitary measures and shut down the facility if necessary to any outbreaks.

**Analysis: Actionable requirements** The [Guidelines on health protection measures to be complied with by the manufacturing industry to resume activities towards a safe return to the new normality in Mexico City](#) (Guidelines) establish sanitary measures that must be implemented by employers to prevent the risk of infection from Covid-19 within the premises of manufacturing facilities. Under the Guidelines, facilities must implement the following sanitary measures for its different areas:

#### **Entrance/Exit protocol for workers**

- establish a sanitary filter for the identification of persons with an acute respiratory infection;
- designate specific holding area for employees, whose body temperature is higher than 37.5° C and have been identified to have signs of acute respiratory infection, and provide a face mask;
- provide 70% alcohol-based disinfectant gel for hand washing and verify the adequate use of the face mask;
- place disinfectant mats with sodium hypochlorite concentration of 0.5% ensuring that they are refilled;
- establish an entrance and exit exclusively for personnel, in case there is only one access, ensure it is divided by physical barriers to have specific spaces for the entry and exit;
- instruct each person to maintain a minimum distance of 1.5 meters between each other to avoid physical contact;
- designate one person to verify that the entry into the workplace is conducted one person at a time and that the 1.5 m distance is met in the areas outside the door to work areas to avoid crowding;
- keep a detailed registry of all persons entering the work center; and
- promote handwashing when entering and exiting the shift and/or the use of antibacterial gel during the shift.

**Entrance/Exit protocol for visitors** The facility ensures that visitors' entrance schedule does not coincide with the workers' entrance and exit schedule and that all visitors:

- wear a face mask at all times, the company must provide face masks for visitors that do not have one upon arrival;
- are subject to a brief questionnaire to detect Covid-19 symptoms and temperature check;
- use hand gel and wipe feet on disinfectant mats upon entering; and
- wipe down any packages or objects that are exchanged between workers and visitors.

**Surface disinfection and cleaning** The employer must establish a permanent cleaning program for the facility and food, sanitary, and rest areas using the appropriate cleaning products to prevent the spread of the virus. The facility must commit to conducting intensive cleaning and disinfection rounds in all areas and particularly those in the contact areas of greatest risk. For this purpose, the facility must identify high influx areas to keep them clean and free. The cleaning



program must include the following measures:

- keep spaces clean and sanitized at all times, special and constant cleaning on frequent contact surfaces such as handles;
- constant disinfection of tools and common use surfaces and before an object changes from one user to another;
- disinfection with a chlorine solution at the beginning and end of each work shift and more than once in areas of high risk or concentration;
- identify risk zones by the level of concentration of people and flow and have a constant and intensive cleaning;
- establish a cleaning schedule;
- have all persons place disposable tissues and disposable face masks in containers identified as "sanitary waste" (*residuos sanitarios*) with a bag and lid;
- facilitate hygiene in entrance and exit areas such as having sanitizing mats to disinfect footwear;
- increase the availability of waste bins;
- keep spaces free of personal objects; and
- clean toilets with lids closed and ensure personnel keep the lids down to minimize the release of droplets and waste that can be suspended in that space.

**Screening for workers** The facility carries out screening through medical questionnaires, temperature monitoring, attention to symptoms. The facility must ensure that workers who are working and presenting respiratory symptoms seek medical attention. The occupational doctor must fill out a biological risk questionnaire and based on the result, determine if the worker presents a suspicious case. All suspicious cases must be reported to the LOCATEL service (5658-1111) and/or text the word COVID19 to 51515. Any suspicious case must be isolated at home for 14 days, following the protocol for home isolation. Respiratory illness cases that do not meet the suspect case criteria will be sent to preventive home isolation for at least 3 days and prior to their return to work, fill out a biological risk questionnaire and notification via text message and via the LOCATEL service. *Signs* In addition to the requirements listed above, the [Guidelines](#) establish that facilities post signs in different areas for specific purposes regarding measures to prevent the spread of Covid-19 such as:

- places for waiting in line - signs for lines within work zones where it is necessary keep a distance of 1.5 m between each person such as entry and exit to the workplace, bathroom, dining areas, and rest areas;
- areas that must not be occupied - signs that prohibit the use of the space such as specific areas, seats, dining areas, closed areas;
- use of face masks in work zones - signs that require the use of face masks at all times such as in entryways and exits, work areas, dining room, restrooms, and offices;
- traffic flow - place markings on floors or posters to delimit access routes, routes to work areas, canteen, bathrooms to clearly delimit the ways, making one-way directions to avoid crossing and prevent agglomeration of people;
- maximum capacity - place posters with the maximum number of people in areas in highly occupied areas such as bathrooms, work areas, canteens, recreation areas, elevators, boardrooms, among others;
- silence - place signs indicating to be silent in all spaces and particularly in enclosed spaces such as bathrooms, work areas, canteen, among others.

**Ventilation** Similarly, the [Guidelines](#) establish measures that must be implemented for the ventilation system to prevent the spread of Covid-19 in manufacturing facilities. The facility must implement the following measures regarding ventilation:

- ensures natural ventilation of spaces by opening doors and windows for correct air direction;
- operate the ventilation system only with a minimum recirculation of 30% toward the exterior (ventilation strategies include dilution, air-flow patterns, pressurization, temperature and humidity distribution and control, and UVGI);
- keep mechanical ventilation on 24/7;
- give continued maintenance to HVAC systems including filter changes for more efficient ones ensuring the correct placement to avoid air filtration;
- reduce relative humidity to 30% (+-10%) in all spaces to avoid the concentration of droplets of SARS-CoV-2;
- verify that there are no leaks in piping in any part of the system;
- turn on the ventilation to nominal speed at least 2 hours prior to occupying the building and change lower the speed 2 hours after it is cleared;
- leave ventilation system on at low speed during nights and weekends;

avoid having people working close to vents; and  
provide continuous training to the personnel that operates the HVAC system.

**Medical surveillance** The facility must have medical personnel on-site or assigns dedicated personnel to monitor the evolution of the workers who present symptoms and following up personnel with risk of contagion. It must also identify routes and contacts to identify workers at higher risk of infection, this implies knowing how to identify employees who have been in contact with patients with Covid-19 and/or employees that frequent places with large concentrations of people. In the case of confirmed cases of Covid-19, the company with the health authorities must assess whether it is an isolated case or if it is determined as an outbreak and can determine the partial or total closure of the workplace and/or building where cases have been detected. In all cases, the corresponding authorities must be notified using the available tools: text message (SMS) with the word “covid19” to 51515 or by dialing the LOCATEL (5658-1111).

**What has changed** The [Guidelines on health protection measures to be complied with by the manufacturing industry to resume activities towards a safe return to the new normality in Mexico City](#) (Guidelines) establish new sanitary measures to be able to avoid contagion and contain the propagation of Covid-19 in the manufacturing industry. Provisions under the Guidelines are mandatory, and facilities are required to implement them before resuming full operations.

**Additional information** Businesses or companies operating according to the epidemiological traffic light will be responsible for consulting the following website for publication and acceptance of sanitary measures, available at: [covid19.cdmx.gob.mx/medidassanitarias](https://covid19.cdmx.gob.mx/medidassanitarias) and download and print the proof and post it on the business premises.

### 2.3.4 MEXICO CITY Companies with more than 100 employees must test 3% of its workforce for Covid-19 on a weekly basis

**Abstract:** As of 1 August 2020, companies with more than 100 employees operating during the Covid-19 pandemic must conduct weekly tests for the detection of the virus SARS-CoV2 of at least 3% of the total of the staff working in each workplace, either individually or in groups. The company must then report the results each Monday online. This requirement is established by an amendment to the Guidelines for the implementation of the Gradual Plan Toward the New Normality in Mexico City.

**Business Impact:** If the company employs more than 100 employees, it must test at least 3% of the workforce for the SARS-CoV-2 virus every week and report every Monday the testing results to the Monitoring Committee.

**Analysis: Actionable requirements** Under the [Amendment](#) to the Guidelines for the Implementation of the Gradual Plan Toward the New Normality in Mexico City, companies are subject to the following requirements:  
If the facility employs more than 100 people during the Covid-19 pandemic, it ensures at least 3% of its workforce is tested weekly for the virus SARS-CoV2.  
If the facility employs more than 100 people during the Covid-19 pandemic, it reports to the Public Location Service Telephone 55 56 58 11 11 (LOCATEL) the date of testing and the results of the tests for the detection of SARS-CoV2. The personnel of the Service will provide a file case number of the report.  
If the facility employs more than 100 people during the Covid-19 pandemic, it ensures that each of the workers in the group that underwent the test carries out a Covid-19 self-diagnosis.  
If the facility employs more than 100 people during the Covid-19 pandemic and if the group test has tested positive for Covid-19, it ensures the whole group safeguards at home and gives an individual analysis to each member.

**What has changed** The Amendment modifies the Guidelines for the Implementation of the Gradual Plan Toward the New Normality in Mexico City and introduces stringent requirements on the testing of employees to prevent the spread of the Corona Virus.



**Additional information** The test must be in polymerase chain reaction RT-CRP, as authorized by the sanitary authorities to diagnose Covid-19, for at least 3% of the total of the staff working at the premises. A group test is understood as the one performed on a group of up to 15 people (preferably that share spaces or have more contact with each other) and consists of taking samples from each one, which is combined and processed as a single reaction SARS-CoV-2 virus polymerase chain test. Under the Amendment, employers by means of the company's legal representative or the person it designates as responsible at the workplace must report on Mondays of every week, through Mexico City's Monitoring Committee (*Comité de Monitoreo de la Ciudad de México*) [website](#), tests results along with the following information: company name and Federal Tax ID number (*Registro Federal de Contribuyentes*); contact's telephone number; name of the person filing the report; number of individual or group tests conducted, in case of group testing indicate the number of samples taken; date the tests were taken; date and results of the tests; name of the laboratory that analyzed the tests; names of the employees that tested positive; age of the employees that tested positive; address of the employees that tested positive; and telephone number of the employees that tested positive.

The purpose of this reporting is to increase the tracking capacity, identification and follow-up of positive and suspicious cases of Covid-19 of the epidemiological surveillance system. Article NOVENO BIS of the Guidelines for the implementation of the Gradual Plan Toward the New Normality in Mexico City establishes that any person living in or passing through Mexico City can conduct a Covid-19 self-diagnosis using any of the following tools: sending a free (SMS) text message with the word "covid19" to the number 51515; at Mexico City's Monitoring Committee [website](#); or calling the Locatel telephone number 5658-1111 or sending a direct message to the Government of Mexico City [Facebook](#) page with the word "covid19".

## 2.4 Asia & Oceania

### 2.4.1 AUSTRALIA - VICTORIA Facilities can refer to the guidance on the safe disposal of personal protective equipment (PPE) at home and in the workplace during the COVID-19 pandemic

**Abstract:** Facilities now have at their disposal further guidance on the disposal of waste personal protective equipment (PPE) generated both at home and in the workplace. This follows from the publication of the guidance document 'Coronavirus(COVID-19): Disposing of PPE at home and in the workplace' ("the Guidance") by the Victorian Environment Protection Authority. The Guidance provides recommendations on the manner in which Metropolitan Melbourne-based industries classified as high risk during the COVID-19 pandemic must dispose of their used PPE.

**Business Impact:** The company is under no new legal obligations because of the publication of the Coronavirus(COVID-19): Disposing of PPE at home and in the workplace ("the Guidance"). However, the company can consult the Guidance on the disposal of personal protective equipment (PPE). The Guidance states for example that: all single-use PPE items such as tissues, disposable masks, and gloves used in a high-risk company or industry should be placed in a bin that is lined with a plastic bag; in a high-risk industry or company, bins that are three-quarters full should be tied and placed in a general waste bin to prevent spilling on the contents of the plastic bag; the first plastic bag containing the waste PPE should be placed in a second plastic bag, tied and placed in the general waste

bin;

there should be frequent hand washing for at least 20 seconds, using soap and water or a hand sanitiser that contains at least 60% alcohol; and

in a non-high-risk company or industry, PPE should be placed in a tied-off bag and deposited in a general waste bin and not a recycling bin.

**Analysis:** The Victorian Environment Protection Authority (VEPA) published the guidance document Coronavirus (COVID-19): Disposing of PPE at home and in the workplace ("the Guidance") in August 2020. The Guidance proposes safe recommendations on the safe disposal of personal protective equipment (PPE) by Metropolitan Melbourne-based industries classified as high risk during the COVID-19 pandemic. The Guidance provides recommendations for PPE used both at home and in the workplace.

**Disposal of PPE from households** The Guidance proposes that for employees that work from home:

single-use PPE worn during regular daily activities should be placed in a general waste bin;

households with a suspected or diagnosed COVID-19 case must place the waste PPE and tissues into a sealed plastic or paper bag and then the plastic or paper bag placed in the general waste bin; and

PPE must not be placed in the recycling bins.

The Guidance also recommends thoroughly cleaning of hands before and after carrying rubbish to the general waste bin or moving bins to and from the kerbside.

**Disposal of PPE for non-high-risk workplaces** According to the Guidance, non-high-risk workplaces should place disposable PPE in a tied-off bag and place the tied-off bag in a general waste bin. The Guidance recommends that waste PPE should not be placed in recycling bins.

**Disposal of PPE from high-risk workplaces** The Guidance proposes that in the workplace,

all single-use PPE items such as tissues, disposable masks, and gloves should be placed in a bin that is lined with a plastic bag;

bins that are three-quarters full should be tied and placed in a general waste bin to prevent spilling on the contents of the plastic bag;

the first plastic bag containing the waste PPE should be placed in a second plastic bag, tied and placed in the general waste bin;

there should be frequent hand washing for at least 20 seconds, using soap and water or a hand sanitiser that contains at least 60% alcohol.

**High-risk workplaces** According to the Guidance, high-risk workplaces/industries include: construction industries; medical and pharmaceutical supply businesses; and warehousing and distribution centres.

The [Coronavirus \(COVID-19\): Disposing of PPE at home and in the workplace](#), guidance can be accessed on the Enhesa Knowledgebase.

## 2.4.2 AUSTRALIA Facilities can refer to the new national guide for safe workplaces on COVID-19 work controls

**Abstract:** Beginning 14 August 2020, facilities can refer to the new national guidelines for safe workplaces. This follows from the publication of the National Guide for Safe Workplaces-COVID-19 ("the Guidance"). The Guidance provides recommendations to assist employers to meet their work health and safety duties in relation to the novel 2019 coronavirus (COVID-19) pandemic as well as for employers to determine the best way to manage the COVID-19 pandemic in the workplace.

**Business Impact:** The company can refer to the National guide for safe workplaces – COVID-19 ("the Guidance"). The company should conduct a detailed risk assessment as well as consider implementing the 'plan', 'implement', 'monitor', and 'improve' approach suggested by the Guidance. In particular, the company should take into consideration the following key control measures:

- ensure employees or workers with COVID-19 symptoms remain at home and do not come to work. This can be done by implementing workplace policies and procedures to manage cases or outbreaks of COVID-19 as well as supporting employees or workers in accessing testing;
- screen workers before entry into the workplace by way of for example temperature checks and travel history collection;
- enforce physical distancing which can be achieved by for example limiting the number of people in the workplace and ensuring the physical layout of the workplace supports physical distancing;
- promote good hygiene practices in the workplace by for example ensuring there are adequate and accessible facilities to achieve good hygiene, and ensuring the adequate provision of supplies such as soap and water;
- conduct maintenance services on equipment and systems, including heating, ventilation, and air conditioning (HVAC) systems and other water-based systems to prevent risks related to Legionella, especially if they have been shut down or unused for a period of time;
- ensure deep cleaning of workplaces and equipment, for example, the disinfection of taps, showers, and other 'end of trip' facilities such as lockers and bicycle cages prior to the return of employees;
- provide specific support, guidance, and resources to workers who cannot perform work at home or in a fixed physical workplace during the pandemic, like consultants, drivers, cleaners, delivery workers, and maintenance workers; and
- provide personal protective equipment (PPE) that can be used to protect employees against COVID-19 for example gloves and masks.

The Guidance also suggests that the company review and if necessary update its work health and safety (WHS) policies and its emergency plan, monitor the implemented plans or procedures, and improve plans and procedures that are not working effectively in promoting a safe working environment.

**Analysis:** On 14 August 2020, Safework Australia published the National guide for safe workplaces – COVID-19 ("the Guidance") to assist employers to meet their work health and safety duties in relation to COVID-19 as well as to determine and manage the risk of COVID-19 in the workplaces. The Guidance includes recommendations on conducting risk assessments for COVID-19, workplace policies as well as identifying activities and situations where employees may contract COVID-19. The Guidance uses a plan, implement, monitor, and improve approach to risk management of COVID-19 in the workplace.

**Plan Approach** Under the Guidance, the 'plan approach' consists of ways in which the facility can plan to work safely. This includes conducting a risk assessment regarding COVID-19 in the workplace. Consultation The Guidance recommends that facilities consult with workers on health and safety matters relating to COVID-19. Consultation includes consulting employees on for example the risk COVID-19 presents to the health and safety of workers and proposing other changes to the workplace as a result of COVID-19 which may affect health and safety. Consultation should allow employees to express their views on work health and safety (WHS) issues. Risk Assessment for COVID-19 According to the Guidance, a detailed risk assessment in accordance with standard risk management processes should be conducted. The risk assessment should also take into consideration all the ways a person can come into contact with respiratory droplets and control measures to minimise the likelihood of coming into contact with such droplets. Taking this into consideration, facilities that conduct a COVID-19 risk assessment should:

- identify all activities or situations where employees or workers may contract COVID-19 from each other or from a surface;
- assess the level of risk that people associated with the contact and spread COVID-19 in the workplace taking into account vulnerable workers;
- the nature of the workplace, such as whether it is a factory, an office, a construction site;
- the work tasks and activities performed at the workplace, for example, significant interaction with customers;
- the working arrangements of the workers, for example, shared facilities; and
- determine what control measures are reasonably practicable to eliminate or minimise the risk of exposure to COVID-19.

Activities and Situations Where Employees May Contract COVID-19 The Guidance suggests that to identify the activities



and situations where employees may contract COVID-19 the facility will need to assess factors such as: work tasks, workflows or processes carried out at the workplace, such as using shared equipment; areas where workers may be in close proximity, such as in offices, or shared areas such as break rooms or kitchens; interactions between workers and customers or other people who attend the workplace, for example, delivery drivers; and high touch surfaces at the workplace which may become contaminated, such as door handles, taps, or access control points such as keypads.

**Key Control Measures** Key control measures provided by the Guidance include:

ensuring employees or workers with COVID-19 symptoms remain at home and do not come to work. This can be done by implementing workplace policies and procedures to manage cases or outbreaks of COVID-19 as well as supporting employees or workers in accessing testing;

screening workers before entry into the workplace by way of for example temperature checks and travel history collection;

physical distancing which can be achieved by for example limiting the number of people in the workplace and ensuring the physical layout of the workplace supports physical distancing;

promoting good hygiene practices in the workplace by for example ensuring there are adequate and accessible facilities to achieve good hygiene, and ensuring the adequate provision of supplies such as soap and water;

cleaning and disinfecting at least once every day; and

provision of personal protective equipment (PPE) that can be used to protect employees against COVID-19 for example gloves and masks.

**Implement Approach** Under the Guidance, the 'implement' approach consists of facilities putting into practice control measures to minimise the risk of COVID-19 in the workplace. Workplace Policies The Guidance suggests for facilities to review and if necessary update WHS policies and the facility's emergency plan in consultation with workers and health and safety representatives. The policy must be communicated with workers prior to their first return to the workplace or immediately upon returning to the workplace. Communication about COVID-19 Facilities must provide employees with any information, training, instruction, or supervision that is necessary to protect them from risks to their health and safety. Communication includes:

providing up-to-date information on COVID-19 from state and territory government advice;

guidance on physical distancing; and

training necessary to address risks in the workplace or on the use of PPE.

**Monitor Approach** Under the Guidance, the 'monitor' approach includes checking to see how well the control measures are working. The Guidance suggests that facilities closely monitor the effectiveness of measures introduced to control risks arising from COVID-19. For example, facilities may consider the following:

are the control measures working effectively in both their design and operation?

have the control measures introduced any new problems?

have all risks associated with COVID-19 in the workplace been identified?

have new work methods made the job safer?

are new safety procedures for COVID-19 being followed?

have the instruction and training provided to workers on how to work safely in a COVID-19 environment been successful?

**Improve Approach** Under the Guidance, the 'improve' approach consists of addressing any issues and finding ways to promote business effectiveness. The Guidance suggests that facilities should:

take immediate actions to improve or change any control measures that are not effective;

implement additional control measures if needed, and

address changes to the external and internal issues that can affect health and safety at work including any changes to public health directions.

**Preparing the workplace for a safe transition for employees** In addition, the Guidance suggests that in order to ensure a safe workplace for returning employees, employers should:

- conduct maintenance services on equipment and systems, including heating, ventilation, and air conditioning (HVAC) systems and other water-based systems to prevent risks related to Legionella, especially if they have been shut down or unused for a period of time;
- ensure deep cleaning of workplaces and equipment, for example, the disinfection of taps, showers, and other 'end of trip' facilities such as lockers and bicycle cages prior to the return of employees;
- provide specific support, guidance, and resources to workers who cannot perform work at home or in a fixed physical workplace during the pandemic, like consultants, drivers, cleaners, delivery workers, and maintenance workers;
- consider conducting work through video conference or remote alternatives especially if the business has a mobile workplace or workers;
- advise mobile workers to refuse entry into a workplace if control measures regarding COVID-19 are not in place or are breached;
- ensure that where workers need to travel in a shared vehicle, employees should only occupy every other seat, windows are left open and the air conditioning is set to external airflow; and
- keep detailed information about the places workers go and people they have prolonged interaction or close contact with during work hours.

The [National guide for safe workplaces – COVID-19](#) guidance can be accessed on the Enhesa Knowledgebase.

### 2.4.3 SRI LANKA Workplaces can consult workplace operational guidelines and response for workplace preparedness in light of COVID-19 Pandemic

**Abstract:** Starting from 15 April 2020, facilities can consult Guidance for workplace preparedness for COVID-19 ("Guideline 1") issued by the Epidemiology Unit of the Ministry of Health & Indigenous Medical Services and the Operational Guidelines on Preparedness and Response for COVID-19 outbreak for workplace settings ("Guideline 2") issued by the Directorate of Environmental Health, Occupational Health and Food Safety department of the Ministry of Health & Indigenous Medical Services for dealing with COVID-19 at the workplace. The Guidelines provide necessary preventive measures and response measures to be taken for confirmed or suspected cases of COVID-19 on the work premises.

**Business Impact:** The company, as a manufacturing industry and factory, can implement new guidelines on the prevention and control of COVID-19 within workplace settings and follow the detailed procedure for confirmed or suspected cases. In order to prevent exposure and spread of COVID-19 at the workplace, the company, can among other procedure: follow the general preventive measures for all workplace settings which provide disinfection protocol and a need for preparedness plan for every workplace; review policies and practices to limit them to essential processes only and provide flexible working hours and office arrangement to maintain physical distancing within the factory; establish alternate days or extra shifts that reduce the total number of employees within the work setting at the given time to maintain physical distancing between each worker; and arrange all workplaces and settings to maintain a minimum distance of 1 meter between workers.

**Analysis:** The [Guidance for workplace preparedness for COVID-19](#) ("Guideline 1") issued on 15 March 2020 by the Epidemiology Unit of the Ministry of Health & Indigenous Medical Services and the [Operational Guidelines on Preparedness and Response for COVID-19 outbreak for workplace settings](#) ("Guideline 2") issued on 17 April 2020 by the Directorate of Environmental Health, Occupational Health, and Food Safety department of the Ministry of Health & Indigenous Medical Services deal with the prevention and management of COVID-19 outbreaks in the workplace. These guidelines are applicable to all workplaces. Guidelines 1 and 2 provide the following measures:

#### **General Preventive Measures for all workplaces Preparedness and responses plan:**

Employers are advised to develop a COVID-19 Preparedness plan, considering the occupational exposure of employees



and the individual risk factors and good practices mentioned in Guidelines 1 and 2, such as infection source identification;  
identification of sick individuals or those at a particularly high risk of infection;  
non-occupational risk factors in employees' homes and community settings; and  
individual risk factors such as age, chronic medical conditions, immune-compromised, etc.  
all workplaces are to identify a suitable and responsible person such as a nursing officer, safety officer, HR manager, or other officers to monitor the control activities implemented and provide guidance when queries arise; and  
all workplaces are to provide a specific isolation room with an attached bathroom/toilet, to transfer workers suspected of having COVID-19 infection; the rooms should be disinfected when necessary.

Categories of workers who should not report for work and/or must be sent home immediately using the transportation protocol:

Any person with fever, acute onset respiratory symptoms such as cough, runny nose, sore throat, and/or shortness of breath;

any person who has been in contact with a suspected or confirmed case of COVID-19 for the last 14 days; and  
any person who is quarantined for COVID-19.

Disinfection protocol:

Anyone entering the workplace should wash their hands with soap and water or use alcohol-based hand rub with 70% alcohol;

persons should use hand sanitizer after using the fingerprint scanner;

a fingerprint scanner should be disinfected after each shift;

workplaces should provide a footbath with 0.1% Sodium Hypochlorite solution and also a separate pair of shoes for use inside the premises;

routine housekeeping practices including wiping, cleaning and disinfecting surfaces, equipment and other items in the work environment;

metal surfaces should be disinfected with a minimum 70% alcohol solution and non-metal surfaces should be disinfected with 0.1 % sodium hypochlorite solution;

doorknobs, handles should be cleaned or disinfected every shift and every 3 hours and the office floors, equipment, and furniture must be disinfected 2 times a day; and

strip doors should be avoided but if they are absolutely necessary they should be cleaned 3 times a day with the disinfection protocol mentioned above.

During meal-time and in canteens:

Lunch and tea breaks should be given batch-wise to prevent crowding within the canteen;

all persons within the canteen should maintain minimum 1-meter distance and arrangement of the furniture should encourage physical distancing;

glasses, plates, utensils should not be shared during meals; and

meals, food, beverages served buffet-style should be served by dedicated persons and the facility should avoid self-serving which leads to cross-contamination.

Transportation protocol:

If transportation is provided, the vehicles should be cleaned and disinfected including all the handling surfaces before transport of passengers to prevent possible cross-contamination;

the seating arrangement within the vehicle should create at least 1-meter distance between workers seated within the vehicle;

a designated officer should be present to open and close the doors of the vehicles to avoid the passengers handling doors; and

the workers/staff should wear masks while being transported.

**Guideline 1 and 2 also provides the following:- Other protocols:**

When staff enter the workplace their temperature should be recorded, of which any temperature higher than 98.4o fahrenheit or 37o celsius should be rechecked after 10-15 minutes and if still the high temperature is recorded the person should be sent back home;

workplaces use a medical-grade thermal scanner to record employees' temperature;





all staff/workers should wear masks while on duty, refrain from touching their mask or their faces, discard the mask into a pedal-operated closed bin and wash their hands subsequently;  
workplaces should encourage respiratory etiquette and discourage workers/staff from using other workers' mobile phones, pens, and common items whenever possible, and if those items must be shared then disinfection protocol should be encouraged to disinfect the items;  
workplaces should discourage direct verbal communication between co-workers and use alternative methods to provide instructions to workers and staff members; and  
workplaces should keep doors open to reduce unnecessary handling.

Special advice in the event of a suspected case at the workplace:

Employers or management should seek immediate assistance from hotline 1390, follow the instructions provided, and transfer the worker to the nearest government hospital by Suwasariya ambulance service which can be contacted by calling 1990;

employers or management should ensure the suspected worker continues to wear a mask and is kept in isolation until transfer to the hospital under all precautions necessary to limit the spread of the disease; and  
employers should follow instructions of health authorities that visit the workplace if the suspected person tests positive.

Responsibility of the Management of the workplace:

Employers should provide personal protective equipment (PPE) such as gloves, goggles, face masks, gowns or aprons where necessary;  
employers should record the names and addresses of all the workers within a register;  
employers should refrain from employing temporary workers during the pandemic period;  
employers should ensure ventilation within the workplace, installation of air filters, and open doors when the air conditioner is not in use;  
employers should not encourage large gatherings and in-person meetings, instead, alternative methods of communication such as video conferencing should be recommended;  
employers should minimize the number of attendees if in-person meetings are essential, and a supply of materials such as tissues, hand sanitizers should be available to all participants of the meeting;  
employers should encourage different modes of working through emails, teleconferencing, etc, to minimize physical contact;  
employers should ensure that masks, gloves, headcovers and other PPE are not re-used;  
employers should ensure that waste disposal is carried out as per guidelines routinely followed except for the waste generated by suspected COVID-19 patients;  
employers should provide proper training for all cleaning staff on the correct procedure of waste management and ensure that the cleaning staff are provided with suitable PPE such as industrial gloves, and adequate facilities for handwashing with soap and water;  
employers should maintain all toilets within the work premises in a hygienic condition and ensure the main entrance door of the toilet is kept open;  
employers should clean and disinfect the door handles of toilets as per disinfection protocol; and  
employers should display posters, leaflets, and via LCD panels and health education messages such as handwashing techniques, to encourage workers to comply with given instructions.

**Guideline 2 provides instructions for specific workplaces** In addition to the general preventive measures, the following workplaces should adhere to the instructions to prevent and control the spread of COVID-19 infection and promote the health of the public. For Manufacturing Industries/factories:-

The management of the manufacturing industry/factory should restructure the workplace by reviewing their policies and practices to limit them to essential processes only and provide flexible working hours and office arrangement to maintain physical distancing within the factory;

the management of the manufacturing industry/factory should establish alternate days or extra shifts that reduce the total number of workers within the work setting at the given time to maintain physical distancing between each worker; and

the management of the manufacturing industry/factory should arrange all workplaces and work settings to maintain a minimum distance of 1 meter between workers.

#### For Private Offices:-

The management of private offices should restructure the workplace by establishing policies and practices to limit them to essential processes only and provide flexible working hours (e.g., staggered shifts) to increase the physical distancing between employees;

the management of private offices should establish alternate days or extra shifts that reduce the total number of employees within the work setting at the given time to maintain physical distancing between each employee;

the management of private offices should arrange workstations to maintain a minimum distance of 1 meter between workers;

the management of private offices should ensure anyone entering the premises (both visitors and staff) should wear a facemask; and

the management of private offices should ensure customers visiting private offices are aware of the control measures in place within the office through print, digital, or video messages.

**Definitions: Staggered shifts** are shifts that start at different times during the day. (Common meaning). **Factory** means any premises in which, persons are employed in manual labour in any process (a) the making of any article or part of any article; or (b) the altering, repairing, ornamenting, finishing, cleaning, or washing, or the breaking up or demolition of any article; or (c) the adapting for sale of any article; and also includes the premises in which persons are employed in manual labour, such as: (i) any yard or dry dock (including the precincts thereof) in which ships or vessels are constructed, reconstructed, repaired, refitted, finished or broken up; (ii) any premises in which the business of sorting any articles is carried on as a preliminary to the work carried on in any factory or incidentally to the purposes of any factory; (iii) any premises in which the business of washing or filling bottles or containers or packing articles is carried on incidentally to the purposes of any factory; (iv) any premises in which the business of hooking, plating, lapping, making up or packing of yarn or cloth is carried on; (v) any premises in which the construction, reconstruction, lubrication, or repair of locomotives, vehicles, or other plants for use for transport purposes is carried on not being any premises used for the purpose of housing locomotives or vehicles where only cleaning or washing is carried out. Any workplace in which, with the permission of or under agreement with the owner or occupier, two or more persons carry on any work which would constitute the workplace a factory if the persons working therein were in the employment of the owner or occupier, is deemed to be a factory. The guidelines provided above are non-exhaustive.

The [Guidance for workplace preparedness for COVID-19](#) and the [Operational Guidelines on Preparedness and Response for COVID-19 outbreak for workplace settings](#) are available in English on the ENHESA Knowledgebase.

#### **2.4.4 NEW ZEALAND Businesses remaining open in Auckland must comply with alert level 3 restrictions, businesses operating in the rest of the country must comply with physical distancing and contact tracing requirements**

**Abstract:** Due to COVID-19, the area of Auckland has been transitioned to an alert level 3 area. Businesses or services in alert level 3 areas must close their premises unless they can comply with specified requirements, such as avoiding client contact and contact tracing. The holding of outdoor events has been banned. The rest of the country has been transitioned to alert level 2. Businesses operating countrywide must comply with general physical distancing requirements or alert level 2 controlled-access distancing requirements, if applicable. Contact tracing requirements are set out. Specific restrictions are set out for businesses providing food/drink for consumption, such as restaurants and cafes. Events are restricted to a maximum of 100 persons.

**Business Impact:** If the business is carrying out operations in an alert level 3 area, they must comply with the alert level 3 requirements or close their business operations. Offices must ensure: -no customers/clients enter the premises (other than only, and then to the minimum extent necessary, to collect goods through a method that minimises physical contact and does not involve entering a building); -there is no close personal contact with customers/clients; and -to the greatest extent practicable, each person who enters the workplace – -scans the QR code for the workplace; or -provides details in a





contact tracing record that the person in control of the workplace collects. If the business operates a premises in the alert level 3 area and a person who enters the workplace provides details in a contact tracing record that the person in control of the workplace collects, the person in control must keep that record for a period of 30 days. If the business carries out operations in an alert level 3 area, it must not organise or participate in, any outdoor events. If the business operates anywhere in New Zealand, it must comply with the general physical distancing requirements that apply to it, unless specific controlled-access physical distancing requirements apply to it. The business must, to the greatest extent practicable: -ensure 1-metre physical distancing for all workers in the workplace; -ensure 2-metre distancing for any other persons entering a workplace, or using the services, of the business; and -mitigate the risks arising where physical distancing measures are not fully maintained. If the company operates a business under alert level 2 to which controlled-access requirements are applicable, it must maintain compliance with the 1-metre physical distancing rule for all persons entering the workplace of, using the services of, or working for the business or service to the greatest extent practicable. If the business is a person in control of a workplace anywhere in New Zealand, it must display a copy of a QR code for the workplace in a prominent place at or near the main entrance (if any) of the workplace for the purposes of contact tracing and must have other record-keeping systems and processes in place to enable the contact tracing of all persons entering the workplace. If the business is operating under alert level 2 and organises a social gathering, it must ensure that the gathering does not exceed, and is not likely to exceed, 100 persons in a defined space at one time. If the company is a person in control of any premises or of any defined space in any premises in which a social gathering is held under alert level 2, it must ensure that the social gathering does not exceed, and is not likely to exceed, 100 persons. If the company organises a social gathering and/or is a person in control of a defined space or premises where a social gathering is held under alert level 2, it must ensure the necessary records are kept to enable contact tracing. This is not required where every person at the gathering knows and can identify for contact tracing, every other person who is a participant in the gathering.

**Analysis: Actionable requirements** -From 22 August 2020, if the business operates a premises in the alert level 3 area, it closes its operations, unless the business that controls those premises can comply with the alert level 3 requirements for operation, including requirements for contact tracing and avoiding contact with clients and customers. -From 22 August 2020, if the business operates a premises in the alert level 3 area and a person who enters the workplace provides details in a contact tracing record that the person in control of the workplace collects, the person in control keeps that record for a period of 30 days. -From 22 August 2020, if the businesses operate in an alert level 3 area, it does not organise or participate in gatherings in outdoor places. -From 22 August 2020, if the business operates anywhere in New Zealand, it complies with the general physical distancing requirements that apply to it, unless specific controlled-access physical distancing requirements apply to it. -From 22 August 2020, if the company operates a business under alert level 2 to which controlled-access requirements are applicable, it maintains compliance with the 1-metre physical distancing rule for all persons entering the workplace of, using the services of, or working for the business or service to the greatest extent practicable. -From 22 August 2020, if the business is a person in control of a workplace anywhere in New Zealand, it displays a copy of a QR code for the workplace in a prominent place at or near the main entrance (if any) of the workplace for the purposes of contact tracing and has other record-keeping systems and processes in place to enable the contact tracing of all persons entering the workplace. -From 22 August 2020, if the business is operating under alert level 2 and organises a social gathering, it ensures that the gathering does not exceed, and is not likely to exceed, 100 persons in a defined space at one time. -From 22 August 2020, if the business is a person in control of any premises or of any defined space in any premises in which a social gathering is held under alert level 2, it ensures that the gathering does not exceed, and is not likely to exceed, 100 persons. -From 22 August 2020, if the business organises a social gathering and/or is a person in control of a defined space or premises where a social gathering is held, it keeps the necessary records to enable contact tracing.

**What has changed** Under the [COVID-19 Public Health Response \(Alert Levels 3 and 2\) Order \(No 2\) 2020](#), adopted under the [COVID-19 Public Health Response Act 2020](#), Auckland is an alert level 3 area. The COVID-19 Public Health Response (Alert Levels 3 and 2) Order 2020 is revoked. The order is in force from 11:59 pm on 22 August 2020. Businesses operating in alert level 3 areas are put into categories and ordered to close unless they comply with specified requirements. These include category A businesses e.g. courts, category B businesses e.g. supermarkets, public transport services, venue businesses and category C businesses, meaning businesses that are not category A, B or venue/transport businesses.

Holding outdoor events is prohibited. The rest of the country is at alert level 2. Limits of 100 persons are placed on social gatherings. Businesses operating anywhere in New Zealand must comply with general physical distancing requirements, or specific requirements if they apply to them. Restrictions are placed on businesses such as cafés and restaurants. Requirements for contact tracing are set out.

**Additional information QR codes and contact tracing requirements** A person in control, in relation to a defined space or premises, means a person who manages or controls the defined space or premises and includes any occupier of the defined space or premises, and if a facility or venue of a business or service is hired for an event or activity, that business or service. QR code means a unique identifying code issued by the Government for the purpose of enabling contact tracing. For the purposes of displaying QR codes and contact tracing, workplaces do not include, among other things any vehicle, or vessel. For the purposes of the order in relation to a person entering a workplace, contact tracing records, means: -the name of the person; -the date on which and time at which the person entered the workplace; and -a telephone number that may be used easily to contact the person

**General physical distancing requirements** General physical distancing requirements apply to workplaces in all of New Zealand, except to the extent that more specific requirements apply. Businesses must have systems and processes in place to: -comply with the 1-metre physical distancing rule (to the greatest extent practicable) for all workers in a workplace of, or while working for, the business; -comply with the 2-metre physical distancing rule (to the greatest extent practicable) for any other persons entering a workplace, or using the services, of the business; and -mitigate the risks arising where physical distancing is not fully maintained. The 1-metre rule requires people to remain at least 1 metre from any other person. It only applies if the rule applies to both people, e.g. both people are workers. The 2-metre rule requires people to remain at least 2 metres away from any other person.

**Alert level 3 requirements** Alert level 3 requirements apply to the alert level 3 area, any property if part of it is in the area and any other place necessary to enforce the requirements. Businesses which are not category A businesses, category B businesses, public transport services, education entities and venue businesses operating in an alert level 3 area, must comply with the following requirements. Businesses must have systems/processes in place to ensure: -no customers/clients enter the premises (other than only, and then to the minimum extent necessary, to collect goods through a method that minimises physical contact and does not involve entering a building); -there is no close personal contact with customers/clients; and -to the greatest extent practicable, each person who enters the workplace – scans the QR code for the workplace; or -provides details in a contact tracing record that the person in control of the workplace collects. Closure orders do not cover certain necessary work in the premises such as minimum basic operations including among others, cleaning, enabling workers to work from home and work to prepare the premises for opening/meeting public health guidelines.

**Alert level 2 controlled-access requirements** The requirements for controlled-access physical distancing apply to: - businesses and services which largely have a consistent group of workers and usually have a fixed workplace, e.g. office workplaces and factories; -services such as gyms; and -businesses where customers/clients enter the workplace of a business or service and food or drink is sold or provided/offered for consumption to those customers or clients in that workplace, such as a restaurant or café, among others. They do not apply to takeaway food stores.

**Alert level 2 food/drink requirements** These requirements apply to businesses if customers/clients enter the workplace of a business or service and food or drink is sold, provided or offered for consumption to those customers/clients in the workplace, e.g. a restaurant, café or other places where food/drink is provided without charge. These businesses must ensure, among other things: -the number of customers/clients in a defined space in the workplace is limited to 100; and - compliance with the 1-metre physical distancing rule for all customers and clients when they are not seated at a table to the greatest extent practicable. Defined space means any single indoor/outdoor space. If there is more than one space in a premises, it means a space where there are systems or processes in operation to ensure that persons using the space other than workers do not intermingle at a distance of less than 2-metres with other persons. The requirements do not apply to: -businesses providing food or drink to their workers; or -vending machines that are located and used within a

workplace. If more than one business operates in the same/shared premises (e.g., a cafe that operates in an office building) each of those businesses must comply with all of the requirements that they apply to it individually.

**Gatherings of friends** Gatherings of friends in non-alert level 3 workplaces need not comply with physical distancing. A gathering of friends means a group of customers/clients/other persons who confirm they are, or whom it is otherwise reasonable to believe to be, a group of persons who all know each other and can identify each other for the purposes of contact tracing.

**Alert level 2 social gatherings** The organiser of a social gathering and person in control of a premises where a social gathering is held must ensure the organiser, person in control or a participant in the gathering keeps records to enable contact tracing. This is not required where every person at the gathering knows and can identify for contact tracing, every other person who is a participant in the gathering. Social gatherings where these requirements are not met are prohibited.

**Offences** If a business does not comply with any of the requirements under the Order, it commits an infringement offence under the COVID-19 Public Health Response Act 2020 and may be liable of an infringement fee of 300NZD or a fine imposed by a court of up to 1000NZD.

## 2.5 Africa & Middle East

### 2.5.1 AFGHANISTAN Companies must comply with guidance documents regarding COVID-19 to protect employees

**Abstract:** Companies must comply with the guidance documents and information released by the General Directorate of Disease Prevention and Control of Ministry of Public Health and enforcement by the Ministry of Labor, Social Affairs, Martyrs and Disabled. A few examples of the mandatory guidelines include providing lavatories and disinfectants on-site, providing clean ventilation, ensuring social distancing of one meter, and implementing remote work policies when possible.

**Business Impact:** If the company has employees on site, it must follow the guidance documents and information published by the General Directorate of Disease Prevention and Control of the Ministry of Public Health. For example, companies must update their emergency plans and implement measures such as social distancing and work from home policies when possible.

**Analysis:** On 4 April 2020, the General Directorate of Disease Prevention and Control of the Ministry of Public Health published a guidance document regarding Covid-19 that employers must follow the guidance documents requires companies to:

- Order employees to refrain from coming to work, if they feel sick;
- Provide lavatory areas with soap;
- Delay or cancel any gatherings or group meetings that are designed to be in close contact with employees or if necessary hold the gathering in an open space;
- Provide efficient vents at the workplace and social distancing at least one meter;
- Update emergency plans;
- Prevent gatherings with large numbers of clients;
- Avoid sending employees to provinces with increased Covid-19 outbreaks;
- Encourage remote work when possible;
- Provide masks and gloves for the employees that are in close contact with people; and

Ensure a 14-day quarantine for employees who have been in close contact with someone who tested positive for Covid-19.

**More Information** More information on the requirements can be found in the [Guidance on Preventing the Outbreak of COVID-19](#).

### 2.5.2 KUWAIT NATIONAL Companies returning to work as part of the level 4 of the plan to return to normal must comply with Covid-19 safety and prevention measures in the workplaces

**Abstract:** Since 18 August 2020, companies that return to work in Kuwait, as part of the implementation of level 4 for the return to normal plan, must do so in accordance with the sanitary measures enforced by the Ministry of Health to ensure a safe work environment for everyone and avoid the spread of the coronavirus.

**Business Impact:** If the company allows its employees to go back to the workplace, it must comply with the social distancing measures and the preventive sanitary measures enforced by the Ministry of Health, such as wearing a face mask at all times, providing hand-sanitizers, cleaning work spaces on a regular basis, keeping 2 meters of distance between the employees and others. In addition, companies must continue to encourage teleworking where possible.

**Analysis: Actionable requirements** If the company allows employees to return to the workplace, it must ensure appropriate social distancing. Through measures such as providing at least 2 meters of distance between everyone, rearranging the offices and workplaces accordingly, prohibit gatherings in all closed spaces and rooms, provide infographics or signs, and provide training on daily preventive measures. If the company allows employees to return to the workplace, it must enforce the wear of face masks at all times, prohibit employees from sharing work-spaces (desks, chairs, etc.), ensure regular cleaning and sanitizing of the workplace, and provide cleaning and sanitizing products. If the company has employees that can telework, it must allow them to keep teleworking if their tasks do not require them to visit the workplace. Going to the work must be limited to employees that undertake works that require their presence in the workplace. If the company allows employees to return to the workplace, it must only allow up to 50% of its employees to go back to the workplace. If the company allows employees to return to the workplace, it must take their temperature before entry to the workplace. Employees with a temperature above 37.5 degrees must be prohibited from entering.

**What's new** Similar to the requirements of the third level of the plan to return to normal in Kuwait issued in [Ministerial Decision No. 117 of the year 2020](#), the above-mentioned requirements are the same and were issued by the Ministry of Health to ensure a proper and safe implementation as part of the fourth level of the plan to return to normal in Kuwait.

### 2.5.3 ZAMBIA Facilities may refer to the guidance on the type of personal protective equipment (PPE) to be used during the COVID-19 pandemic

**Abstract:** Beginning 1 July 2020, facilities may refer to the guidance on the recommended types of personal protective equipment (PPE) to be used during the COVID-19 pandemic. This follows from the publication of the Recommended Type of Personal Protective Equipment (PPE) used in COVID-19 According to Setting, Personnel, and Type of Activity by the Ministry of Health.

**Business Impact:** As a company, there are no requirements prescribed under the Recommended Type of Personal Protective Equipment (PPE) used in COVID-19 According to Setting, Personnel, and Type of Activity. However, the Ministry of Health recommends that the company ensures all staff in the workplace uses a face mask to prevent the spread of pathogens. In addition, the Guidance also recommends that workers and visitors that use public areas of the premises also wear face masks to prevent the spread of the COVID-19 pathogens.

**Analysis:** The Ministry of Health published guidance on the Recommended Type of Personal Protective Equipment (PPE) used in COVID-19 According to Setting, Personnel and Type of Activity ("the Guidance") on 1 July 2020 to help facilities in acquiring and using the correct personal protective equipment (PPE) during the Novel COVID-19 pandemic. Use of PPE The Guidance recommends that PPE be used based on the risk of exposure or the type of activity and the transmission dynamics of the COVID-19 pathogen such as through contact. According to the Guidance, all staff in workplaces should use a face mask to prevent the spread of pathogens. In addition, the Guidance also recommends that workers and visitors that use public areas of the premises also wear face masks to prevent the spread of the COVID-19 pathogens. The Guidance on the [Recommended Type of Personal Protective Equipment \(PPE\) used in COVID-19 According to Setting, Personnel, and Type of Activity](#) can be accessed on the Enhesa Knowledgebase.

## 3. August 22, 2020

### 3.1 The US & Canada

#### 3.1.1 US – FEDERAL Ohio nursing facilities cited for failing to protect employees from coronavirus

**Abstract:** Companies should ensure that they comply with the mandatory standards enforced by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA), such as preventing exposure to coronavirus. OSHA cited an employer for exposing employees to workplace safety and health hazards. The employer faces 40,482 USD in fines.

**Business Impact:** The Occupational Safety and Health Administration (OSHA) enforcement action has no direct impact on the company. However, the company should note that OSHA recently cited an employer for failure to develop a comprehensive written respiratory protection program and failing to provide medical evaluations to determine employees' ability to use a respirator. Accordingly, the company should ensure employees are properly protected from safety concerns and trained on coronavirus-related risks. Failure to comply may lead to potential penalties and compliance costs, as well as serious consequences to the safety and health of employees in the workplace.

**Analysis:** The U.S. Occupational Safety and Health Administration (OSHA) cited 3 Ohio nursing facilities for exposing employees to coronavirus. The employer faces 40,482 USD in fines.

**Citations** Following an inspection that occurred after the company reported the coronavirus-related hospitalization of 7 employees, the company was cited for violating respiratory protection standards. OSHA found that the Ohio facilities failed to develop a comprehensive written respiratory protection program and failed to provide medical evaluations to determine employees' ability to use a respirator in the workplace. Further, OSHA issued a Hazard Alert Letter regarding the company's practice of allowing N95 respirator use for up to 7 days and not conducting initial fit testing. The company has 15 business days after receiving the citations and penalties to either comply, request an informal conference with OSHA, or contest the findings before an independent commission.

**More Information** Notice of the citation is available at the U.S. Department of Labor [OSHA News Release](#).

#### 3.1.2 US - CALIFORNIA Companies are advised to review and follow the COVID-19 Employer Playbook to ensure a safe, clean environment for employees and the public

**Abstract:** With the continued outbreak of the 2019 novel coronavirus disease (COVID-19), companies that operate in California should note their responsibilities towards the health and safety of the employees and the public. The California Department of Public Health (CDPH) issued the COVID-19 Employer Playbook, offering guidelines and resources for companies to reduce the risk and spread of COVID-19 in the workplace. CDPH recommends that companies continue to comply with industry-specific guidance and checklists, prepare for COVID-19 outbreaks in their workplace, follow specific instructions and requirements of local health departments (LHDs), and report and record cases of COVID-19, among others.

**Business Impact:** The California Department of Public Health's (CDPH's) COVID-19 Employer Playbook has no direct impact on the company. However, if the company is preparing to reopen its in-person operations, then it should follow the reopening guidelines in the Employer Playbook, in addition to the mandatory reopening requirements imposed under COVID-19 related laws and orders. For example, as recommended in the Employer Playbook, the company should consult with state and local health officials on whether it is timely and appropriate to resume normal operations. Further, if the

company is currently conducting in-person operations in California, it should also review the Employer Playbook for employee education resources and the recommended steps for managing the COVID-19 outbreak in the workplace. For example, the company should consider the criteria provided in the Employer Playbook in determining whether it should suspend or continue with in-person operations after a confirmed case of COVID-19 in the workplace. Lastly, the company should continue complying with all applicable federal, state, and local orders and public health guidance, as the COVID-19 situation continues. The company should also comply with any existing safety and health-related regulatory requirements, such as reporting and recordkeeping requirements of the California Division of Occupational Safety and Health (Cal/OSHA). Failure to comply with any COVID-19 related requirements may lead to potential enforcement actions, as well as severe consequences on the safety and health of employees and the public.

**Analysis:** On 28 July 2020, the California Department of Public Health (CDPH) published the COVID-19 Employer Playbook (the Employer Playbook) to support a safer environment for employees and the public. Specifically, the Employer Playbook provides guidelines for the safe reopening of businesses to mitigate risks associated with COVID-19. Additionally, it advises on how employers should respond to COVID-19 cases and outbreaks in the workplace.

**How to Open Safely** According to the Employer Playbook, business operation decisions should be made based on the level of disease transmission in the community and the particular company's readiness to protect the safety and health of its employees and the public. CDPH encourages employers to coordinate with the state and local health officials to obtain timely and accurate COVID-19 situations in the community. Further, employers are advised to communicate to employees any important COVID-19 information, including any planned changes to the operations. Lastly, the Employer Playbook reminds employers to review and comply with industry-specific guidance and checklists published by CDPH and the California Division of Occupational Safety and Health (Cal/OSHA).

**Worker Education** As required under the industry-specific guidance, all employers must train employees on how to limit the spread of COVID-19. To assist the employers in complying with the worker education requirement, the Employer Playbook provides educational resources. Employers are advised to use the Centers for Disease Control and Prevention (CDC) guidance on explaining how COVID-19 spreads, symptoms, and the steps to protect themselves at work and home. Additional resources include guidelines for sick employees, for those taking public transportation, and for those experiencing increased stress.

**Responding to a Case of COVID-19 in the Workplace** CDPH advises employers to be proactive in identifying COVID-19 cases as it may quickly develop into an outbreak. An outbreak, as defined in the Employer Playbook, is 3 or more laboratory-confirmed cases of COVID-19 among employees. The industry-specific guidance requires companies to implement the necessary processes and protocols to respond to an outbreak and contact the local health department (LHD) for identified cases of COVID-19. The Employer Playbook further provides detailed information on what employers should do if there is a case of COVID-19 in the workplace.

*Preventing Further Spread in the Workplace* After a COVID-19 case has been identified in the workplace, employers are advised to seek guidance from LHD to determine other employees that need to be tested. In consultation with LHD, employers should interview the employee with COVID-19 by phone to identify other employees with whom they had close contact during their infectious period. Close contact is someone who has spent 15 minutes or more within 6 feet of the employee with COVID-19 during the infectious period. Employers should then instruct employees with close contact to be tested for COVID-19 and quarantine at home for 14 days from their last known contact with the employee with COVID-19.

*Considering Whether to Temporarily Suspend Operations* The Employer Playbook provides the criteria for deciding on closure due to a COVID-19 infection in the workplace. Such criteria include the size of the workforce, the number of percentages the workforce impacted, and other local factors, including the epidemiology of disease spread in the community at large. Employers are advised to consider the provided criteria in electing to suspend operations voluntarily. Additionally, the Employer Playbook emphasizes LHD's authority to close business operations for outbreak investigations and employers' obligation to comply with any such suspension orders.



*Returning to Work* Employers are advised to consult with LHD and the most recent [CDC guidance](#) for when an employee with a confirmed COVID-19 case may return to work. The minimum criteria for allowing employees to return to work vary depending on whether the employee displayed symptoms and was tested and had a positive test result. For example, employees who never had COVID-19 symptoms but were laboratory confirmed to be COVID-19 positive may be allowed to return to work 10 days after the date of their first positive COVID-19 test.

*Employers Cleaning Guide* The Employer Playbook also provides cleaning actions employers should complete after a case of COVID-19 has been identified in the workplace. For example, employers are advised to continue to regularly clean and disinfect frequently touched surfaces throughout the workplace, such as doorknobs, equipment, and handrails. Employers are also encouraged to train employees on the safe use of cleaners and disinfectants and provide necessary protection equipment.

*Recording and Reporting Cases of COVID-19* Lastly, CDPH reminds employers of their responsibilities to record work-related fatalities, injuries, and illnesses under Cal/OSHA regulations. Accordingly, employers must record a work-related COVID-19 fatality or illness like any other occupational illness. Additionally, employers are required to report any work-connected serious illness, serious injury, or death to Cal/OSHA under its regulations. Therefore, employers must report to Cal/OSHA any COVID-19 illness that meets the definition of serious illness. Employers should review [Cal/OSHA's guidance](#) regarding recording and reporting requirements for COVID-19 cases.

**Enforcement and Compliance** The Employer Playbook further informs employers about the state's COVID-19 Enforcement Task Force, which has been established to monitor and enforce violations of COVID-19 related requirements. To avoid any possible enforcement actions, employers are advised to comply with the COVID-19 laws and orders, including the requirements related to indoor operations, use of face coverings, social distancing, and any other applicable administrative rules.

**Additional Information** For more information, see the [COVID-19 Employer Playbook](#). Additional information, including the most current COVID-19 status in California, is available on the [California Coronavirus \(COVID-19\) Response](#) website.

### 3.1.3 US - NEW JERSEY Governor extends COVID-19 state of emergency to 1 September 2020

**Abstract:** Effective 1 August 2020, the Governor of New Jersey issued an executive order that extended the COVID-19 state of emergency to 1 September 2020. Companies must continue to comply with all COVID-19 operational requirements until 1 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 1 September 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 permits employees to work from home whenever possible.

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

If the facility owns or operates dining facilities, it complies with all applicable COVID-19 prevention requirements, including keeping indoor dining facilities closed and complying with physical distancing requirements for operating outdoor dining facilities.

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

If the facility owns or operates fitness facilities during the COVID-19 state of emergency, it keeps all indoor facilities closed except for individualized instruction appointments and access to restrooms and outdoor fitness facilities



**What has changed?** The requirements for operating during the COVID-19 state of emergency are now set to expire on 1 September 2020. Before this order, the state's operational requirements were set to expire on 1 August 2020. The COVID-19 requirements may be extended or cut short by another executive order.

**Additional Information** For more information, see [Executive Order 171: Extending the Public Health Emergency that was declared on March 9, 2020 through Executive Order No. 103, which was previously extended on April 7, May 6, June 4, and July 2.](#)

### 3.1.4 US - NEW JERSEY Companies must adhere to strict occupancy limits, social distancing measures, and mask requirements for all indoor gatherings

**Abstract:** Effective 3 August 2020, the Governor of New Jersey decreased the occupancy limit for all indoor gatherings to 25 percent of the capacity of the occupied room. Importantly, the limit is never greater than 25 or less than 10 people. This executive order modified the occupancy limit established in a previous executive order, which also required that everyone attending an indoor gathering wear face coverings and stay 6 feet away from all other individuals, excluding immediate family members, caretakers, household members, or romantic partners.

**Business Impact:** If the company operates during the COVID-19 state of emergency and hosts an indoor gathering, it must comply with a stricter occupancy limit for those indoor gatherings. Specifically, the company is prohibited from hosting an indoor gathering of over 25 people or 25 percent of the occupancy limit of the room in which the gathering takes place, whichever is lower. The 25 percent occupancy limit does not reduce the number of attendees below 10. Additionally, the company must comply with strict social distancing requirements and ensure that all attendees wear facial coverings.

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

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

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

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

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

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

**What has changed?** The occupancy limit requirement above was reduced from a 100 person maximum to a 25 person maximum. All other requirements were originally instated in Executive Order 152 (EO 152) and were reaffirmed by the current executive order, Executive Order 173 (EO 173). EO 173 went into effect on 3 August 2020.

**Executive Order 173: Announcing Decreased Indoor Gathering Capacity Limit** *Occupancy Limits* EO 173 did not change the percentage imposed by the occupancy limit or the minimum number of permitted attendees: those remain set at 25 percent of the capacity of the occupied room and 10 attendees, respectively. Instead, EO 173 modified the upper limit for the occupancy limit percentage by lowering it from 100 people maximum to 25 people maximum. *Facial Coverings* EO 173 reaffirmed the facial covering requirement originally imposed by EO 152. Specifically, EO 152 requires all attendees to an indoor gathering wear a facial covering at all times except where doing so would inhibit the individual's health or where the individual is under 2 years of age. All individuals organizing or maintaining the gathering must wear face coverings whenever feasible and when they are within 6 feet of another individual. *Social Distance* Finally, EO 173 also reaffirmed the social distancing requirements originally imposed by EO 152. Specifically, EO 152 requires that:



all attendees at indoor gatherings maintain 6 feet of distance from other attendees at all times, excluding immediate family members, caretakers, household members, or romantic partners;  
there is no contact between attendees to an indoor gathering;  
the facility demarcates 6 feet of spacing in the gathering area to demonstrate appropriate spacing for social distancing;  
physical items and equipment are not shared by multiple attendees of the same gathering except for immediate family members, caretakers, household members, or romantic partners unless the items are sanitized before and after use by different individuals; and  
if a gathering requires pre-payment or seeks donations, the company provides a contactless option for the pre-payment or donation, such as online or telephone, when feasible.  
*Exceptions* If the indoor gathering only involves 10 people or less, attendees need only comply with the facial covering requirement; the occupancy limit and social distancing requirements do not apply.

**Additional Information** For more information, see [Executive Order 173: Announcing Decreased Indoor Gathering Capacity Limit](#) and [Executive Order 152: Lifting limits on Indoor and Outdoor Gatherings](#).

### 3.1.5 US - RHODE ISLAND The state will remain in Phase III and the social gathering limits are strengthened

**Abstract:** As of 29 July 2020, the indoor and outdoor social gathering limits decreased to 15 people. Previously, the indoor limit was 25 people and the outdoor limit was 50 people. Rhode Island will remain in its Phase III until 28 August 2020.

**Business Impact:** The company must note that, as of 29 July 2020, indoor and outdoor gatherings or events are limited to 15 people instead of 25 people for indoor gatherings and 50 people for outdoor gatherings. Also, Rhode Island will remain in Phase III until 28 August 2020. As a result, the company must continue to comply with Phase III reopening restrictions and standards including, providing face-coverings to its employees and implementing cleaning, screening, wearing masks, and other safety requirements required in Rhode Island.

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

If the company holds an event or a social gathering, the company complies with the maximum gathering size limit that is 15 people for both indoor and outdoor social gatherings or events.

If the company operates office-based operations, it continues to comply with office-specific requirements.

If the company operates in-person operations, it complies with all applicable Phase III guidelines reaffirmed in Executive Order 20-58.

**What has changed?** On 29 July 2020, Rhode Island strengthened its maximum gathering size limit to suppress the spread of COVID-19. The state will remain in Phase III of its reopening of the economy until 28 August 2020.

**More Information on Phase III Quarantine requirements** Individuals who come into Rhode Island from outside the 50 states or the District of Columbia must self-quarantine for 15 days upon arrival in Rhode Island. Also, individuals coming to Rhode Island for a non-work-related purpose from the states, listed [here](#), with a positivity rate of COVID-19 greater than 5%, must quarantine for 14 days after arrival while in Rhode Island. However, individuals who provide proof of a negative test for COVID-19, which was taken within 72 hours before arriving in the state are exempted from this quarantine requirement. Also, if an individual receives a test during his or her quarantine and tests negative, the quarantine will stop.

#### *Office-Based Operations*

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 office-based businesses must follow cleaning, screening, wearing masks, and other safety requirements required in Rhode Island. Working from home is still strongly encouraged.

*Other requirements*

Employers must arrange for cloth face coverings or materials to make face coverings for each employee at no expense to the employee. Also, all businesses and organizations must implement and ensure compliance with screening of all individuals entering their establishment(s) at any time for any reason.

**Additional Information**

Executive Order 20-58 is available [here](#).

Details on social gathering size limits are available [here](#).

Phase III reopening guidelines and restrictions are available [here](#).

**3.1.6 US – UTAH In response to COVID-19, state issues Executive Order with phased guidelines for the public and businesses based on their counties**

**Abstract:** Utah’s governor has issued a phased guideline for the general public and businesses to maximize public health in response to the COVID-19 outbreak. The phased guidelines are based on zones that are Moderate Risk (Orange), Low Risk (Yellow), and New Normal Risk (Green).

**Business Impact:** If the company operates in Utah, it must ensure that it complies with the proper guidelines based on the facility's location. As of 7 August 2020, the Utah COVID-19 Public Health Risk Status is:

Moderate Risk (Orange) in Salt Lake City;

New Normal Risk (Green) in Beaver County, Daggett County, Duchesne County, Emery County, Garfield County, Kane County, Millard County, Piute County, Uintah County, and Wayne County; and

Low Risk (Yellow) in each area of the State not identified in Moderate Risk and New Normal Risk.

**Analysis: Actionable Requirements:** If the company operates in Utah, it ensures that it complies with the Utah phased guidelines based on the county that their facility is located in.

**What Has Changed:** Utah’s governor issued Executive Order 2020-46 on 27 July 2020 which expired on 7 August 2020. The Governor re-issued the executive order on 7 August 2020 which will remain in effect until 20 August 2020.

**Utah’s Phased Guidelines:** Utah has adopted color-coded phased guidelines which specifies how each county should comply with COVID-19 requirements. The Utah COVID-19 Public Health Risk Status is:

Moderate Risk (Orange) in Salt Lake City;

New Normal Risk (Green) in Beaver County, Daggett County, Duchesne County, Emery County, Garfield County, Kane County, Millard County, Piute County, Uintah County, and Wayne County; and

Low Risk (Yellow) in each area of the State not identified in Moderate Risk and New Normal Risk.

*Moderate Risk (Orange)* Companies that operate in a county that is in a moderate risk zone must:

Ensure staff don’t come closer than 6 feet to other staff and customers when accepting payment or delivering goods or services if wearing face covering;

Use one-way aisles to support physical distancing;

Discourage bringing kids or strollers into stores when possible to allow as much space as possible in aisles;

Consider installing a clear plastic partition between cashier and customer where it is not possible to maintain 6 feet of distance;

Deliver products through curbside pick-up or delivery;

Make regular announcements to remind customers to follow physical distancing guidelines;



Consider installing a clear plastic partition between cashier and customer where it is not possible to maintain 6 feet of distance;

Deliver products through curbside pick-up or delivery;

Make regular announcements to remind customers to follow physical distancing guidelines;

Set an established daily window of time for higher-risk individuals to come in without pressure from crowds;

Maintain signage to remind and help individuals stand at least 6 feet apart, including outside when in line, and in-store check-out lines; and

Assign an employee to disinfect carts and baskets after each use.

*Low Risk (Yellow)* Companies that operate in a county that is in a low-risk zone must:

Take reasonable precautions;

Provide accommodations to higher-risk employees;

Minimize face-to-face contact;

Assign tasks that allow individuals to maintain a 6-foot distance from other employees or customers;

Implement flexible work hours or staggered shifts;

Allow higher-risk individuals to work remotely;

Limit unnecessary travel;

Require employees to self-quarantine when returning from higher risk areas; and

Prevent any individuals under isolation or quarantine to come to work at any time.

*New Normal Risk (Green)* Companies that operate in a county that is in a New Normal Risk zone should follow best practices such as:

Maintain physical distancing of 6 feet; face coverings recommended when physical distancing is not feasible;

Encourage the use of face coverings to protect those who are higher-risk and when physical distancing is not feasible;

Provide enhanced hygiene and sanitization practices;

Use online conferencing, email, or telephone in place of in-person meetings, even when people are in the same building or wear face coverings when physical distancing is not feasible;

Regularly remind employees and customers to follow distancing guidelines and use floor markings to mark appropriate physical distance where appropriate;

Encourage digital files rather than paper formats (e.g. documentation, invoices, inspections, forms, agendas)

Consider what reserve supplies may be necessary to obtain (e.g., cleaning supplies or other protective equipment);

Establish and maintain open dialogue with local communities, including key vendors and suppliers by sharing appropriate decisions about foodservice, transportation, and other services; and

Identify a workplace coordinator who will be responsible for COVID-19 issues and their impact in the workplace.

**More Information** More information can be found in the [Executive Order 2020-49](#). Additionally, companies can refer to Utah's Coronavirus website for more specific guidelines for [Moderate Risk \(Orange\)](#), [Low Risk \(Yellow\)](#), and [New Normal Risk \(Green\)](#) zones.

### **3.1.7 US – WISCONSIN Companies that are constructing, altering, adding to, or repairing buildings may postpone obtaining required fire prevention inspections in the interest of slowing the spread of COVID-19**

**Abstract:** Companies that are constructing, altering, adding to, repairing their buildings that need to obtain a required fire prevention inspection may provide an affidavit from a master electrician indicating compliance with the electrical code in lieu of an inspection. This emergency rule was adopted in an effort to slow the spread of COVID-19 by limiting the physical contact involved in conducting fire prevention and electrical inspections.



**Business Impact:** If the company is constructing, altering, adding to, repairing its buildings, and has not completed a required fire prevention inspection, it now has the option to obtain an affidavit from a master electrician indicating compliance with the electrical code in lieu of an inspection. It should be noted that this emergency rule has been adopted to slow the spread of COVID-19. Otherwise, required fire prevention inspections are required by the Wisconsin Department of Safety and Professional Services (WDSPS).

**Analysis: Actionable Requirements:**

If the company is constructing, altering, adding to, repairing its buildings, it either completes a required fire prevention inspection or provides an affidavit from a master electrician indicating compliance with the electrical code.

**What Has Changed:** The Wisconsin Department of Safety and Professional Services (WDSPS) adopted an emergency rule that allows the required fire prevention inspections to be postponed and to temporarily allow a master electrician to issue an affidavit to the utility company in lieu of an inspection. **More Information** To ensure places of employment are rendered safe, the WDSPS requires buildings that are being constructed, altered, added to, repaired, and maintained to complete a fire prevention inspection. In the interest of slowing the spread of COVID-19, the WDSPS seeks to avoid fire prevention and electrical inspectors from having to unnecessarily come into contact with individuals on multiple job sites. More information on the emergency rule can be found on the [Wisconsin State Legislature](#) website.

### 3.1.8 US – WYOMING Companies must continue to prohibit indoor gatherings of more than 50 people and comply with social distancing requirements

**Abstract:** Effective 16 August 2020, companies must continue to prohibit indoor gatherings of more than 50 people while maintaining 6 feet of space between one another. The public health order does not impose any new requirements, rather it reaffirms the previous workplace safety requirements.

**Business Impact:** The company must continue to comply with COVID-19 workplace safety standards reaffirmed in Statewide Public Health Order #2, such as prohibiting indoor gatherings of more than 50 people and maintaining 6 feet of space between one another.

**Analysis: Actionable Requirements**

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

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

**What has changed?** On 12 August 2020, the Wyoming Department of Health reaffirmed indoor gathering restrictions as outlined in Statewide Public Health Order #2. The requirements for in-person operations during the COVID-19 state of emergency are now set to expire on 31 August 2020. The Order does not impose any new requirements on businesses or operations.

**Additional Information** More information can be found on the Wyoming COVID-19 Information site, under [Statewide Gatherings](#).

## 3.2 Europe

### 3.2.1 FEDERATION OF BOSNIA AND HERZEGOVINA Companies operating in FBiH must continue to comply with special protective measures until 24 August 2020 as well as adopt a COVID-19 Emergency Preparedness and Response Plan if they employ more than 20 people

**Abstract:** As of 08 June 2020, companies operating and employing more than 20 people in the Federation of Bosnia and Herzegovina (FBiH) must adopt a COVID-19 Emergency Preparedness and Response Plan in order to harmonize the organization of work of the company with recommendations and guidelines of the Federal Ministry of Health of FBiH. In addition, all companies operating in FBiH regardless of the number of employees must continue to comply with special protection measures (for example, regular ventilation and disinfection of the premises) adopted in order to curb the spread of COVID-19 until 24 August 2020. This follows from the adoption of Decree No. 01-33 of 06 August 2020 which extends the special protection measures for 14 days.

**Business Impact:** If the company operates in the Federation of Bosnia and Herzegovina (FBiH) it has to be aware that the special protection measures introduced in FBiH in order to curb the spread of the Coronavirus (COVID-19) have been extended for 14 days, until 24 August 2020. This means, the company must continue to comply with special protection measures provided in the Federal Ministry of Health's recommendations and guidelines (for example, regular ventilation and disinfection of the premises). Furthermore, if the company employs more than 20 people, it must adopt a COVID-19 Emergency Preparedness and Response Plan (krizni plan pripravnosti i odgovora na COVID-19) which will harmonize the work of the facility with recommendations and guidelines of the Federal Ministry of Health. Further details on the structure of the emergency preparedness and response plan have not been provided.

**Analysis: Actionable Requirements (New)** If the facility operates in the territory of the Federation of Bosnia and Herzegovina (FBiH) and employs more than 20 people, it adopts a COVID-19 Emergency Preparedness and Response Plan (krizni plan pripravnosti i odgovora na COVID-19) which harmonizes the work of the facility with recommendations and guidelines of the Federal Ministry of Health.

**What Has Changed** Decree No. 01-33 on the extension of special protection measures for 14 days was adopted on 7 August 2020 and extends the application of special protection measures introduced in order to combat the spread of the Coronavirus (COVID-19) in FBiH until 24 August 2020. More specifically, companies operating in the Federation of FBiH must continue to comply with special protection measures provided in the Federal Ministry of Health's recommendations and guidelines (for example, regular ventilation and disinfection of the premises). As a new requirement, Decree No. 01-33 introduced an obligation for companies employing more than 20 people to adopt a COVID-19 Emergency Preparedness and Response Plan (krizni plan pripravnosti i odgovora na COVID-19), intended to harmonize facility's compliance with the above mentioned recommendation and guidelines of the Federal Ministry of Health. Decree No.01-33 does not provide further details on the structure of the emergency preparedness and response plan.

**Additional Information** On the basis of relevant [occupational health and safety laws](#) - all companies *must* implement regular and enhanced hygienic measures in the workplace and its auxiliary premises (such as additional cleaning, disinfection and ventilation of the workplace). The frequency and manner of these measures is provided in the Federal Ministry of Health's recommendations and guidelines.

**Recommendations and guidelines of the Federal Ministry of Health** As stated above, companies must implement enhanced hygienic measures in the workplace in order to prevent the spread of coronavirus. Based on the recommendations of the Federal Ministry of Health, this is best achieved by:  
ensuring that all workplace surfaces are disinfected with an alcohol-based disinfectant (minimum 70%);  
ensuring all contact points in the company building are cleaned at least three times a day (this includes door handles, window handles, faucets, power switches, doorbells, etc.);



ensuring all touch surfaces are cleaned at least twice a day (this includes desktops, smartphones and other phones, laptops, keyboards and computers);  
ensuring meeting rooms or any other premises where a large number of people gathers is cleaned after each meeting;  
placing hand sanitizers in visible places everywhere in the workplace, especially in public places where people have fewer opportunities to wash their hands regularly and ensure that these sanitizers are regularly refilled;  
providing warm running water and soap as well as disposable paper towels in toilets;  
installing trash cans with lids to safely dispose of used paper towels and other waste in toilets and other rooms;  
providing [instructions on proper hand washing practice](#) in a visible place in the toilet;  
ventilating all rooms in the workplace at least twice a day; and  
using phones, video conferencing and the internet as a replacement for in-person meetings as much as possible.

Additional information and guidance materials on mitigating coronavirus risks can be accessed online at the [FBIH Coronavirus response website](#) and at the [Federal Ministry of Health website](#).

### 3.2.2 FINLAND Companies advised to follow government recommendations on remote work and guidelines on face masks

**Abstract:** As of 13 August 2020, companies operating in Finland are advised by the Finnish Government to shift to remote work when possible or adopt extensive remote work practices, having regard to statements of the Finnish health authorities on the spreading of coronavirus epidemic. In addition, the Finnish Institute of Occupational Health (*Työterveyslaitos*) has updated its guidelines for employers in the light of the latest recommendations on wearing face masks especially when physical distancing can not be maintained.

**Business Impact:** As of 13 August 2020, companies operating in Finland are advised to shift to remote work when possible or adopt extensive remote work practices. Companies should also refer to the Finnish Institute of Occupational Health's (*Työterveyslaitos*) guidelines on face masks. Employers may provide their employees with face masks and require the use of face masks, especially if, for example, physical distancing can not be maintained, face-to-face contacts last more than 15 minutes or there is a need to protect others from the person wearing the mask. However, first-hand measures to minimise the risk of the incidence and spread of the coronavirus remain the re-organisation of work, ensuring physical distancing, good hygiene and ventilation in the workplace.

**Analysis:** On Thursday 13 August 2020, the Finnish Government adopted [resolutions on recommendations for remote work and for face coverings and face masks](#). The Government recommends that in a situation where the Finnish health authorities state that the coronavirus epidemic is growing regionally, workplaces in the region shift to remote work when possible. Similarly, if despite the preventive measures, the epidemic continues to increase on the national level, companies are advised to adopt extensive remote work practices. Employers should also promote work arrangements that reduce close contacts and other risk factors in the workplace. Correspondingly, the Finnish Institute of Occupational Health (*Työterveyslaitos*) has also updated its [guidelines for employers](#) on 13 August 2020. The Finnish Institute of Occupational Health highlights that employers have a responsibility to assess whether their employees need to wear personal protective equipment or a face covering and to provide such equipment or face coverings. At first hand, however, other measures and workplace arrangements (such as re-organising the work, ensuring physical distancing, good hygiene and ventilation) should be taken for the purposes of minimising the risk of the incidence and spread of the coronavirus. Employers may, based on their risk assessment, provide employees also with face masks and require the use of masks if, for example, physical distancing can not be maintained, face-to-face contacts last more than 15 minutes and there is a need to protect others from the person wearing the mask. When preparing their risk assessment, employers should consider the regional situation of the epidemic. The guidelines also contain further instructions for the use of a face covering and a face mask in the workplace.



### 3.2.3 FRANCE Companies with premises open to public can postpone their periodic inspections on risks of fire and panic due to COVID-19

**Abstract:** Starting 30 July 2020, companies with premises open to the public (meaning where people that are not employees can enter for free, or when the access is restricted by invitation or by paying) can benefit from a postponement of the periodic inspection on risks of fire and panic they are subject to.

**Business Impact:** If the company receives public and had a period inspection on fire and panic risks planned for the year 2020, it can postpone for 1 year due to the COVID-19 pandemic. Furthermore, if the company already had 2 favourable periodic inspections, it can postpone its periodic inspection on fire and panic risks planned for 2020 for 2 years.

**Analysis: Actionable requirements** The Order of 24 July 2020 on the possibility to postpone periodic visits to establishments open to the public (ERP) does not create nor modify active requirements for companies.

**What has changed** Pursuant to [Order of 24 July 2020 on the possibility to postpone periodic visits to establishments open to the public \(ERP\)](#) (the Order), companies that receive public in premises can see their periodic inspection (meaning the inspection of safety against risks of fire and panic) for the year 2020 postponed for up to 1 year due to the COVID-19 pandemic. This is relevant for all categories of ERP (1 to 4). Under normal circumstances, this inspection must be done every 3 years. However, for ERP that do not have accommodation facilities and have already been through 2 periodic inspections that ended up being favourable, the inspection visit can be done every 5 years. Following the Order, the periodic inspection of these companies can be postponed for 2 years due to the COVID-19 pandemic.

### 3.2.4 GERMANY – FEDERAL New Occupational Health Recommendation on dealing with vulnerable workers during the SARS-CoV-2 epidemic published

**Abstract:** Company physicians can now benefit from an Occupational Health Recommendation on dealing with vulnerable workers as a result of the SARS-CoV-2 epidemic that the Federal Ministry of Labor and Social Affairs published. The Occupational Health Recommendation allows them to provide systematic advice to employers and employees on occupational safety in times of the epidemic.

**Business Impact:** If the company employs company physicians it should inform them about this publication as it can give them guidance on how to carry out risk assessments based on the Labour Protection Act (ArbSchG) for particularly vulnerable workers during the SARS-Cov-2 epidemic. It should also be prepared to act on any recommendation a physician makes with regard to a vulnerable employee.

**Analysis:** On 23 July 2020 the Federal Ministry of Labor and Social Affairs published the Occupational Health Recommendation: [Dealing with particularly vulnerable workers as a result of the SARS CoV 2 epidemic](#). The publication is addressed to company physicians and gives guidance on risk assessments based on the [Labour Protection Act \(ArbSchG\)](#) during the SARS-CoV-2 epidemic. The risk assessment under the Occupational Health and Safety Act has to take into account specific hazards for the most vulnerable groups of employees. This Occupational Health Recommendation gives guidance for company physicians on how to provide systematic advice to employers and employees on occupational safety in times of the epidemic. It assists physicians in identifying the best possible occupational health and safety measures for each employee based on the employees' medical history. For the review and update of the risk assessment, the classification of activities into four groups is recommended and described. The groups are divided into risk levels concerning the risk of exposure and the risk of infection to SARS-CoV-2.

The groups are:

Group 1: activities with low risk of exposure to and infection with SARS-CoV-2 (typically workplaces with no or low

customer and co-worker contacts).

Group 2: activities with a medium risk of exposure and infection (typically workplaces with customer contact respecting the minimum distance of 1.5 meters, such as retail).

Group 3: activities with a high risk of exposure and infection (typically healthcare where patients could have COVID).

Group 4: activities with a very high risk of exposure and infection (typically healthcare where patients with known COVID are cared for).

In addition, the publication contains a table of diseases and varying degrees of severity. This table is an aid for the physician in prevention. For the occupational medical examination of the individual case, the diagnosis is not decisive. The decisive factor is the connection between the individual health situation and the activity performed. Consideration should be given to the severity of an illness, the medication, the success of the therapy, possible secondary illnesses, the duration, and the course of the illness as well as comorbidities. The physician can then recommend protective measures for a vulnerable worker with his agreement which can include for example technical measures, such as suitable barriers. Ultimately, the physician can recommend a change of activity. It should be noted that employees are not obliged to disclose any of their medical conditions to their employers.

### 3.2.5 HUNGARY Companies can consult the Guidance on preparing workplaces and employees to prevent the spread of COVID-19 at workplaces and minimise COVID-19 exposure

**Abstract:** Since 3 July 2020, companies can consult a Guidance published by the Department of Labour Inspection of the Ministry for Innovation and Technology for preparing workplaces and employees to prevent the spread of COVID-19 at workplaces and minimise COVID-19 exposure. The Guidance includes a list of questions to which if the companies answer “no”, actions should be taken to reduce the risk of spread of the COVID-19 infection.

**Business Impact:** If the company has employees at the workplace, it is recommended for the company to consult the Guidance published by the Department of Labour Inspection of the Ministry for Innovation and Technology for preparing the workplace and the employees to prevent the spread of COVID-19 and minimise COVID-19 exposure at the workplace. The Guidance includes a list of questions to which if the company answers “no”, actions should be taken to reduce the risk of spread of the COVID-19 infection. The Guidance does not specify legal requirements for the company; implementation of the Guidance is voluntary.

**Analysis:** On 3 July 2020, the Department of Labour Inspection of the Ministry for Innovation and Technology published the [Guidance for employers to prevent the spread of the new coronavirus at workplaces](#). The Guidance includes a list of questions to which the companies should answer, and if the answer is “no” for any question, the companies are recommended to take measures for preventing the spread of COVID-19 at workplaces and minimising COVID-19 exposure. The Guidance does not specify legal requirements for companies; implementation of the recommendations provided by the Guidance is voluntary. The Guidance can be consulted either for operating workplaces or for workplaces restarted after shutdown.

**Content of the Guidance** The questions provided by the Guidance are divided into the following 8 categories:

1. Updating risk assessment, including, for example, if the company is regularly informed about measures and guidelines to prevent the spread of COVID-19, and what can be expected from the introduction of these measures;
2. Measures, including, for example, if the company has agreed with the employees on the work organisation options (reorganisation of work teams, work breaks, and other measures) needed to simultaneously reduce the number of people in the workplace and the physical distance;
3. Personal hygiene conditions, including, for example, if handwash and hand sanitizer units are placed at conveniently and easily accessible areas;
4. Physical distancing, including, for example, if the company has taken organisational measures to rearrange the time and duration of work breaks considering physical distancing provisions;

5. Health and safety training, including, for example, if the company updated the health and safety training topics with COVID-19 information, and if the company trained employees on when to wash their hands, for which the correct answers are included in the Guidance;
6. Cleaning and disinfection order, including, for example, if the company includes disinfection of frequently touched surfaces, such as door-handles, remote controls, microwave ovens in the cleaning plan;
7. Labour safety representative, including if the company informed and consulted the safety representative(s), if any, on the new tasks, instructions, procedures related to the COVID-19 epidemic; and
8. Occupational medical examination, including if the company has scheduled medical occupational examinations of employees that were postponed due to the COVID-19 state of emergency.

### 3.2.6 IRELAND Until 31 August 2020, restrictions on indoor and outdoor events in order to prevent the spread of COVID-19 will remain in place

**Abstract:** Until 31 August businesses must continue to 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:** Until 31 August 2020, 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 business 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 \(Section 31A – Temporary Restrictions\) \(Covid-19\) \(No. 3\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. No 298 of 2020\)](#) (the Amendment Regulations) amend the [Health Act 1947 \(Section 31A – Temporary Restrictions\) \(Covid-19\) \(No. 3\) Regulations 2020 \(S.I. No. 234 of 2020\)](#) (the Principal Regulations). The Amendment Regulations further extend the application of the Principal Regulations until 31 August 2020. **Actionable Requirements -** The Amendment Regulations do not create new requirements for companies; however, they extend restrictions on events due to COVID-19 until 31 August 2020. 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 Amendment Regulations extend the previous restrictions on events, as well as previous 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 Principal 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. *Offences* 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.

### 3.2.7 IRELAND Until 23 August 2020, businesses operating in Kildare, Offaly or Laois must adhere to new restrictions on events and certain businesses must shut down temporarily

**Abstract:** From 8 August 2020 to 23 August 2020 restrictions are in place for persons and businesses operating in Kildare, Offaly and Laois. These restrictions include restrictions on events, the travel of persons and shutdown requirements for certain businesses. These businesses include indoor fitness facilities and outlets selling food or beverages, subject to certain exceptions. Staff canteens which operate exclusively for the use of persons working in, or at, the particular premises are not subject to the restrictions.

**Business Impact:** If the company operates a facility in Offaly, Laois or Kildare it must comply with temporary restrictions on events. If the business organises an event or causes an event to be organised, they must ensure that the number of persons attending, or proposed to attend the event does not exceed: -in the case of an indoor event, 6 persons; and -in the case of an outdoor event, 15 persons. The person organising the event, or causing the event to be organised, must take all reasonable steps to ensure that the number of persons attending the event or proposed to attend the event does not exceed these numbers. If the company operates a facility in Offaly, Laois or Kildare which operates an outlet selling food or beverages on its premises, it must comply with the temporary shutdown restrictions, however, this does not apply to staff canteens which are operated exclusively for the use of persons working in, or at, the particular premises. If the outlet is a staff canteen that does not operate for the exclusive use of persons working in, or at, the premises, then it must adhere to the other permitted exceptions. It must operate only by providing food/beverages on a takeaway basis or for consumption in an area which is entirely outdoors. If these exceptions cannot be adhered to, the canteen must temporarily shutdown. If the company operates a facility in Offaly, Laois or Kildare which operates an indoor fitness facility, indoor gymnasium, or indoor sports facility on the premises it must comply with temporary shutdown requirements. Occupiers, managers or any other person in charge of a relevant business must take all reasonable steps to ensure that members of the public are not given access to the premises or to a part of the premises, where the relevant business or service is carried on/provided.

**Analysis: Actionable Requirements** -If the business organises an event or causes an event to be organised, they ensure that, in the case of an indoor event, the number of people attending or proposed to attend does not exceed 6, and in the case of an outdoor event, does not exceed 15. - If the company operates an outlet selling food or beverages, or staff canteen on its premises, it ensures that the service is only provided subject to the permitted exceptions or complies with the temporary shutdown. -If the company operates an indoor fitness facility, indoor gymnasium or indoor sports facility on its premises, it complies with the temporary shutdown.

**What has Changed** The [Health Act 1947 \(Section 31A – Temporary Restrictions\) \(Covid – 19\) \(Relevant Counties\) Regulations 2020 \(S.I. No. 295 of 2020\)](#) (the Regulations), adopted under the [Health Act 1947](#) (as amended), sets out temporary restrictions for persons and businesses operating in three counties in Ireland, Kildare, Offaly and Laois. The restrictions include restrictions on events, restrictions on travel to and from the relevant counties, restrictions on the movement of persons and restrictions on the operation of certain businesses, e.g. indoor fitness facilities and outlets selling food or beverages. The Regulations were amended by [Health Act 1947 \(Section 31A – Temporary Restrictions\) \(Covid-19\) \(Relevant Counties\) \(Amendment\) Regulations 2020 \(S.I. No.297 of 2020\)](#) in relation to the conduct of funerals.

**Additional information** *Events* Restrictions have been placed on events held for cultural, entertainment, sporting or community reasons. Events must not be organised or caused to be organised unless: -in the case of indoor events, the maximum number of persons attending, or proposed to attend the event does not exceed 6 persons; -in the case of outdoor events, the maximum number of persons attending, or proposed to attend the event does not exceed 15 persons; or -the person organising the event, or causing the event to be organised, takes all reasonable steps to ensure that the number of persons attending, or proposed to attend the event does not exceed these numbers. *Restrictions on the operation of relevant businesses* Businesses which are specified in Schedule 2 must comply with shutdown restrictions for the specified period of 8 August 2020 until 23 August 2020. Occupiers, managers or other persons in charge a of relevant business at the time must take all reasonable steps to ensure that members of the public are not given access to the

premises or to a part of the premises, where the business or service is provided. Relevant businesses include: -indoor fitness facilities, indoor gymnasiums, and indoor sports facilities; -outlets selling food or beverages. Exceptions to the shutdown for outlets selling food or beverages mean these restrictions do not apply: -if the outlet only sells food or beverages on a takeaway basis or for consumption off the premises; -if the outlet only sells food or beverages for consumption in an area of part of the premises the entirety of which is situated outdoors; or -if the outlet is a staff canteen which operates for the exclusive use of persons working in, or at, the particular premises. *Offences* Persons in breach of the restrictions on events and operation of businesses specified in Schedule 2 commit an offence. Liability for breach of these restrictions may result in a Class C fine of up-to 2500 EUR and/or up-to 3 months imprisonment. *Relationship to other regulations under the Health Act 1947* The Regulations apply notwithstanding any other regulations that are made under section 31A of the Health Act 1947. This means that if different restrictions are or have been adopted in other regulations under the Health Act 1947, these restrictions will take precedence for the time that they are in force for businesses that operate in Kildare, Offaly or Laois.

### 3.2.8 SCOTLAND Companies must consult guidance for employers and continue to comply with physical distancing measures

**Abstract:** As of 8 August 2020, companies operating in Scotland must continue to comply with physical distancing measures in the workplace and have regard to guidance on measures to be taken issued by the Scottish Ministers relating to their premises, business or service. A face covering may be required, for example, in storage and distribution facilities if they are open to public and separation or required distance can not be maintained.

**Business Impact:** Companies operating in Scotland must, as of 8 August 2020, continue to comply with physical distancing measures in the workplace and have regard to guidance on measures to be taken issued by the Scottish Ministers relating to their premises, business or service. If the company operates storage or a distribution facility, a face covering may be required indoors if they are open to the public. This does not, however, apply to owners, managers, members of staff, or volunteers who are physically separated from the customers or members of the public, or if they maintain a distance of at least 2 metres.

**Analysis: Actionable requirements** - Companies must continue taking all measures to ensure, where reasonably practicable, that a distance of 2 metres is maintained between any persons on their premises or waiting to enter their premises. - Companies must ensure that people are admitted to their premises in sufficiently small numbers to make it possible to maintain the required distance. - Companies must take any other measures, for example, to limit close face to face interaction and maintain hygiene. - Companies must also have regard to guidance on measures to be taken that is issued by the Scottish Ministers. - If the company operates a storage and distribution facility, workers must wear a face covering, where the place is open to public and separation or required distance can not be maintained.

**What has changed** On 7 August 2020, the [Health Protection \(Coronavirus\) \(Restrictions\) \(Scotland\) Amendment \(No. 10\) Regulations 2020](#) was published. The amendment entered into force on 8 August 2020 introducing requirements to ensure a required distance and safety at the workplace and to wear a face covering in certain public places.

**Further details** While companies must continue to take all measures to ensure a distance of 2 metres between persons, they should also take any other measures, for example, to limit close face to face interaction and maintain hygiene for the purposes of minimising the risk of the incidence and spread of the coronavirus. Such measures involve: - changing the layout of premises including the location of furniture and workstations, - controlling the use of entrances, passageways, stairs and lifts, - controlling the use of shared facilities such as toilets and kitchens, - otherwise controlling the use of, or access to, any other part of the premises, - installing barriers or screens, - providing or requiring use of personal protective equipment, and - providing information to those entering or working at the premises about how to minimise the risk of exposure to coronavirus. The amendment also places a new duty on companies to have regard to the guidance issued by the Scottish Ministers relating to its premises, business or service. Coronavirus (COVID-19): guidance for businesses and

employers is available [here](#). One of the key changes include also an obligation to wear a face covering to enter and remain in certain indoor public places, such as cafes or restaurants if there is no table service. However, this does not include workplace canteens. Storage and distribution facilities, including collection and drop off points, are also considered places, when open to members of the public, where a face covering should be worn. Companies should be aware that the obligation does not apply to owners, managers, members of staff, or volunteers, of indoor premises where it is mandatory to wear a face covering who are physically separated from the customers or members of the public, or if they maintain a distance of at least 2 metres.

### 3.2.9 WALES Companies must ensure that measures are taken to minimise the risk of exposure to COVID-19 at the workplace as they are now subject to stricter enforcement action

**Abstract:** From 10 August 2020, companies must continue to ensure that reasonable measures are being taken to minimise the risk of exposure to coronavirus in the workplace to avoid facing stricter enforcement action, such as improvement and closure notices.

**Business Impact:** The company must continue to ensure that all reasonable measures are taken on its premises to prevent exposure to COVID-19. This includes maintaining a distance of 2 metres between persons, implementing necessary hygiene measures and limiting face to face contact. If the company does not take such measures, it will face being issued with an improvement notice or a closure notice by the Welsh authorities.

**Analysis: Actionable requirements** Companies take all reasonable measures to ensure that a distance of 2 metres is maintained between any persons on the premises. Companies give regard to any guidance on maintaining a distance of 2 metres issued by the Welsh Government. Companies take all reasonable measures to limit close face to face interaction and maintain hygiene.

**What has changed** The [Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2020](#) increase the enforcement powers of the Welsh authorities to ensure that companies are implementing measures to minimise the risk of exposure to coronavirus at the workplace. No new requirements are imposed on companies unless they are the subject of enforcement action.

**Additional information** Welsh authorities may issue a premises improvement notice if the enforcement officer considers that the person responsible for the premises is not complying with the measures ensuring distance and hygiene measures and that issuing the notice is necessary and proportionate action. The notice will specify:

- the premises which it relates to;
- the measures to be taken to ensure compliance at those premises;
- the time limit for the measures to be taken;
- any details on the right to appeal the notice.

In addition, a premises closure notice can also be issued, directly all or part of the premises to be closed. A premises closure notice will be issued if:

- a premises improvement notice has been issued to the person; and
- the enforcement officer considers that the person has failed to take the measures specified in the premises improvement notice within the specified time limit; and
- the officer considers that the closure of the premises, or part of the premises, is necessary and proportionate for the purpose of minimising the risk of exposure to coronavirus.

A premises closure notice can also be issued if the enforcement officer considers that:

- the person is not complying with the obligations concerning distance and hygiene measures; and
- the closure of the premises, or part of the premises, (without a premises improvement notice having been issued) is necessary and proportionate for the purpose of minimising the risk of exposure to coronavirus.

A premises closure notice will:



contain a description of the premises to be closed;  
where a premises improvement notice has been issued, set out the measures that the enforcement officer considers have not been taken and must be taken to ensure compliance with the obligations;  
where a premises improvement notice has not been issued, set out the reasons why the enforcement officer considers that the person is not complying with the obligations;  
in either case, set out the reasons why the enforcement officer considers that closure of the premises is necessary and proportionate for the purpose of minimising the risk of exposure to coronavirus;  
specify the period for which the notice has effect; and  
give details on the right to appeal the notice.  
After a premises closure notice is served, the person responsible for the premises must, as soon as reasonably practicable:  
close the premises;  
cease carrying out all business or service from those premises.  
No persons may enter premises subject to a closure notice without reasonable excuse, which includes, among other things:  
carrying out essential maintenance or repairs; and  
doing things necessary to ensure that the obligations can be complied with when the premises are allowed to open once again.

## 3.3 Latin America

### 3.3.1 ARGENTINA NATIONAL Companies must now follow a generic sanitary protocol for resuming activities

**Abstract:** As of 11 August 2020, companies must follow a generic sanitary protocol for resuming activities during COVID-19 pandemic. This follows from Provision 16/2020 of the Superintendence of Labor Risks (*Superintendencia de Riesgos del Trabajo -SRT*). The generic sanitary protocol provides the minimum measures that companies must comply with for resuming activities but does not replace specific sector protocols and other complementary measures that companies can take.

**Business Impact:** If the company has resumed activities, it must implement the generic sanitary protocol for preventing COVID-19 contagion at workplaces. Among others, the company must ensure a physical distance of at least 2 meters between employees, regular disinfect common areas and ventilate environments, equip the facility with COVID-19 prevention signage, develop a practical and fluent channel for employees informing any COVID-19 symptom without attending the workplace, and provide employees with the corresponding personal protective equipment. The generic protocol does not replace sector specific protocols, protocols issued by local authorities, and other complementary measures that the company may implement.

**Analysis: Actionable requirements** The company actively promotes and trains employees on COVID-19 preventive measures. The company has visibly displayed signs on COVID-19 prevention measures (such as physical distance recommendations, instructions for washing hands, and use of facemasks). The company has made employees sign an affidavit on COVID-19 preventive measures before they are reincorporated to activities. The company ensures there is a physical distance of at least 2 meters between employees. The company has handed out hygienic kits (including alcohol gel, soap, and disposable paper towels) to their employees. The company regularly disinfects and cleans common areas, and limits the number of people that can access them simultaneously (such as locker rooms or kitchens). The company keeps records of the COVID-19 preventive measures that have been carried out. The company has appointed a responsible person per sector for controlling compliance with the preventive measures and raising awareness among employees. The company has informed to employees teleworking the ergonomic risks to which they are exposed and how to prevent



them. The company has implemented physical barriers (such as conveyor belts or trolleys) for avoiding physical interaction with external providers. The company has marked a charge and discharge area for external transport companies that need to access the facility. The company has developed a direct and practical communication channel for employees informing about any COVID-19 symptom. The company has allocated one room for isolating employees showing COVID-19 symptoms during working hours. The company keeps a register of employees' health regarding COVID-19 (such as their daily body temperature and risk factors). The company disposes of Personal Protective Equipment daily and isolates the waste bag containing them for at least 72 hours before being collected. If the company provides transport to their employees, it keeps the number of passengers as low as possible and disinfects the vehicles after each use.

**What has changed?** Provision 16/2020 approves a generic sanitary protocol for preventing COVID-19 contagion in working environments. The sanitary protocol sets out the minimum standards that companies must comply with regarding physical distance, health monitoring, course of action in case of a positive case and provision of hygienic kits, among others. The protocol does not replace and is complementary to sector specific protocols, requirements issued by local authorities, and other additional measures implemented by companies on their own.

**Additional information** On 11 August 2020, the Superintendence of Labor Risk (SRT) published Provision 16/2020 approving a generic sanitary protocol for resuming activities during COVID-19 pandemic. The protocol is aligned with the "[10-step tool for a safe and healthy return to work in times of COVID-19](#)" issued by the International Labor Organization (ILO). In addition, the Provision includes a [summary on the applicable legislation regarding Personal Protective Equipment \(PPE\) to different economic sectors in its Annex 2](#).

Among others the protocol focuses on ensuring the compliance with physical distance, regular disinfection of surfaces, gradual reincorporation of employees to the facility, promotion of teleworking and private transports. Companies are responsible for communicating the protocol to employees. In this regard, they must install the preventive and informative signs provided by their Labor Risk Insurance companies (*Aseguradoras de Riesgo del Trabajo -ART*) in a visible place. In addition, they must also install signage reminding to keep physical distance, to use the face mask and to wash hands. The protocol requires companies to implement a gradual return of employees to the facilities by prioritizing employees who have their own means of transport, or those who live closer to the facilities, in case they have to use public transport. Moreover, companies are directed to request employees to arrive at different hours to avoid crowds at the entrance in the start and end of the working days. The protocol requires companies to ensure a physical distance of at least 2 meters between employees. In cases when that is not feasible, companies must install complementary protective measures, such as physical barriers (for instance, plastic or glass dividers), and additional personal protective equipment (for instance plastic masks additionally to the facemasks).

Regarding hygienic measures, companies are required to install sanitizing kits including:  
water;  
soap;  
70% alcohol gel or bleach; and  
individual paper towels.

In addition, companies must clean and disinfect facilities before, during and after the working day. Moreover, access to kitchens, canteens or locker-rooms must be restricted to a limited number of employees. Regarding the use of toilets, no more than 1 person must go inside them at the same time. Companies must also ensure that closed environments are ventilated before the start of the working day, and during the working hours. They must also promote virtual meetings, instead of using meeting rooms for meetings within the company or with external clients or providers. Employees suffering from any symptom compatible with COVID-19 must not access the workplace. Therefore, the protocol requires companies to elaborate simple and practical procedures for employees notifying them of any symptom related to COVID-19 without need to attend the workplace. Nonetheless, companies must assign one room for isolating persons, in the case they start showing symptoms during working hours. Should this happen, companies must contact the emergency numbers for COVID-19 indicated by the local authority. Afterwards, they must disinfect the sectors where the person showing symptoms has been. Employees in charge of disinfecting must be provided with the following PPE:

professional facemask;  
eye protection;  
disposable overall; and  
disposable gloves.

The protocol also requires companies to keep register of the PPE handed out to employees, which must include the date, hour and be signed by the employee receiving it. Companies must decide the periodicity with which PPE and disinfection kits will be handed out. For disposing of PPEs, companies must provide special waste bags, and label them. PPEs must be disposed on daily basis, the bags containing them must be correctly closed, and kept isolated for at least 72 hours, before being collected. For receiving goods or products from external providers, the protocol recommends implementing measures for avoiding direct and physical contact with people from outside the company (such as using drawers, doors, conveyor belts, or trolleys). Once the products have been placed in the deposit area, companies must disinfect them. In the case of transport companies that need to access the facility for charging or discharging goods, they must avoid getting down from their vehicles. If that was not possible, companies must mark an area for such activities, and provide drivers and operators with material for washing their hands. For companies providing transport to their employees, the protocol imposes the obligation to disinfect the vehicles before and after their use (for instance, steering wheel and gear lever). The protocol discourages sharing transport (more than 1 person per vehicle), but if it is not avoidable, they must keep the number of passengers as low as possible and keep natural ventilation during the trip.

Regarding occupational health, the protocol recommends to carry out regular checks on the employees and keep a register of the following aspects, among others:  
the body temperature before the start of the working day;  
symptoms compatible with COVID-19;  
if the employee takes any analgesic, anti-inflammatory or antipyretic medicine (such as paracetamol); and  
employees' risk factors.

Companies must keep an accessible register of the implementation of the measures included in the protocol for eventual audits. [Provision 16/2020 on a generic sanitary protocol for resuming activities](#) and its [Annex 1 containing the Generic Sanitary Protocol](#) are available online in Spanish.

### 3.3.2 BRAZIL FEDERAL Public hearings within environmental licensing processes can be carried out electronically during the public health emergency

**Abstract:** From 12 August 2020 and while the public health emergency caused by the new coronavirus (COVID-19) remains, companies must be aware that public hearings (*audiências públicas*) within environmental licensing processes can be carried out electronically.

**Business Impact:** If the company is required by the competent licensing authority to participate in a public hearing (*audiência pública*) during its environmental licensing process, it must be aware that such public hearing can be carried out electronically during the public health emergency caused by the new coronavirus (COVID-19). Even though there are no direct requirements for the company, further obligations can follow from technical procedures implementing the virtual public hearing.

**Analysis: Actionable requirement** [CONAMA Resolution 494 of 11 August 2020](#) does not establish direct requirements for companies.

**What has changed** Before, public hearings (*audiências públicas*) within environmental licensing processes could only be carried out: -in-person; and -in an accessible place to all interested parties. CONAMA Resolution 494/2020 establishes the exceptional and temporary possibility of such public hearings to be carried out electronically, while the public health emergency caused by the new coronavirus (COVID-19) remains (end date not specified).

**Analysis** CONAMA Resolution 494/2020 establishes the possibility of carrying out public hearings within environmental licensing processes electronically during the public health emergency. It came into force on 12 August 2020. CONAMA Resolution 494/2020 establishes that virtual public hearings must still follow the requirements contained in [CONAMA Resolution 9 of 3 December 1987](#), such as: -the representative of the competent licensing authority must conduct the public hearing; and -the authority conducting the public hearing must draw up a summary record (*ata*) at the end of each public hearing. In addition, CONAMA Resolution 494/2020 establishes that the competent environmental authority can define technical procedures for carrying out the virtual public hearing to ensure the participation of all interested parties, observing: -wide dissemination and availability of information on the licensing activity under analysis and its Environmental Impact Report (*Relatório de Impacto Ambiental* - RIMA); -at least one virtual access point to those directly impacted by the undertaking, observing the sanitary safety of the participants, and, if necessary, other virtual points, according to the analysis of the specific case by the licensing authority; -discussion of the RIMA; -clarification of doubts; and -acknowledgement of the participants' critics and suggestions.

### 3.3.3 BRAZIL FEDERAL Companies employing medical staff must provide them with PPE and prioritize their testing for COVID-19

**Abstract:** From 9 July 2020 and while the public health emergency continues, companies employing professionals considered essential to the control of diseases and the maintenance of the public order, such as nurses and cleaning professionals, must provide them with personal protective equipment (PPE), provided that they have direct contact during work-related activities with people infected or possibly infected with the new coronavirus. In addition, companies employing these professionals must prioritize their testing to detect COVID-19.

**Business Impact:** If the company employs professionals considered essential to the control of diseases and the maintenance of public order, such as fire brigade workers (*brigadistas*) and cleaning professionals, it must provide them with personal protective equipment (PPE), if they have direct contact during work-related activities with people infected or possibly infected with the new coronavirus. In addition, these professionals must be tested for the new coronavirus with priority.

**Analysis: Actionable requirement** (Existing) The employer must implement preventive measures to eliminate risk factors. (New) If the company employs professionals considered essential to the control of diseases and the maintenance of public order, such as fire brigade members (*brigadistas*), nurses and cleaning professionals, it provides them with personal protective equipment (PPE), provided that they have direct contact, during work-related activities, with people infected or possibly infected with the new coronavirus, during the public health emergency. (New) If the company employs professionals considered essential to the control of diseases and the maintenance of public order, such as fire brigade members (*brigadistas*), nurses and cleaning professionals, it prioritizes their testing to detect the COVID-19, during the public health emergency.

**What has changed** Law 14.023 of 8 July 2020 introduces new requirements, determining that professionals considered essential to the control of diseases and the maintenance of the public order, such as fire brigade members (*brigadistas*), nurses and cleaning professionals, must receive adequate PPE and have priority in the coronavirus testing, during the public health emergency.

**Analysis** [Law 14.023 of 8 July 2020](#) amends [Law 13.979 of 6 February 2020](#), introducing the obligation to adopt immediate measures to preserve the health and life of professionals considered essential to the control of diseases and the maintenance of the public order, during the public health emergency caused by the new coronavirus (COVID-19). Law 14.023/2020 came into force on 9 July 2020. Law 14.023/2020 introduces a list of essential professionals involved in the control of diseases and maintenance of the public order, including, for example: -doctors; -nurses; -physiotherapists, occupational therapists, speech therapists and professionals involved in qualification and rehabilitation processes; -fire brigade members (*brigadistas*) and civil and military firefighters; -cleaning workers; and -ambulance drivers. Law

14.023/2020 establishes that employers must provide the PPE recommended by the National Sanitary Surveillance Agency (*Agência Nacional de Vigilância Sanitária* - ANVISA) free of charge to professionals considered essential to control diseases and maintain the public order, provided that they have direct contact during work-related activities with people infected or possibly infected with the new coronavirus. In addition, such essential professionals have priority to be submitted to tests detecting the new coronavirus and must be treated and oriented immediately on their health condition and ability to return to work.

### 3.3.4 BRAZIL RIO DE JANEIRO Employers to provide face masks to their workers

**Abstract:** Since 6 August 2020, companies must ensure that facilities in the State of Rio de Janeiro are only in operation during the allowed periods, for example between 9 a.m. to 6 p.m. for offices and industrial facilities other than those required to operate in continuous. Companies must provide face masks to their workers and ensure that all persons onsite use a face mask.

**Business Impact:** The company must provide face masks to all its workers, contractors and visitors and ensure they use them while onsite. If the company has facilities open to the public, it must also ensure that these use a face mask while onsite, and provide them with alcohol hand gel 70% or a similar product. The company must also ensure that workers at great risk from COVID-19, such as pregnant workers work from home and that workers showing symptoms of infection are not allowed onsite. Furthermore, the company ensures that its facilities are in operation between the allowed periods (for example, between 9 a.m. and 6 p.m. for industrial facilities other than those required to work in continuous). The company must comply with these measures during the health emergency caused by COVID-19.

**Analysis: Actionable requirements** -The company ensures that everyone onsite uses a face mask. -The company ensures that all persons onsite can maintain a minimum distance of 1 meter from each other. -The company does not allow workers with a special health risk, such as those over 70 years of age or pregnant workers to work from the office. -The company ensures that any worker showing symptoms of infection with the new coronavirus (COVID-19) is not allowed onsite. -If the company has facilities open to the public, it provides alcohol hand gel 70% or similar products to all persons onsite. -If the company operates a retail facility selling food, it must be equipped with liquid soap, towel paper and running water and make this available to its workers and clients. -If the company operates a retail, industrial or services facility, it complies with the opening and closing time established in Annexes I, II, III or IV to Decree 47.199/2020.

**What changed** The actionable requirements listed above are new requirements and apply to all companies operating in the State of Rio de Janeiro. The requirement to use a face mask applies to all persons onsite, including workers, contractors, visitors and members of the public. An exception applies to persons which a medical reason, as certified by an official document. The face masks can be reusable or disposable (no specific model required). Employers must provide face masks to their workers, contractors and visitors free of charge. According to Decree 47.199/2020, workplaces can be in operation between the following periods: -retail shops selling essential products, such as food, and industrial facilities required to work in continuous: 24 hours; -industry and services: 9 a.m. to 6 p.m.; -retail shops, other than shopping malls: 9 a.m. to 7 p.m. -construction activities: 7 a.m. to 5 p.m.

**Brief analysis** [Decree 47.112 of 5 June 2020](#), as amended by [Decree 47.194/2020](#), [Decree 47.129 of 19 June 2020](#), and [Decree 47.199 of 4 August 2020](#), as amended by Decree [47.205/2020](#) and [Decree 47.209/2020](#), provide measures to deal with the spread of the new coronavirus (COVID-19) due to a health emergency. They apply to all companies operating in the State of Rio de Janeiro since respectively 5 June 2020, 19 June and 6 August 2020, and will apply until the end of the health emergency caused by COVID-19.

### 3.3.5 CHILE Companies must follow updated unified sanitary measures to prevent the spread of the COVID-19

**Abstract:** Since 25 July 2020, all companies must implement unified rules regarding sanitary measures to prevent the spread of the COVID-19 outbreak. These measures include the use of masks, social distancing, disinfecting the workplace, and lockdown. These measures are valid indefinitely until epidemiological conditions allow their suspension. This follows from exempt resolution No. 591 of 2020.

**Business Impact:** The company can resume activities between 5:00 am to 10:00 pm. The company must provide supporting documentation to its employees that work between 10:00 pm to 5:00 am. The company must ensure that everyone wears a mask in enclosed spaces within its facilities. The company must ensure a minimum physical distance of one linear meter between workers when the nature of the work activities carried out allows it. The company must ensure that the workplace, tools, and work items are cleaned and disinfected at least once a day, and each time they are exchanged.

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

The company can resume activities between 5:00 am to 10:00 pm.

The company must provide supporting documentation to its employees that work between 10:00 pm to 5:00 am, stating that the workers need to work during those hours and therefore leave their residences.

The company must ensure that everyone wears a mask in enclosed spaces within its facilities (the use of masks is not compulsory for those who are eating at places specially authorized to do so, for instance, canteens).

The company must ensure a minimum physical distance of one linear meter between workers when the nature of the work activities carried out allows it; and

The company must ensure that the workplace, tools, and work items are cleaned and disinfected at least once a day, and each time they are exchanged. The ordinary letter B1 No. 2,770 of 15 July 2020, which updates the "Protocol for Cleaning and Disinfection of Covid-19 Environments" (or the one that replaces it) contains more information on cleaning and disinfection.

**What has changed** Exempt resolution No. 591 of 2020 provides unified health measures to prevent the spread of the COVID-19 outbreak. These measures include the use of masks, social distancing, disinfecting the workplace, and lockdown. These measures are valid indefinitely until epidemiological conditions allow their suspension. At the same time, the resolution reminds companies that the lockdown during to certain hours (from 10:00 pm to 5:00 am) began to take effect on 22 March 2020.

**Additional Information** On 25 July 2020, Exempt resolution No. 591 of 2020 was published. The resolution briefly analyses the current situation of the COVID-19 in Chile. It makes reference to the various previous resolutions that have been published in the past to prevent the spread of Covid-19 and concludes that given that the epidemiological situation of the COVID-19 outbreak is in full swing, it is necessary to update the measures for the control of the emergency. Failure to comply with the measures of this resolution will be sanctioned according to the provisions of the Sanitary Code, the Penal Code, and of Law No. 20,393, as appropriate. [Exempt Resolution No. 591 of 2020 that provides sanitary measures that indicate a Covid-19 outbreak and has a Step-by-Step Plan](#), is available online in Spanish.

## 3.4 Asia & Oceania

### 3.4.1 AUSTRALIA – VICTORIA Facilities must adhere to the COVID-19 prohibitions and requirements prescribed under the updated restricted activities directions as well as the workplace and permitted worker permit scheme

**Abstract:** From 5 August 2020 to 16 August 2020, facilities must adhere to the directions imposed by the Deputy Chief Health Officer, to ensure safe working environments during the COVID-19 pandemic. The directions prescribe requirements and operation limitations to help limit the spread of the COVID-19 virus as permitted employers transition back to the workplace. This follows from the publication of the Restricted Activity Directions Restricted Areas (No 6), the Permitted Worker Scheme, and the Workplace Directions which require for example that an employer must have in place a COVID Safe Plan.

**Business Impact:** If the company is located in the restricted area, it must discontinue operations unless the company is a permitted work premise (such as manufacturers of basic polymers or oil and gas extraction), or ensure employees work from home. If the company is permitted to continue operating with employees present at the workplace, it must ensure among other requirements that:

- employees permitted to work at the workplace wear a face-covering unless in prescribed scenarios such as health risks as a result of wearing the face-covering;
- the company has a COVID-Safe Plan in place which addresses, amongst others, record-keeping, personal protective equipment, and actions to mitigate the entry of corona in the workplace; and
- only permitted workers are allowed to work on the premises.

#### **Analysis: Actionable requirements- Restricted Activity Directions Restricted Areas (No 6)**

if the facility is in the restricted area, it only operates if it is a permitted work premise during the restricted activity period, unless employees work from home.

#### **Actionable requirements- Permitted Worker Permit Scheme**

- if it is not reasonably practicable for employees to work from home and the facility is a permitted work premise undertaking a permitted service in the restricted area, it must issue a permitted worker permit to any employees who will continue work at the workplace (whether they are living in or outside of the restricted area);
- if the facility issues a permitted worker permit to an employee it must keep a record of all issued permits during the permitted worker permit scheme period which must be made available to an Authorised Officer, a Victoria Police Officer, or a Protective Services Officer;
- the facility ensures that it complies with any lawful direction given by an Authorised Officer, a Victoria Police Officer or a Protective Services Officer in relation to the issuance of a permitted worker permit, a worker at the permitted employer's work premises and directive on the permitted worker permit scheme.
- the facility ensures that a person prohibited is not allowed on the work premises.

#### **Actionable requirements- Workplace Directions**

- the facility does not permit employees to work at the workplace if it is reasonably practicable work at home;
- if the facility is permitted to continue operating during the COVID-19 pandemic with employees present at the workplace, it ensures that employees wear a face-covering unless in prescribed scenarios such as health risks as a result of wearing the face-covering;
- if the facility is permitted to continue operating during the COVID-19 pandemic with employees present at the workplace, it ensures that the facility has a COVID-Safe Plan in place which addresses, amongst others, record-keeping, personal protective equipment, and actions to mitigate the entry of coronavirus in the workplace;
- if the facility is permitted to continue operating during the COVID-19 pandemic with employees present at the workplace, it ensures that it complies with any directions given by an Authorised Officer or Workplace inspector to modify a COVID-Safe Plan;
- if the facility is permitted to continue operating during the COVID-19 pandemic with employees present at the workplace, it ensures that it keeps a record of all workers and visitors that attend the workplace for longer than 15 minutes, including





their first name, phone number, date and time of visit as well as areas of the facility visited;

if the facility is permitted to continue operating during the COVID-19 pandemic with employees present at the workplace, it ensures that the facility complies with the density quotient for each shared space and publicly accessible room;

if the facility is permitted to continue operating during the COVID-19 pandemic with employees present at the workplace, it ensures that there is signage on the permitted density quotient rounded down to the nearest whole number;

if the facility is permitted to continue operating during the COVID-19 pandemic with employees present at the workplace, it ensures that shared spaces at which work is performed are cleaned at least twice on any given day using disinfectant which bears a label from the manufacturer stating its anti-viral properties; and

if the facility is permitted to continue operating during the COVID-19 pandemic with employees present at the workplace, it ensures that it keeps a record of all employees that work across more than 1 work premises.

**What has changed?** The Restricted Activity Directions (Restricted Areas) (No 5) have been revoked and are no longer applicable. The Workplace and the Permitted Worker Permit Scheme are published for the first time.

#### **Additional Information- Restricted Activity Directions Restricted Areas (No 6)**

only permitted functions should be undertaken on work premises.

persons are allowed onto the premises despite it not being a permitted work premise for the purpose of:

-- essential maintenance; -- to ensure the premises is closed safely for the duration of the restricted activity period; or -- in an emergency.

the restricted activity period begins at 11:59 pm on 5 August 2020 and ends at 11:59 pm on 16 August 2020.

#### **Additional Information- Permitted Worker Permit Scheme**

the permitted worker permit scheme period begins at 11:59 pm on 5 August 2020 and ends at 11:59 pm on 16 August 2020.

the permitted worker permit scheme pertains to permitted employers who operate work premises in the restricted area or require an employee who ordinarily resides in the restricted area or the relevant area to attend the work premises.

employees diagnosed with the COVID-19 or an employee who has come into close contact with a person diagnosed with COVID-19 is not permitted to hold a permitted worker permit.

[permitted work premises](#) include:

-- Manufacturers of basic polymers; -- Oil and gas extraction; -- Manufacturing of petroleum and coal product; and -- Manufacturing of sanitary products.

Records kept must be in the approved form and include the prescribed details, such as the company name, and contact details, employee name, date of birth and address, as well as expected dates of work and a signed declaration.

Employers that issue worker permits to ineligible employees or otherwise breach the scheme's requirements could face court-imposed penalties of up to \$99,132, or on-the-spot fines of \$9,913.

#### **Additional Information- Workplace Directions**

a face-covering includes a face mask or face shield designed to be worn over the nose and mouth to protect the wearer from infection.

the restriction period starts from 11:59 pm on 2 August 2020 and ending at 11:59 pm on 16 August 2020.

the employer is not required to comply with the COVID-Safe Plan if there are less than 5 workers working on the work premises.

the density quotient limits the number of people who are permitted in a shared space at any one time to the number calculated by dividing the total accessible space.

the density quotient for an indoor space applies to every single undivided space permitted to operate.

shared spaces include frequently touched surfaces including toilets and handrails.

an employee exhibiting COVID-19 symptoms must not be permitted to work at a work premise.

examples of COVID-19 symptoms include a consistent fever of less than 37.5 degrees celsius, acute respiratory infection, and loss of smell or taste.



non-compliance with the requirements will result in 600 penalty units.

#### Definitions

**Restricted areas** mean the aggregate area consisting of the municipal districts, suburbs, localities, and addresses within greater Melbourne.

**Relevant area** means the area of Victoria outside the restricted area.

**Permitted employer** means an organisation or individual which operates a permitted work premises.

**Work premises** means the premises of an employer in which work is undertaken, including any vehicle whilst being used for work purposes.

### 3.4.2 BANGLADESH Employers are advised to undertake several preventive measures to prevent the spread of Novel Corona virus (COVID-19).

**Abstract:** With immediate effect, employers are advised to undertake preventive measures to prevent transmission of Novel Coronavirus (COVID-19), reduce the impacts of the outbreak and support control measures (i.e., regular supply of hand sanitizers, soap and running water in the washrooms and encourage the staff to work from home). This follows from the publication of the first edition workplace coronavirus prevention press release issued on 23 March 2020 by the Government of Bangladesh.

**Business Impact:** The company can access and implement the Government's recently published Press Release urging companies to undertake preventive measures at the workplace to stop the spread of the Novel Corona Virus (COVID-19). The Press Release lists several measures that the company can practice at the workplace. For example, the company can exercise the following, among other measures to reduce the spread of COVID-19 at the workplace: ensure that the workplace is clean and hygienic by frequently cleaning and sanitizing touched surfaces and objects such as desks, tables, keyboards, and telephones; supply and re-fill hand sanitizers, soap and running water in the washrooms; and advise workers who are at higher risk (i.e., older and employees with underlying medical conditions) to take extra precautions and make sure that such employees are not exposed to any front-line work requiring direct contact with the public.

In addition, the company is also advised to practice certain things to reduce the spread of COVID-19. For example; Maintain personal hygiene and physical distancing; and Keep venue windows and doors open.

**Analysis:** On 23 March 2020, the Government of Bangladesh issued the first edition workplace coronavirus prevention press release "Press Release" (প্রথম সংস্করণ কোভিড - ১৯ এর জন্য রক্ষিত প্রস্তুত রণ) to all public and private employers advising them to undertake thorough preventive measures to prevent the spread of Novel Coronavirus (COVID-19). The Press Release lists the following, among other preventive measures that employers can undertake to prevent the spread of COVID-19 at the workplace, and during meetings, rallies, public gatherings, travel by staff members, and preparation of the workplace once the outbreak of COVID-19 occurs: **General preventive actions:-**

workplaces are to be cleaned frequently, through the sanitization of touched surfaces, and objects such as desks, tables, keyboards, and telephones;

employers are to supply hand sanitizers, soap and running water in the washrooms and promote regular and thorough handwashing by employees, contractors, and customers;

employers are to place hand sanitizers at every entrance of the workplace;

employers are to promote handwashing by displaying posters, along with other communication measures such as offering guidance from occupational health and safety officers, briefings at meetings and other information to promote handwashing;

employers are advised to brief the staff, contractors, and customers on the procedures to be followed in case of a COVID-19 outbreak on the work premises (e.g., anyone with even a mild cough or low-grade fever i.e., 99o Fahrenheit or 37.3o



Celsius or higher) must stay at home; and employers are advised to provide medical or surgical masks in case persons with symptoms.

**Before and during meetings:-**

actively monitor the location where COVID-19 is spreading on the workplace;  
issue advance advise if persons are experiencing any symptoms, or infection of COVID-19;  
during an in-person meeting ensure the collection of the telephone numbers, email addresses, and their home addresses of all attendees for information purposes and if required supply the information to local authorities if case of a COVID-19 outbreak;  
plan in advance for the safe transfer of the sick person to the hospital if they exhibit symptoms;  
provide all information related to COVID-19 verbally or in writing, during each meeting or event;  
avoidance of all tactile contact amongst persons on the work premises;  
encourage regular hand washing and the use of hand rubs or alcohol-rich sanitizers on the work premises;  
provide alcohol-based sanitizers in multiple locations of the venue where the meetings are to be held;  
encourage physical distancing of a minimum of 1 meter amongst persons on the work premises; and  
keep meeting venue windows and doors open.

**During and after work-related travel by employees, workplaces are advised to:-**

provide and ensure that employees carry alcohol hand rub or hand sanitizer during the work-related travel; and ensure that employees returning from work-related travel are quarantined for 14 days during which their body temperature is recorded twice a day;

**In preparation of the workplace, once an outbreak of COVID-19 occurs on the work premises, workplaces are advised to:-**

prepare and submit to the local authority, COVID-19 prevention plan and take into account the local authority's recommendations;  
immediately isolate any sick person and restrict all contact with the sick person;  
identify at-risk persons such as persons with serious illnesses, or above a certain age, etc; and  
promote telework among employees and management wherever feasible.

The above-provided guidelines are not exhaustive. [The First Edition Workplace Coronavirus Prevention Press Release \(প্রথম সংস্করণ কোভিড - ১৯ এর জন্য কর্মক্ষেত্র প্রস্তুত রণ\)](#) is available in Bengali on the Enhesa Knowledgebase.

### **3.4.3 HONG KONG Companies are prohibited from holding public gatherings of more than two persons from 12 August 2020 to 18 August 2020**

**Abstract:** From 12 August 2020 to 18 August 2020, companies must not hold a group gathering event of more than 2 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 meetings 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 2 persons has been extended from 12 August to 18 August 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 Requirement** The facility does not hold public gatherings of more than 2 persons in any public places from 12 August 2020 to 18 August 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. \(E.\)106 of 2020\)](#) (預防及控制疾病(禁止羣組聚集)規例) (2020年第106號號外公告) extends the ban on the public gathering from **12 August 2020 to 18 August 2020**. The G.N. (E.) 106 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 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.

### 3.4.4 JAPAN NATIONAL Countermeasures for COVID-19 at different infection stages published for companies

**Abstract:** As of 7 August 2020, companies can refer to the Indicators and Guidelines for Implementing Countermeasures to Cope with Future Changes of COVID-19 Infection (今後の感染状況の変化に対応した対策の実施に関する指標及び目安について).

**Business Impact:** The company should be aware that the Indicators and Guidelines for Implementing Countermeasures to Cope with Future Changes of COVID-19 Infection (the "Document") was published to give the company more information on the COVID-19 countermeasures. In the future, if the Prefecture, where the company is located, has announced a stage of COVID-19 infection (stage 1, stage 2, stage 3, or stage 4), the company will be requested to implement the corresponding countermeasures provided in the Document.

**Analysis:** On the 7 August 2020, the [Indicators and Guidelines for Implementing Countermeasures to Cope with Future Changes of COVID-19 Infection](#) (hereafter the "Document": 今後の感染状況の変化に対応した対策の実施に関する指標及び目安について) was published. The Document provides indicators and guidelines for companies and individuals on when and how to implement COVID-19 countermeasures. More specifically, each Prefecture will be classified into 1 of the 4 different stages, in accordance with the indicators provided in the Document. For example, stage 1 is the stage where there is a sporadic outbreak of infection and the medical service system is not particularly hindered. Stage 4 is the stage where actions are required to avoid the explosive spread of infection and serious malfunction of the medical service system. Furthermore, countermeasures for each stage are provided in the Document. For example, at stage 1 and 2,

companies are requested to promote teleworking, and to disseminate and promote the COCOA application (COVID-19 contact confirming application). And at stage 3, companies are additionally requested to reconsider holding of events, and to incorporate the COCOA application into their events and travels.

### 3.4.5 SINGAPORE Employers are required to submit essential errands form for migrant workers to carry out essential errands

**Abstract:** Effective 5 August 2020, employers that provide migrant workers with dormitories are required to submit essential errands form to the Ministry of Manpower(MOM) in order to facilitate migrant workers' exit for essential errands in light of Phase 2 of re-opening. Such essential errands include but are not limited to work pass related errands, medical appointments, and banking services.

**Business Impact:** If the company provides migrant workers with dormitories, the company is required to submit essential errands forms to MOM before the migrant workers can proceed with the specified essential errands. The company is also advised to provide private transport between the dormitory and the stipulated locations of the essential errands to the workers.

**Analysis:** On 1 August 2020, the Ministry of Manpower (MOM) published [Advisory for employers to submit essential errands form for migrant workers to carry out essential errands](#), which allows migrant workers living in dormitories that have been cleared of COVID-19 infections to leave the dormitory to carry out essential errands. The current advisory relaxes the requirements of the previous advisory, which only allows migrant workers living in employer-provided dormitories to leave the dormitories for work. Effective 5 August 2020, MOM requires employers or dormitory operators to fill up and submit essential errands form to [www.mom.gov.sg/essential-errands-request](http://www.mom.gov.sg/essential-errands-request), before the migrant worker can proceed with the specified essential errands. Examples of essential errands are:

- Collection of passports;
- Court hearings, investigations and related activities;
- Work pass related errands;
- Medical appointments;
- Dental appointments; and
- Banking services.

Employers are also encouraged to provide private transport between the dormitory and the stipulated locations of essential errands for the migrant workers.

### 3.4.6 THAILAND Companies operating during the Covid-19 emergency situation must continue to comply with prevention and hygiene requirements, which have been extended through 31 August 2020

**Abstract:** The emergency situation declaration in all areas of the Kingdom was extended through to 31 August 2020. It was previously set to expire on 31 July 2020. All the orders and administration under the Emergency Decree on Public Administration in Emergency Situation B.E. 2548 (2005) are still in effect, including the prevention measures for all business operations. The recommended precautionary measures still remain in effect, including strict hygiene control, frequent surface and hand sanitization, body temperature screening, and social distancing rules.

**Business Impact:** If the facility operates during the Covid-19 emergency situation, it must continue to comply with the regulations issued to prevent and reduce the spread of the disease. These requirements have been extended as a result of the renewal of the declaration of an emergency situation, which extends the duration of the emergency situation through 31 August 2020.

### **Analysis: Actionable Requirements**

If the facility operates during the declaration of an emergency situation in response to Covid-19, it sets up temperature/fever checks and screens for any symptoms of coughing, difficulty breathing, sneezes or colds for service staff and visitors at all business operations.

If the facility operates during the declaration of an emergency situation in response to Covid-19, it ensures customers clean their hands with alcohol or sanitizer before entering the shop.

If the facility operates during the declaration of an emergency situation in response to Covid-19, it ensures customers would maintain at least 1 metre separation for sitting or standing in waiting and queuing areas.

If the facility operates during the declaration of an emergency situation in response to Covid-19, it ensures customers' chairs would have to be placed clearly apart in the service areas.

If the facility operates during the declaration of an emergency situation in response to Covid-19, it limits the number of customers inside at one time and requires that waiting customers stay outside.

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 for attending employees and properly cleaning frequently exposed surfaces.

**What Has Changed** On 30 July 2020, the Cabinet approved the extension of the period of emergency situation declaration in all areas of the Kingdom for one more month, through 31 August 2020. Previously, the declaration was set to expire on 31 July 2020. This is the fourth extension of the emergency situation. The emergency declaration was first issued on 25 March 2020, in accordance with the Emergency Decree on Public Administration in Emergency Situation B.E. 2548 (2005), and it was in effect from 26 March. As a result, all the orders and regulations under the Emergency Decree remain in effect until the declaration is extended, modified, rescinded, or expires.

**More Information** For more information, see the [30 July 2020 order](#) from the Centre for the Administration of the Situation due to the Outbreak of the Communicable Disease Coronavirus 2019, currently only available in Thai.

### **3.4.7 VIETNAM Companies located in Da Nang City must continue applying measures to prevent and control COVID-19 and assuring OHS conditions at workplaces**

**Abstract:** Starting from 28 July 2020, companies that are located in Da Nang City must continue applying measures to prevent and control the COVID-19 and assure occupational health and safety (OHS) conditions at the workplaces, as stated under the Government's Notification no. 257/TB-VBCP released on 27 July 2020. Further, companies must ensure that their employees keep a safety distance (i.e., a minimum distance of 1 meter) when communicating and wear masks. Companies must not organize unnecessary mass meetings and conferences, as affirmed under this Notification.

**Business Impact:** If the company operates in Da Nang City (Vietnam), it must continue applying measures to prevent and control of the 2019 novel coronavirus disease (COVID-19), such as providing personal protective equipment (PPE) and temporarily suspending non-urgent operations. Further, the company must prepare a working plan to assure occupational health and safety conditions at the workplace, as specified under the Government's Notification no. 257/TB-VBCP released on 27 July 2020. Lastly, the company must ensure that its employees keep a safety distance (i.e., a minimum distance of 1 meter) when communicating, and wear masks. The company must not organize unnecessary mass meetings and conferences, as affirmed under the Notification no. 257/TB-VBCP.

**Analysis: Actionable Requirements** If the facility is located in Da Nang City, it applies necessary measures to prevent and control the spread of COVID-19 and assure occupational health and safety (OHS) conditions at the workplace.

**What Has Changed** Notification no. 257/TB-VBCP dated 27 July 2020 specifically requires companies in Da Nang City to comply with COVID-19 prevention measures specified under the Prime Minister's Directive No. 19/CT-TTg of 24 April 2020.

**Notification no. 257/TB-VBCP dated 27 July 2020** On 27 July 2020, the Vietnamese government released the Notification no. 257/TB-VBCP on conclusion of the Prime Minister at the Government's meeting on 2019 novel coronavirus disease (COVID-19) prevention and control. Accordingly, starting from 28 July 2020, companies that are located in Da Nang City must continue applying measures to prevent and control the COVID-19 and assure occupational health and safety (OHS) conditions at the workplace. Under the Notification no. 257/TB-VBCP, companies that are located in Da Nang City must apply measures to prevent and control of the COVID-19 specified under the Prime Minister's Directive No. 19/CT-TTg of 24 April 2020. Accordingly, heads of the companies must prepare a working plan to assure OHS conditions at the workplace. Companies must not organize unnecessary mass meetings and conferences. Further, companies must ensure that their employees keep a safety distance (i.e., a minimum distance of 1 meter) when communicating, and wear masks. Specific measures to prevent and control COVID-19 include, but are not limited to, the following:

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

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

Temporarily suspending non-urgent activities;

Reducing the concentration of employees;

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

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

Companies may be subject to an inspection of the Department of Health (Sở Y tế) as affirmed under the Notification no. 257/TB-VBCP. Companies that fail to comply with the requirements mentioned above would be forced to suspend their operations temporarily. In terms of the reporting requirements, all companies in Da Nang City must submit an infectious disease surveillance report with the required contents specified in Article 21 of this Law to competent authorities (e.g., Department of Health). In the case of emergency, the infectious disease surveillance report can be transmitted by fax, e-mail, telegraph, telephone, or verbally with a written version to be submitted within 24 hours afterward (Article 22).

Specific regulation on reporting requirements stipulated under the Circular no. 54/2015/TT-BYT of 28 December 2015 (Chapter I), as follows:

Weekly reports must be prepared in compliance with Appendix 2 (Form 2) of Circular no. 54/2015/TT-BYT. A weekly report contains data collected within 7 days starting on Monday from 00:00 AM to Sunday at 24:00 PM of the reporting week;

Monthly reports must be prepared in compliance with Appendix 2 (Form 4) of Circular no. 54/2015/TT-BYT. A monthly report contains data collected from 00:00 AM of the first day to 24:00 PM of the last day of the reporting month;

Annual reports must be prepared in compliance with Appendix 2 (Form 5 and 6) of Circular no. 54/2015/TT-BYT. An annual report contains data collected from 00:00 AM of the first day to 24:00 PM of the last day of the reporting year;

Cluster reports (including reports of new clusters, active clusters, and eliminated clusters) must be prepared in compliance with Appendix 2 (Form 7, 8, and 9) of Circular no. 54/2015/TT-BYT. Daily reporting data is the data collected from 00:00 AM to 24:00 PM of the reporting day; and

Ad hoc reports with required contents and data to be provided from authorities for specific cases.

**Additional Information** [Notification no. 257/TB-VBCP dated 27 July 2020 of the Government on conclusion of the Prime Minister NGUYEN XUAN PHUC at the Government's meeting on Covid-19 prevention and control](#) is available in Vietnamese online.

## 3.5 Africa & Middle East

### 3.5.1 ALGERIA NATIONAL Companies can expect minor relaxation measures to start being implemented



**Abstract:** Since 9 August 2020, companies in Algeria can expect gradual and monitored implementation of relaxation measures. Meanwhile, they must continue to respect the existing necessary sanitary measures aimed at preserving the health of the public during the continuous fight against the spread of Covid-19.

**Business Impact:** If the company has activities in Algeria, it must comply with the curfew enforced on the states listed in article 1 and must operate in accordance with the existing sanitary measures even during the relaxation of restrictions in the country.

**Analysis: Actionable requirements** If the company undertakes activities in Algeria, it must comply with the curfew enforced in certain states listed in article 1 from 11 pm until 6 am which can still be modified by the respective walis (governors). If the company undertakes activities in Algeria, it must comply with the normal sanitary measures in case of events held in a public place or entertainment venues.

**Additional information** Executive Decree No. 20-225 on the Relaxation of The Prevention System for the Fight Against the Spread of the Coronavirus (covid-19) provides for specific relaxation measures in mosques, public places and beaches, and other venues. Some of the general provisions apply to companies or can apply to companies depending on the situation. For example, if a company organizes an event in a certain venue where it should comply with all the sanitary measures such as wearing face masks and ensuring proper social distancing.

**What has changed** The above-listed relaxation measures have been introduced for the first time in Executive Decree No. 20-225 on the Relaxation of The Prevention System for the Fight Against the Spread of the Coronavirus (covid-19). They enter into force on 9 August 2020.

### 3.5.2 **LEBANON NATIONAL** National lock-down extended in Lebanon with certain exceptions

**Abstract:** Since 3 August 2020, the national lock-down in Lebanon is extended until 30 August 2020 while allowing the businesses that reopened to keep operating in accordance with the required sanitary and preventive measures.

**Analysis: Actionable requirements** If the company is involved in activities that were allowed to resume operations in Lebanon, it must keep undertaking these activities in accordance with the specified sanitary and precautionary conditions for the fight against the spread of the coronavirus.

### 3.5.3 **MOROCCO NATIONAL** The state of health emergency is extended in Morocco

**Abstract:** Since 10 August 2020, the state of health emergency was extended everywhere in Morocco until 10 September 2020 as part of the continuous fight against the spread of the coronavirus.

**Analysis: Actionable requirements** The Decree does not provide direct requirements on companies. However, companies operating anywhere in Morocco must make sure to keep complying with all the existing covid-19 regulations or guidance, and respect the necessary sanitary measures enforced by the health authorities such as the wear of face masks.



## 4. August 12, 2020

### 4.1 The US & Canada

#### 4.1.1 US FEDERAL Companies should follow the most recent guidance from EPA for disinfecting public spaces and workspaces and for listing electrostatic spraying directions on product labels

**Abstract:** Companies should follow the U.S. Environmental Protection Agency (EPA) guidance for cleaning and disinfecting workplaces, public spaces, and businesses. Companies should follow EPA guidance to expedite review to add electrostatic sprayer application directions to disinfectant product labels.

**Business Impact:** The company should develop a cleaning and disinfecting plan according to the U.S. Environmental Protection Agency (EPA) guidance to reopen and maintain a healthy, safe workspace. The company should develop, implement, and maintain and revise appropriately a comprehensive cleaning and disinfecting plan to ensure the cleanliness and safety of public spaces and workplaces.

**Analysis:** On 7 July 2020, the U.S. Environmental Protection Agency (EPA) issued guidance to help businesses properly clean and disinfect public spaces, workplaces, and businesses. To help prevent the spread of COVID-19, proper and effective cleaning and disinfecting is critical. This guidance is crucial to help companies return as safely as possible to work. Further, EPA outlined what information registrants need to submit in order to expedite the review of requests to add electrostatic sprayer application directions to disinfectant product labels for use against COVID-19. Electrostatic sprayers apply a positive charge to liquid disinfectants as they pass through the nozzle, causing attraction to negatively charged surfaces and allowing for efficient coating of surfaces. Companies should develop a comprehensive plan for the use of disinfectants, implement the plan, and maintain and revise the plan. Cleaning and disinfecting surfaces is an important part of the comprehensive plan that is central to reducing the risk of exposure to COVID-19. Companies should: clean using soap and water to remove germs, dirt, and impurities from surfaces; and disinfect using disinfectant products to kill germs on surfaces because killing germs on a surface after cleaning it can further lower the risk of spreading infection.

**More Information** Companies can review EPA's full guidance for [expedited review for adding electrostatic spray direction](#). Companies can refer to [EPA's List N: Disinfectants for Use Against SARS-CoV-2](#) for an up-to-date list of disinfectant products that can be used against COVID-19. The EPA news release is available [here](#).

#### 4.1.2 US FEDERAL OSHA publishes answers to frequently asked questions related to COVID-19

**Abstract:** Companies that have questions regarding COVID-19 topics such as the best practices to prevent the spread of infection during the coronavirus pandemic, testing for the coronavirus, worker training, and returning to work, it should refer to the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) published answers to frequently asked questions (FAQs).

**Business Impact:** If the company has questions related to COVID-19 and its impact on employers and employees, it should reference the Occupational Safety and Health Administration's (OSHA's) recently published frequently asked questions

(FAQs) and answers webpage. The FAQs provide guidance to employers and employees about topics such as the best practices to prevent the spread of infection during the coronavirus pandemic, workers' rights to express concerns about workplace conditions, testing for the coronavirus, worker training, and returning to work.

**Analysis:** The U.S. Department of Labor's (DOL's) Occupational Safety and Health Administration (OSHA) published frequently asked questions (FAQs) and answers to help companies protect workers during the COVID-19 pandemic. The FAQs provide guidance to employers and employees about topics such as the best practices to prevent the spread of infection during the coronavirus pandemic, workers' rights to express concerns about workplace conditions, testing for the coronavirus, worker training, and returning to work. The FAQ page provides a central website where employers and employees can go to obtain more information and resources regarding COVID-19 topics. For example, the OSHA answers the question like: - What COVID-19 training resources are available for employers? - Does OSHA require employers to make restrooms and handwashing facilities available to workers? - Which OSHA standards apply to employer protection of workers during the COVID-19 pandemic? - Has OSHA waived any requirements of its standards in response to the COVID-19 pandemic?

**More information** The [COVID-19 FAQ](#) page can be found on OSHA's website. DOL's news release announcing the website can be found [online](#).

#### 4.1.3 US FEDERAL EPA approves 13 products from List N as effective against COVID-19

**Abstract:** Companies should consider using one of the products on List N that the U.S. Environmental Protection Agency (EPA) announced are effective against SARS-CoV-2, the novel coronavirus that causes COVID-19, to clean and disinfect workplaces, public spaces, and surfaces.

**Business Impact:** To clean and disinfect the workplace against COVID-19 most effectively, the company should consider using one of the newly approved disinfectants on List N that completed laboratory testing for use against SARS-CoV-2, the novel coronavirus that causes COVID-19.

**Analysis:** On 30 July 2020, the U.S. Environmental Protection Agency (EPA) announced that 13 products on List N completed laboratory testing for use against SARS-CoV-2, the novel coronavirus that causes COVID-19. The 13 products already appeared on List N; however, they now carry additional weight as effective against the virus that causes COVID-19 based on testing performed by the manufacturer and confirmed by EPA. The total number of products in this category is now 15. Before pesticide products can legally make claims that they can kill a particular pathogen, such as SARS-CoV-2, the claim must be authorized by EPA based on a review of data. Because novel viruses are typically not immediately available for laboratory testing, EPA established guidance for [Emerging Viral Pathogens](#). Companies should use approved products to properly clean and disinfect public spaces, workplaces, and surfaces. To help prevent the spread of COVID-19, proper and effective cleaning and disinfecting is critical. EPA also urges users to use EPA-registered disinfectants according to the label directions for safe, effective use.

**More Information** EPA's announcement approving the 13 products can be found [online](#). Companies can refer to [EPA's List N: Disinfectants for Use Against SARS-CoV-2](#) for an up-to-date list of disinfectant products that can be used against COVID-19.

#### 4.1.4 US – MICHIGAN Michigan strengthens maximum size limits for social gatherings and events and reaffirms remote work requirements to suppress COVID-19

**Abstract:** Effective 31 July 2020, companies must continue to ensure that all works that can be performed remotely are performed remotely without requiring their workers to leave their places of residence. Michigan strengthened its

maximum size limits for gatherings and events, the maximum size limits have decreased from 50 people to 10 people for indoor events and from 250 people to 100 people for outdoor events.

**Business Impact:** The company must continue to require all works that can be performed remotely are performed remotely. The company must also note that, as of 31 July 2020, indoor gatherings or events are limited to 10 people instead of 50 people and outdoor gatherings or events are limited to 100 people instead of 250 people. The maximum gathering size limits do not apply to the incidental gathering of workers in the workplace.

**Analysis: Actionable Requirements**

If the company conducts in-person operations in Michigan, it ensures that any work that is capable of being performed remotely is performed remotely;

If the company holds an event or a social gathering, the company complies with maximum gathering size limits that are 10 people for Indoor social gatherings or events and 100 people for outdoor social gatherings or events.

**What has changed?** On 29 July 2020, the Michigan Governor Gretchen Whitmer issued an Executive Order 2020-160 to strengthen some of the measures to suppress the spread of COVID-19. The above requirements are not new but have been reaffirmed or strengthened. The maximum gathering size limit does not apply to the incidental gathering of workers in the workplace.

**Additional Information** More information can be found in [Executive Order \(2020-160\)](#).

#### 4.1.5 US - NEW JERSEY Companies that own or operate dining, fitness, or retail facilities must comply with strict occupancy, sanitation, and social distancing requirements

**Abstract:** Companies that own or operate retail, fitness, and dining facilities must comply with strict occupancy, sanitation, and physical distance requirements. The requirements include keeping certain indoor facilities closed; requiring all clients, customers, and visitors to wear facial coverings; and maintaining 6 feet of physical distance between all customers, clients, and visitors of different households.

**Business Impact:** If the company owns or operates retail, fitness, or dining facilities, it must comply with strict occupancy, physical distancing, and sanitation requirements meant to curb the further spread of COVID-19. If the company has retail operations, it must bar customers from entry who refuse to wear a facial covering for a non-medical injury, post signs describing the 6 feet of physical distance and facial covering requirements, and provide sanitation materials to staff and customers, among other things. Additionally, the company may operate outdoor dining and outdoor fitness facilities but must keep indoor dining and indoor fitness facilities closed, except for individualized instruction in gyms and access to outdoor spaces and restrooms.

**Analysis: Actionable Requirements**

If the facility owns or operates dining facilities, it complies with all applicable COVID-19 prevention requirements, including keeping indoor dining facilities closed and complying with physical distancing requirements for operating outdoor dining facilities.

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

If the facility owns or operates fitness facilities during the COVID-19 state of emergency, it keeps all indoor facilities closed except for individualized instruction appointments and access to restrooms and outdoor fitness facilities.

**What has changed?** The actionable requirements listed above are introduced for the first time.



**What has changed?** The actionable requirements listed above are introduced for the first time.

**Executive Order 157: Establishing Rules for Indoor Dining, Indoor Recreational Facilities, and Individualized Instruction at Gyms and Fitness Centers (Executive Order 157)** Executive Order 157 went into effect on 26 June 2020 and imposed numerous occupancy, sanitation, and physical distancing requirements on retail, dining, and fitness operations. The requirements will remain in effect until revoked or modified by another executive order. *Retail Requirements* Companies may resume all retail operations, as long as the company:

- limits occupancy of all indoor premises to 50 percent of the stated maximum store capacity, excluding employees;
- limits the total capacity of any outdoor area to a number that ensures all individuals can remain 6 feet apart;
- establishes hours of operations, when possible, that reserve a designated period of access solely to high-risk individuals, as defined by the U.S. Centers for Disease Control and Prevention (CDC);
- installs a physical barrier between customers, cashiers, and baggers where feasible or otherwise ensure 6 feet of distance between those individuals, except at the moment of payment or exchange of goods;
- requires infection control practices, such as regular hand washing, coughing and sneezing etiquette, and proper tissue usage and disposal;
- provides employees break time for repeated handwashing throughout the workday;
- arranges for contactless pay options, pickup, and/or delivery of goods wherever feasible and considers populations that do not have access to internet services while creating and implementing these policies;
- provides sanitization materials, such as hand sanitizer and sanitizing wipes, to staff and customers;
- requires frequent sanitation of high-touch areas like restrooms, credit card machines, keypads, counters, and shopping carts;
- places conspicuous signage at entrances and throughout the premises, if applicable, that alert staff and customers of the required 6 feet of physical distance and facial covering requirements;
- demarcates 6 feet of spacing in check-out lines to demonstrate appropriate spacing for social distancing;
- requires workers to wear gloves when in contact with customers or goods; and
- provides, at the company's expense, facial coverings and gloves for employees.

Additionally, companies with retail operations must require workers and customers to wear cloth facial coverings while in the indoor portion of the premises, except for individuals whose health may be inhibited by wearing a facial covering and for children under 2 years of age. If a customer refuses to wear a cloth facial covering for non-medical reasons, companies must bar the customer from entry into the indoor premises. If the company is selling or offering to sell medication, medical supplies, or food, then the business policy must provide alternate methods of pickup and/or delivery of those goods to individuals who refuse to wear facial coverings for non-medical reasons. If someone declines to wear a facial covering in the indoor premises due to a medical condition, companies must not require the individual to produce medical documentation verifying the stated condition.

**Dining Facility Requirements** Executive Order 157 would have permitted the reopening of indoor dining facilities on 2 July 2020, but Executive Order 158: Temporarily Pausing the Resumption of Indoor Dining (Executive Order 158) rescinded that portion of Executive Order 157. Currently, restaurants, cafeterias, dining establishments, and food court operations are limited to delivery, pickup, and in-person service at outdoor dining areas. Outdoor dining areas are defined as open-air spaces without a fixed roof, other than a temporary or seasonal awning or cover. Companies with in-person services at outdoor dining areas must:

- ensure that all areas designated for food and/or beverage consumption are in conformance with all applicable local, state, and federal regulations;
- limit capacity to a number that ensures all patrons can remain 6 feet apart from all other patrons at all times, except for those patrons with whom they are sharing a table;
- ensure that occupied tables remain 6 feet apart in all directions from any other table or seat and that individuals seats in any shared area that is not reserved for individual groups are also 6 feet apart in all directions from any other table or seat;
- prohibit patrons from entering the indoor premises of the dining facility, except to walk through such premises when entering or exiting a dining facility in order to access the outdoor area or to use the restroom;
- require patrons served at outdoor areas to wear a facial covering while inside the indoor premises of the dining facility,

unless the patron has a medical reason for not doing so or is a child under 2 years of age; and abide by all other health and safety standards issued by the Commissioner of the New Jersey Department of Health.

*Fitness Center Requirements* Outdoor portions of fitness centers may resume operations, but companies may not reopen indoor fitness centers except to allow people access to the outdoor facilities and the restrooms or for individualized instruction by appointment.

**Additional Information** For more information, see [Executive Order 157](#) and [Executive Order 158](#).

#### **4.1.6 US - NEW YORK Companies to remain in compliance with the existing social distancing requirements, as the provisions enforced under Executive Orders are codified into an emergency regulation**

**Abstract:** Companies that operate in New York State must note that the existing social distancing requirements imposed through Executive Orders are now adopted into an emergency regulation. The adopted emergency regulation imposes no additional requirements on companies. However, companies must ensure continued compliance with all COVID-19 related requirements to avoid any possible civil and criminal penalties.

**Business Impact:** The New York State Department of Health's (DOH's) adoption of an emergency regulation does not impose any additional requirements on the company. However, if the company conducts in-person operations in New York State, it must remain in compliance with all applicable social distancing measures mandated under the New York State Governor's Executive Orders. Such requirements include, for example, ensuring that employees and any other individuals present in the workplace are wearing face-coverings as appropriate. Failure to comply with the adopted emergency regulation may lead to potential civil and criminal penalties and compliance fees, as well as severe consequences on the safety and health of employees and the public.

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

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

If the facility 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 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 not a Phase 1, 2, or 3 business or located in a region that has not yet entered Phase 1, 2, or 3, it requires all employees to work from home.

**What Has Changed** The adopted amendments do not impose any additional requirements on companies. Instead, existing requirements imposed under the New York State Governor Andrew Cuomo's Executive Orders are codified into the state regulations.

**Adopted Amendments** On 29 July 2020, the New York State Department of Health (DOH) adopted amendments to its Immunizations and Communicable Diseases rules in Title 10 of New York Codes, Rules and Regulations (NYCRR). Specifically, DOH adopted emergency regulations enforcing social distancing measures to control and reduce the spread of the 2019 Coronavirus (COVID-19). The adopted amendments took effect on 9 July 2020. *Duration and Applicability* The newly adopted Subpart 66-3, titled "COVID-19 Emergency Regulations," apply during a state disaster emergency declared for the outbreak of COVID-19 in New York State. As of the date the adopted amendments took effect, the state disaster emergency has been declared to last until 7 September 2020. Accordingly, unless otherwise amended, companies must comply with Subpart 66-3 provisions until 7 September 2020. Any non-compliant companies are subject to civil and criminal penalties, with a maximum fine of 1,000 USD for each violation.

**More Information** DOH's Notice of Emergency Rulemaking is available on page 21 of the [29 July 2020 New York State Register](#). Additional information, including the most current COVID-19 status in New York State, is available on [DOH's website](#).

#### 4.1.7 US – WISCONSIN Companies may hire minor employees who are 14 or 15 years old without a child labor permit until 1 September 2020

**Abstract:** Companies that hire minors who are 14 or 15 years old and have not obtained child labor permits, may continue to employ those employees until 1 September 2020.

**Business Impact:** If the company has hired or intends to hire minor employees who are 14 or 15 years old, it may do so without a child labor permit until 1 September 2020. It should be noted that this emergency rule was adopted in response to the public health emergency caused by the spread of COVID-19 and after 1 September 2020, employers will be required to comply with the regular child labor permit requirements.

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

If the company employs minors who are 14 or 15 years old, it only employs those who have obtained a child labor permit. If the company employs minors who are 14 and 15 years who have not obtained a child labor permit, it may continue to employ those minor employees without a child labor permit until 1 September 2020.

If the company uses the excepted rule for obtaining a child labor permit, it signs a written intent to hire and obtains the minor's proof of age, parent or guardian consent, and a copy of the minor's social security card.

**What Has Changed** Wisconsin's Department of Workforce Development prohibits companies from employing or permitting a minor to work unless the minor first obtains a child labor permit. In response to public health emergency caused by COVID-19, a new temporary exception to the rule was issued as an emergency rule which ends on 1 September 2020. The exception allows companies to employ minors who are 14 and 15 years old and who have not obtained child labor permits. For the exception to apply, an employer or authorized individual must sign a written intent to hire. In addition, the employer must obtain the minor's proof of age, parent or guardian consent, and a copy of the minor's social security card.

**More Information** More information on the temporary emergency rule can be found on the [Wisconsin State Legislature website](#).

## 4.2 Europe

#### 4.2.1 BELGIUM Facilities can consult the modalities for restarting their suspended social elections during the COVID-19 pandemic

**Abstract:** As of 1 August 2020, facilities that need to organise social elections in 2020 can consult the modalities and procedure of the restart of the social elections that were suspended due to the COVID-19 pandemic.

**Business Impact:** If a facility is obliged to organise social elections in 2020, and suspended its social elections during the COVID-19 pandemic, it restarts the election following the procedure and modalities as determined in the Royal Order of 15 July 2020. These provisions include for example that the postponed election must take place for a period beginning on 16 November 2020 and ending on 29 November 2020, and that facilities must resume the procedure for their suspended



social elections on the 54th day prior to the postponed election date. For example, the social election calendar resumes on 23 September 2020 for if the facility holds its election on 16 November 2020. Social elections are held for electing representatives to:

the Committee for Prevention and Protection at Work (50 employees or more); and  
the Work Council (100 employees or more).

**Analysis: Actionable requirements** If the facility has a Committee for the Prevention and Protection at Work (H&S Committee), it must organise social elections every 4 years. If the facility has a Work Council (Ondernemingsraad // Conseil d'Entreprise), it must organise social elections every 4 years.

**What has changed?** The actionable requirements above are not new. Following the COVID-19 pandemic, the [Act of 4 May 2020](#) suspended the social elections for the year 2020 until further notice. The [Royal Order of 15 July 2020](#) determines the procedure and the modalities of the restart of these elections. The postponed elections for the appointment of employees representatives to the Councils and Committees must take place for a period beginning on 16 November 2020 and ending on 29 November 2020. Facilities must resume the procedure for their suspended social elections on the 54th day prior to the postponed election date. For example, the social election calendar resumes on 23 September 2020 for facilities holding the vote on 16 November 2020. No later than 7 days before the date of the restart of the social elections procedure, the Council or Committee, or the employer, must inform the employees of the postponed election date.

#### 4.2.2 BELGIUM Facilities can still opt for electronic voting when resuming social elections during COVID-19 crisis

**Abstract:** As of 23 September 2020, facilities obliged to organise social elections can, after resuming the procedure, still choose to proceed with electronic voting, whether or not from their usual place of work, no later than 34 days before the election date.

**Business Impact:** If a facility is obliged to organise social elections in 2020, and suspended its social elections during the COVID-19 pandemic, it can opt for an election voting procedure up to 34 days before the electronic date when resuming the social elections procedure. Usually, the deadline is 90 days prior to the election date. Social elections are held for electing representatives to:  
the Committee for Prevention and Protection at Work (50 employees or more); and  
the Work Council (100 employees or more).

**Analysis: Actionable requirements** If the facility has a Committee for the Prevention and Protection at Work (H&S Committee), it must organise social elections every 4 years. If the facility has a Work Council (Ondernemingsraad // Conseil d'Entreprise), it must organise social elections every 4 years.

**What has changed?** The actionable requirements above are not new. The [Act of 15 July 2020 amending the Act of 4 May 2020](#) extends the deadline to make the decision to vote electronically in the social elections in 2020. Facilities can choose to proceed with electronic voting after resuming the social elections procedure, whether or not from their usual place of work, no later than 34 days before the election date. Normally, the deadline for the notification of the decision for an electronic voting procedure is 90 days before the election date, as determined in the [Act of 4 December 2007 concerning the social elections](#). Following the COVID-19 pandemic, the [Act of 4 May 2020](#) suspended the social elections for the year 2020 until further notice. The [Royal Order of 15 July 2020](#) determines the procedure and the modalities of the restart of these elections.



#### 4.2.3 BELGIUM Working from home highly recommended again for all facilities as of 29 July 2020 (COVID-19)

**Abstract:** As of 29 July 2020, facilities with business to business activities are highly recommended to introduce a working from home policy again. This follows from the strengthening of COVID-19 measures aimed to prevent and/or slow down a second outbreak of the coronavirus in Belgium.

**Business Impact:** If the facility has continued its operations during the COVID-19 crisis, it must be aware that working from home is now highly recommended. The social distancing rules for business to business operations stay in order. For example, the keeping of a social distancing of 1,5 meters as much as possible at the workplace remains applicable.

**Analysis: Actionable requirement** If the facility restarts or continues its operations, it must encourage working from home and take appropriate preventive measures (*tijdig passende preventiemaatregelen*) to ensure a social distancing of 1,5 meters at the workplace or, if this is not possible, to ensure a similar level of protection through other measures (COVID-19).

**What has changed?** The actionable requirement above is not new. Previously, working from home was recommended. Following the [Amended Ministerial Order of 30 June 2020](#), working from home is now highly recommended for any facility, irrespective of its size, for every position where this is possible. Furthermore, previously working from home was recommended for facilities providing non-essential services, now the Ministerial Order of 30 June 2020 stipulates that all facilities are highly recommended to install a working from home policy.

**Stricter measures possible on a provincial level** The Ministerial Order of 30 June 2020 stipulates that mayors can take additional preventive measures in consultation with the governor and the competent authorities of the federated entities (which are the respective communities and regions). For example, this is the case in the province of Antwerp, where working from home is obliged for every facility except where this is absolutely impossible due to the nature of the activity and function.

#### 4.2.4 UKRAINE Ukraine to extend 'adaptive' quarantine until September

**Abstract:** As of 22 July 2020, the adaptive quarantine regime has been extended in Ukraine for 30 days, until 31 August 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. 641 of 22 July 2020, according to which Ukraine will be divided into four epidemiological zones (green, yellow, orange, and red) depending on the COVID-19 situation in each region. No further restrictions have been imposed on companies.

**Business Impact:** The company should be aware that the adaptive quarantine regime has been extended in Ukraine until 31 August 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: Actionable Requirements** There are no actionable requirements for companies.

**What has Changed** On 22 July 2020, the Ukrainian government extended the **adaptive quarantine regime** in Ukraine due to the coronavirus pandemic for additional 30 days, until **31 August 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. 641 of 22 July 2020 on extending quarantine and introducing enhanced anti-epidemic](#)

[measures in regions with a significant spread of the coronavirus](#) (COVID-19). According to the Decree, these measures could be further extended, if necessary.

**Adaptive quarantine regime** The adaptive quarantine regime as introduced by Decree No. 641 of 22 July 2020 on extending quarantine and introducing enhanced anti-epidemic measures in regions with a significant spread of the coronavirus (COVID-19) means that most of the restrictions have been lifted. However, in areas with high infection rates all quarantine restrictions remain. According to Decree No. 641, Ukraine will be divided into four epidemiological zones (green, yellow, orange, and red) depending on the COVID-19 situation in each region. The Ministry of Health will assign each zone a color based on four COVID-19-related criteria.

Each zone triggers a distinct set of quarantine restrictions. For example, people will be allowed to go to cinemas or theaters with 50% occupancy in the green zone, or use transport like buses (if seated) and will have to wear medical masks in public places. According to the Decree, these measures could be further extended, if necessary. 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.

Additionally, the following is forbidden throughout the territory during the adaptive quarantine regime:

- to stay in public buildings and structures, as well as public transport without wearing personal protective equipment, including protective masks covering both the nose and mouth;
- to be on the streets without identity documents confirming citizenship or special status;
- to leave places of self-isolation;
- to cross the state border without an existing insurance policy (certificate)(свідоцтво, сертифікат) covering the costs associated with the treatment of the coronavirus (COVID-19) ,valid for the period of stay in Ukraine (for foreigners).A person who does not have an insurance policy (certificate) will not be allowed to cross the state border; and
- cross checkpoints of entry into the temporarily occupied territories in Donetsk and Luhansk oblasts, the Autonomous Republic of Crimea and the city of Sevastopol and departure from them by foreigners and stateless persons without an existing insurance policy.

**Additional Information** 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. 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](#).

## 4.3 Latin America

### 4.3.1 ARGENTINA NATIONAL Argentina has extended the lockdown until 16 August 2020 under the same conditions as the previous extension

**Abstract:** Until 16 August 2020, Argentina has extended the lockdown under the same conditions as the previous extension. This follows from Decree 641/2020 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 minor changes, the Decree reimposes the lockdown in some provinces where it was previously lifted with social distancing measures in place (such as La Pampa, Santa Cruz and Tierra del Fuego provinces) and introduces further minor obligations regarding social distancing for companies that have resumed activities.

**Business Impact:** If the company operates in the Metropolitan Area of Buenos Aires or in some specific areas (such as Jujuy, La Pampa or Santa Cruz provinces) 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 to cease its operations until 16 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. In addition, the company can organize employees in turns for granting the physical distance in rooms used for resting or eating.

**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 16 August 2020. If the company has resumed activities, it ensures that there is a physical distance of at least 2 meters and adequate ventilation in rooms allocated for rest, food, or any other activity within the working environment. If necessary, the company can organize employees in turns for taking breaks or eating, in order to respect the social distance.

**What has changed?** Decree 641/2020 extends the lockdown until 16 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. The Decree keeps the same conditions as the previous extension, but reimposes the lockdown in some areas that were previously exempted. In addition, it forbids indoors private social gatherings countrywide.

**Additional information** On 2 August 2020, the Argentine government published Decree 641/2020, which extended the lockdown. Among others, the Decree keeps the differentiation of areas under lockdown and areas where the lockdown has been lifted with social distancing measures in place. The lockdown continues to be imposed in Jujuy province and the Metropolitan Area of Buenos Aires (*Área Metropolitana de Buenos Aires -AMBA*), which includes the City of Buenos Aires and 35 municipalities of the Buenos Aires province, including, among others:

La Matanza;  
Vicente López;  
Lanús; and  
Avellaneda.

In addition, the Decree reimposes the lockdown in the following provinces, which were previously under the social distancing phase:

Santa Cruz;  
Tierra del Fuego; and  
La Pampa.

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

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:

physical distance of at least 2 meters;

use of face masks;

regular hands washing;

disinfection of surfaces of common use; and

ventilation of closed environments.

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

Finally, employees over 60 years of age, pregnant women, workers included within risk groups (such as people with diabetes, respiratory diseases, or under cancer treatment) or workers whose presence at home is required for taking care of children or elders continue to be exempted countrywide from attending their workplaces, as established by [Resolution 207/2020](#). [Decree 641/2020, extending the lockdown and the social distancing measures until 16 August 2020](#) is available online in Spanish.

#### **4.3.2 CHILE Companies using a continuous emission monitoring system (CEMS) can benefit from the extended deadline to connect their devices to the SMA and report in real-time the values of the measured parameters due to the COVID-19 outbreak**

**Abstract:** Until 30 September 2020, companies obliged by an environmental instrument to install a continuous emission monitoring system (CEMS) which are permanently submitting measurable variables have time to connect online all their CEMS with the Superintendency of Environment (SMA) and report to the SMA in real-time the values of the parameters measured by these devices. This follows from Exempt resolution No. 1140 of 2020 that confers a new term to the obligation to connect the continuous emission monitoring systems online due to the COVID-19 outbreak.

**Business Impact:** If the company holds any continuous emission monitoring system (CEMS), it has until 30 September 2020 to connect online all its' CEMS with the Superintendency of Environment (SMA) and report to the SMA in real-time the values of the parameters measured by these devices.

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

If the company holds any continuous emission monitoring system (CEMS), it must connect all its CEMS to the Superintendency of Environment (SMA) and start reporting in real-time the values of the parameters measured by these

devices before 30 September 2020.

**What has changed** Exempt resolution 1140 of 2020, extends the deadline to connect online all CEMS with the Superintendency of Environment (SMA) and to report to the SMA in real-time the values of the parameters measured by these devices, to 30 September 2020, due to the COVID-19 outbreak. This applies to companies obliged by and environmental instrument (for instance, Environmental standards, Environmental qualification resolutions, Environmental prevention plans, or Environmental decontamination plan) to use a CEMS to monitor their emissions. Besides, the resolution reiterates the obligation to connect CEMS online with SMA systems, as established in [Exempt resolution No. 1.574 of 2019](#).

**Additional Information** Previously Exempt resolution No. 1.574 of 2019, established 23 May 2020 (6 months after its publication) as the deadline to connect online all CEMS with the Superintendency of Environment (SMA) and to report to the SMA in real-time the values of the measured parameters. Due to the COVID-19 outbreak, the authorities have decided to extend the deadline. This way, exempt resolution 1140 of 2020, allows companies that use a CEMS to monitor their emissions to start connecting them online to the SMA and to report in real-time the values of the measured parameters, until 30 September 2020. [Exempt resolution No.1140 of 2020, which confers a new term and reiterates the obligation to connect the continuous emission monitoring systems online, established in Exempt resolution No. 1574 of 2019](#), is available online in Spanish.

#### 4.3.3 CHILE Mining companies would have to implement specific Health and safety measures due to COVID-19 outbreak if Draft Law is adopted

**Abstract:** Companies operating mines would have to include in their internal regulations of order, hygiene and security-specific measures to prevent contagion in the context of a pandemic, epidemic or health alert (such as the compulsory use of masks or the performance of temperature controls) as the authorities could adopt a Draft Law to increase the safety in mining sites. This follows from a Draft Law of the Congress.

**Business Impact:** If the company operates mining sites, it should be aware that a Draft Law, if adopted, would require companies to establish safety measures in their facilities in the context of a pandemic, epidemic or health alert. For example, they would have to provide personal protective equipment (such as masks, gloves and eye protection), perform temperature controls, sanitize work areas, or adjust shift lengths.

**Analysis:** On 10 July 2020, a group of Deputies proposed a [Draft Law on the protection of the life and integrity of male and female mining workers](#) that, if adopted, would require companies operating mining sites to apply new safety requirements within their facilities in the context of a pandemic, epidemic or health alert (these situations are not yet defined in the current draft). According to the Draft Law, companies operating mining sites would have to:

- Provide workers with personal protection items, such as masks (to be changed every 6 hours), gloves, disposable waterproof suits, eye protection supplies, soap, and disposable towels;
- Carry out temperature control at the entrance and exit of the shift or day;
- Sanitize work areas and vehicles in the establishment;
- Adjust the duration of shifts to allow a better rotation of workers;
- Carry out Polymerase chain reaction (PCR) tests or rapid antibody tests;
- Set workers in preventive quarantine in case of suspected infection;
- Train workers for the correct use of personal protection elements and how to remove them safely; and
- To establish a security perimeter that allows to control the entrance to the workplace, to avoid crowds and mitigate the risk of contagion.

If the Draft Law is finally adopted, companies would have to include the measure listed above in their internal regulations of order, hygiene, and safety that contain the obligations and prohibitions to which the workers must be subject. The

implementation of such measures would be supervised by the administrative organisms (Directorate of Labour) with competences in the matter. According to the Labor Code, any company that normally employs 10 or more permanent workers is obliged to draw up internal regulations for order, hygiene, and safety. The internal regulations of order, hygiene, and safety contain the obligations and prohibitions to which the workers must be subject. The [Draft Law on the protection of the life and integrity of male and female mining workers](#) is available online in Spanish.

#### 4.3.4 BRAZIL - SÃO PAULO Companies that provide onsite medical services must comply with preventive measures against the spread of the COVID-19 among their staff

**Abstract:** As of 21 May 2020, all companies that have an onsite outpatient facility or ambulatory must provide protective equipment and sanitizing materials to the medical staff during the COVID-19 pandemic. Such facilities are subject to inspections from the Regional Council of Medicine of São Paulo (*Conselho Regional de Medicina do Estado de São Paulo - CREMESP*) and potential fines in case they fail to comply with this obligation.

**Business Impact:** If the company has an outpatient facility or ambulatory onsite according to the Specialized Services in Safety Engineering and Occupational Medicine (*Serviços Especializados em Engenharia de Segurança e em Medicina do Trabalho - SESMT*), it implements preventive measures against the spread of COVID-19, such as the installation of infrastructure for hand sanitizing and the distribution of personal protective equipment - PPE to the medical staff.

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

If a company has an onsite outpatient facility or ambulatory, it makes available the infrastructure for hand hygiene, with hand soap for handwashing and 70% alcohol-based antiseptic, handkerchiefs, and disposable towels to employees and medical staff.

If a company has an onsite outpatient facility or ambulatory, it provides surgical masks, apron, disposable gloves, face shields, or protection glasses to medical and health professionals.

If a company has an onsite outpatient facility or ambulatory, it provides N95 or PFF2 face masks to medical staff exposed to medical procedures or exams that can generate aerosol particles (for example, nasal swab collection).

If a company has an onsite outpatient facility or ambulatory, it makes available cleaning materials and intensifies cleaning rounds at its facilities.

If a company has an onsite outpatient facility or ambulatory, it provides any personal protection equipment (PPE), as recommended by the competent authorities, to the medical staff as recommended by the competent authorities.

**What has changed?** [CREMESP Resolution 337 of 20 May 2020](#) sets up new requirements, specifically COVID-19 preventive measures, for companies that have registered before the CREMESP due to their onsite outpatient facilities or ambulatories.

**Additional Information** On 30 April 2020, the Regional Council of Medicine of São Paulo (*Conselho Regional de Medicina do Estado de São Paulo - CREMESP*) enacted CREMESP Resolution 337/2020, providing for preventive measures that must be implemented by institutions that are required to register before the CREMESP, such as companies with onsite outpatient facilities. CREMESP Resolution 337/2020 came into force on 21 May 2020 and will remain in place during the COVID-19 pandemic, until expressly revoked. Under [Regulatory Norm 4 \(Norma Regulamentadora 4 - NR-4\)](#), companies make available Specialized Services in Safety Engineering and Occupational Medicine (*Serviços Especializados em Engenharia de Segurança e em Medicina do Trabalho - SESMT*) to promote the health and safety of their employees. Therefore, companies can have outpatient facilities or ambulatories onsite. Whereas the size and dimension of such facilities depend on the risk posed by the facility's main activity and the number of employees, companies are still required to register their onsite outpatient facilities before the regional council of medicine of the state where they are located, as per [Law 6.839 of 30 October 1980](#). According to CREMESP Resolution 337/2020, the company's technical director or administrator must ensure that necessary preventive measures (which include the installation of infrastructure



for hand sanitizing and distribution of personal protective equipment - PPE to the medical staff, among others) are in place.

**Non-compliance and Inspections** Considering that, under [Law 11.000 of 15 December 2004](#), the regional councils of medicine have powers to inspect and apply penalties on matters of their competence, companies registered before the CREMESP are subject to inspection to monitor compliance with CREMESP Resolution 337/2020. In such circumstances, if the CREMESP's representatives verify that the required measures are not being implemented, the company is subject to a fine that can amount from 1 to 10 annual membership fees, without prejudice to other administrative actions such as interdiction of activities for violation of technical and ethical requirements (*interdição ética*).

#### 4.3.5 COLOMBIA Colombia has extended the lockdown until 1 September 2020 under the same conditions as the previous extension

**Abstract:** Until 1 September 2020, Colombia has extended the lockdown. This follows from Decree 1076 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 exempted 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 1 September 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 1 September 2020, or continues its operations remotely.

**What has changed?** Decree 1076 of 2020 extends the lockdown until 1 September 2020, under the same conditions as in [Decree 990 of 2020](#). The lockdown was previously announced until 1 August 2020. Among minor changes, Decree 1076 of 2020 allows the implementation of pilot plans for opening restaurants and further commercial activities in municipalities where low number of COVID-19 cases were registered. In addition, inter-jurisdictional road and air transport has been allowed between municipalities with low number of COVID-19 cases.

**Additional information** As established in the previous versions, Decree 1076 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 in municipalities where the number of COVID-19 cases continues to increase:

- 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 1076 of 2020, extending the lockdown until 1 September 2020](#) is available online in Spanish.

#### 4.3.6 MEXICO - NUEVO LEON Companies that must file wastewater discharge semester reports have an extension until 30 September

**Abstract:** As of 4 July 2020, companies have a 90-day extension to submit the Semester Discharge Report (*Informe Semestral de Descarga*) as part of the measures to reduce the spread of the coronavirus. This stems from a General Agreement of the Secretariat of Sustainable Development of the State of Nuevo Leon of 3 July 2020.

**Business Impact:** If the company has been operating or modified its operations from January to June 2020 due to the Covid-19 pandemic, it has until 31 August to conduct wastewater sampling and until 30 September 2020 to submit the wastewater discharge semester report. If the company was shut down during the Covid-19 pandemic and did not generate wastewater discharges, it has until 30 September 2020 to submit a letter to the Secretariat of Sustainable Development informing of this situation.

**Analysis: Actionable requirements** The [Agreement](#) does not establish new requirements for facilities with wastewater discharges. These facilities are still required to submit semi-annual wastewater discharge reports.

**What has changed** As of 4 July 2020, the Secretariat of Sustainable Development (*Secretaría de Desarrollo Sustentable*) has provided facilities that need to submit the wastewater discharge semester reports (*informes semestrales de descargas*) with a 90-day extension for the January-June 2020 period due to the Covid-19 pandemic. The period for sampling wastewater discharge is extended until 31 August 2020, and the period to submit the result is extended until 30 September 2020 to prevent the concentration of people at the Secretariat's installations and to support companies that implemented extraordinary measures during the contingency.

**Additional information** For the submittal of the wastewater discharge semester reports, companies must consider the following assumptions and recommendations:  
companies that are currently operating or about to restart operations should submit their reports based on the extended periods;  
companies that are inactive or with their operations shutdown who therefore have no generation of wastewater discharge must submit within the extended period a letter, which manifests under oath, this situation instead of the semester discharge report; the submittal of this letter is not subject to any fees;  
individuals or companies that do not fall into any of the above categories should contact the Secretariat of Sustainable Development to establish the specific mechanism for compliance; and  
all users that submit their wastewater discharge semester reports during the extended periods are recommended to conduct the wastewater discharge sampling for the July-December 2020 period, in the last trimester of the year, to have a reasonable separation between sampling events.

**Background information on wastewater discharge** The person responsible for wastewater discharge must submit from the date of receiving the notification of its registration, two annual reports, which must contain data on the capacity and analysis of a sample composed of each wastewater discharge. The first report must include the results obtained in a sampling conducted between January and June; and the second report, corresponding to July to December. These reports must be submitted by the last day of the month immediately following the reporting period.

#### 4.3.7 PARAGUAY Restriction measures are lifted for certain activities during the general preventive isolation period due to the COVID-19 outbreak

**Abstract:** Since 23 July 2020, corporate offices and industrial facilities have been able to resume their activities for more hours. This follows from Decree No. 3835 of 2020 which has approved the Phase 4 measures of the plan for the gradual lifting of general preventive isolation due to the COVID-19 emergency. The provisions of the Decree are valid until 16 August 2020 and apply to all Paraguay with the exemption of Asunción (capital) and the departments of Alto Paraná and Central (that remain in Phase 3).

**Business Impact:** The company can resume activities between Sunday to Thursday from 5:00 am to 11:00 pm and Friday to Saturday from 5:00 am to 11:59 pm. If the facility has corporate offices, these offices can resume its activities between Sunday to Thursday from 5:00 am to 11:00 pm and Friday to Saturday from 5:00 am to 11:59 pm, with a maximum of 50% personnel attendance. The company must provide supporting documentation to its employees that work between Sunday to Thursday from 11:00 pm to 5:00 am, and Friday to Saturday from 11:59 pm to 5:00 am. The company must ensure that everyone wears a mask in enclosed spaces within its facilities, and when the minimum safety distance cannot be maintained.

**Analysis: Actionable requirements** -If the company operates industrial facilities, these can resume their activities between Sunday to Thursday from 5:00 am to 11:00 pm and Friday to Saturday from 5:00 am to 11:59 pm -If the company has corporate offices, these can resume their activities between Sunday to Thursday from 5:00 am to 11:00 pm and Friday to Saturday from 5:00 am to 11:59 pm with a maximum of 50% personnel attendance. -The company must provide supporting documentation to its employees that work between Sunday to Thursday from 11:00 pm to 5:00 am, and Friday to Saturday from 11:59 pm to 5:00 am, stating that the workers need to work during those hours and therefore leave their residences. -The company must ensure that everyone wears a mask in enclosed spaces within its facilities and when the minimum safety distance cannot be maintained.

**What has changed** On 23 July 2020, [Decree No. 3835 of 2020](#) was published establishing measures in the framework of the health emergency declared in the national territory because of the coronavirus pandemic (COVID-19) corresponding to Phase 4 of the plan for the gradual lifting of general preventive isolation (smart quarantine), increasing the hours that workers can leave their residences to work without special documentation from their employer. The Decree keeps forbidding people older than 65 years of age from performing any of the exempt activities such as corporate offices, supply chain, industrial and solid waste management activities (under Phase 1, people under 18 years of age could not carry out these activities either). The provisions of Decree No. 3835 of 2020 are valid until 16 August 2020 and apply to all Paraguay with the exemption of Asunción (capital) and the departments of Alto Paraná and Central (that remain in Phase 3).

**Brief Analysis** On 6 April 2020, [Decree No. 3512 of 2020](#) was published establishing restriction measures on circulation during the general preventive isolation, within the framework of the declared health emergency due to the COVID-19. The Decree completely restricted the transit of people and vehicles in Paraguay, by requiring all inhabitants of Paraguay to stay at their residences. These measures were extended by [Decree No. 3525 of 2020](#) and [Decree No. 3537 of 2020](#). On 4 May 2020, [Decree No. 3576 of 2020](#) approved Phase 1 of the plan for the gradual lifting of general preventive isolation. On 4 May 2020, [Decree No. 3576 of 2020](#) approved Phase 1 of the plan for the gradual lifting of general preventive isolation and subsequently on 28 May 2020, [Decree No. 3619 of 2020](#) approved Phase 2 and on 24 June 2020, [Decree No. 3706 of 2020](#) approved Phase 3.

## 4.4 Asia & Oceania

### 4.4.1 AUSTRALIA Employers can consult the checklist on transitioning back to the workplace during the COVID-19 pandemic

**Abstract:** Beginning 17 July 2020, employers can refer to a COVID-19 Checklist on transitioning back to the workplace. This follows from the circulation of the Checklist: Transitioning Back to Usual Workplaces ("the Checklist") by SafeWork Australia. The Checklist provides a list of suggestions that employers can follow to meet their work health and safety duties to the employees who are transitioning back to the workplace during the novel coronavirus of 2019 (COVID-19) pandemic.

**Business Impact:** The company can refer to the Checklist: Transitioning Back To The Usual Workplace which provides suggestions on how the company can meet its workplace health and safety duties to its employees. These suggestions include:

- conducting a risk assessment in consultation with employees and any elected Health and Safety Representatives (HSRs) to assess the risks likely to result from any changes to work practices, procedures or the work environment;
- inform employees about their workplace entitlements such as paid leave if they have COVID-19 symptoms or are required to self-quarantine;
- review workplace checklists and re-design the workplace environment, procedures and practices to ensure physical distancing, cleaning and hygiene; and
- provide workers with cleaning, disinfectant, and hygiene products.

**Analysis:** On 17 July 2020, SafeWork Australia circulated The Checklist: Transitioning Back To Usual Workplaces ("the Checklist") to help employers fulfill their workplace health and safety duties to their employees who are safely transitioning back to the workplace as lockdown restrictions ease. The Checklist includes workplace health and safety measures such as redesigning the workplace environment, procedures, and practices to ensure physical distancing, cleaning, and disinfecting.

**The Checklist** provides various suggestions for employers to be able to fulfill such duties to their employees. These suggestions include:

- checking for relevant advice from the state about the return to the workplace;
- conducting a risk assessment in consultation with employees and any elected Health and Safety Representatives (HSRs) to assess the risks likely to result from any changes to work practices, procedures or the work environment;
- review and if necessary update the emergency plan in consultation with employees and HSRs;
- inform employees about their workplace entitlements such as paid leave if they have COVID-19 symptoms or are required to self-quarantine;
- review workplace checklists and re-design the workplace environment, procedures and practices to ensure physical distancing, cleaning and hygiene;
- provide workers with cleaning, disinfectant, and hygiene products;
- provide employees with personal protective equipment (PPE) where necessary along with proper training and instructions on the use of any products and PPE provided;
- consider organizing contactless deliveries and limiting non-essential visitors in the workplace;
- appointing a contact person in the workplace that employees can talk to about any concerns.

In addition, the Checklist provides suggestions on how employers can support their workers or employees who are concerned about transitioning back to the workplace. These suggestions include but are not limited to:

- talking to workers or employees about any agreed measures that have been put in place to minimise risks;
- setting realistic and clear expectations, workloads, roles, and tasks and monitoring work levels;
- offering workers or employees flexibility where possible;

sharing relevant information from official sources with workers or employees and HSRs;  
informing workers or employees about their workplace entitlements if they have COVID-19 symptoms or are required to self-quarantine; and  
providing workers or employees with a central place to find workplace information and a point of contact to discuss their concerns.

[The Checklist: Transitioning Back To Usual Workplaces](#) can be accessed on the Enhesa Knowledgebase.

#### 4.4.2 JAPAN NATIONAL

##### Application procedures for the exemptions of Small Amounts New Chemical Substances modified due to COVID-19 epidemic

**Abstract:** Companies that plan to apply for the exemptions of Small Amounts New Chemical Substances(少量新規化学物質) in September 2020 must be aware that applying at the reception window has been canceled due to the COVID-19 epidemic.

**Business Impact:** If the company plans to apply for the exemptions of Small Amounts New Chemical Substances(少量新規化学物質) in September 2020, it should be aware that it cannot submit the written application documents at the reception window anymore. Instead, it can send the written documents via post or choose other methods (via the online system or sending optical disks by post).

**Analysis:** According to the [Notice on the Change of 7th Acceptance Methods for Written Documents of Small Amounts New Chemical Substances Application in 2020](#) (hereafter the "Notice": 令和2年度第7回少量新規化学物質の書面申出受付方法の変更について), applying at the reception window in September 2020 has been canceled due to the COVID-19 epidemic. However, companies can send the written application documents via post instead of submitting them at the reception window. The application period has not been changed. This means that companies have to send the relevant documents to the Ministry of the Environment between 1 September and 4 September by post.

**Background Information** The [Application Procedures for Small Amounts New Chemical Substances of 6 December 2019](#) (少量新規化学物質の申出手続について) provides the following 3 different methods for applying for the exemptions of Small Amounts New Chemical Substances(少量新規化学物質):

applications via the [online system](#);

applications via optical disks (by post);

applications via written documents (at the reception window).

The Notice concerns only the applications via written documents at the reception window. The other 2 application methods have not been changed.

#### 4.4.3 SOUTH KOREA Certain manufacturers and importers of new chemical substances (신규화학물질) are exempted from submitting some of required information until 31 December 2021 due to COVID-19 pandemic

**Abstract:** Effective 14 July 2020 until 31 December 2021, companies that manufacture or import 100kg or more but less than 1 tonne of certain new chemical substances (신규화학물질) are exempted from submitting some of the required

information when registering the chemical to the National Institute of Environment Research. The exempted information includes data on physical and chemical properties of a chemical substance as well as the information on hazards and risks associated with the chemical substance.

**Business Impact:** If the company manufactures or imports more than 100 kg but less than 1 tonne of a new chemical substance (신규화학물질), of which the overseas supply chain is disrupted due to the COVID-19 pandemic, it is exempted from submitting some of the required information when registering the chemical to the National Institute of Environment Research (국립환경과학원장) until 31 December 2021. The information that is no longer required includes: physical and chemical properties of the chemical substance and hazards associated with the substance; information on exposure from the uses of the relevant chemical substance; a copy of the confirmation of individual submission; and documents proving that the company manufactured, transferred, and used an on-site isolated intermediate (현장분리중간체) or a transported isolated intermediate (수송분리중간체) under the controlled condition.

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

Effective from 14 July 2020 to 31 December 2021, companies that manufacture or import more than 100 kg but less than 1 tonne of a new chemical substance (신규화학물질), of which the overseas supply chain is disrupted due to COVID-19 pandemic, are not required to submit the following information when registering the chemical to the National Institute of Environment Research (국립환경과학원장):

- Physical and chemical properties of the chemical substance and hazards associated with the chemical substance;
- The risks of the chemical substance;
- Data concerning the instructions for safe use of the chemical substance;
- Information on exposure from the uses of the chemical substance;
- Documents proving that the company manufactured, transferred, and used an on-site isolated intermediate (현장분리중간체) or a transported isolated intermediate (수송분리중간체) under the controlled condition, if applicable;
- A testing plan required under Article 14(3) of the Act on the Registration and Evaluation of Chemicals (화학물질의 등록 및 평가 등에 관한 법률, REC, often referred to as “K-REACH”) if the company is permitted to submit a testing plan in lieu of some of the data to apply for registration under Article 14(3) of REC;
- A copy of the confirmation of individual submission under Article 15(1) of REC; and
- A written opinion verifying a refusal to share vertebrate animal test data under Article 17(3) of REC.

**What has Changed?** On 14 July 2020, the Enforcement Ordinance of the Act on the Registration and Evaluation of Chemicals (화학물질의 등록 및 평가 등에 관한 법률 시행령, REC-EO) was amended to respond to the event where an overseas supply chain of chemicals is delayed due to the spread of COVID-19. The Ministry of Trade, Industry and Energy (산업통상자원부) and the Ministry of Environment (환경부) amended REC-EO to secure the stable supply of new chemical substances by omitting some of the documents submitted by those who intend to manufacture or import new chemicals by 31 December 2021.

**Required Documents under REC** A company that manufactures or imports more than 100kg of new chemical annually are required to register the chemical substance and received confirmation of registration from the National Institute of Environmental Research before manufacturing or importing it, and keeps the record of documents related to the registration for at least 5 years. It is also required to submit the required data, including:

- The name, location, and representative of a person who intends to manufacture or import the chemical substance;
- Information on the identification of the chemical substance, such as the name, molecular formula, and structural formula of such chemical substance;
- Physical and chemical properties of the chemical substance and hazards associated with the chemical substance;
- The risks of the chemical substance;
- Data concerning the instructions for safe use of the relevant chemical substance;

Information on exposure from the uses of the relevant chemical substance; and  
A written opinion verifying a refusal to share vertebrate animal test data under Article 17(3) of REC.  
The full list of the required information is stipulated in [Article 14](#) of the REC and [Article 5](#) of REC-ER.

**More Information** The amended Enforcement Ordinance of the Act on the Registration and Evaluation of Chemicals is available [here](#).

#### 4.4.4 TURKEY Turkey to tighten COVID-19 control measures

**Abstract:** As of 5 August 2020, the relevant Governors are granted more powers to implement COVID-19 measures. They will establish City Outbreak Control Centers to ensure the single coordination and management of activities to fight Covid-19. Inspections will be increased including at workplaces. Workplaces that are found to comply with the related rules specified by the Ministry of Health and the Ministry of Interior will be given 'the Safe Area Logo'.

**Business Impact:** The company should note that Turkish authorities will increase inspections in order to fight COVID-19. Companies that are found to comply with the rules specified by the Ministry of Health, namely 'Covid-19 Outbreak Management and Working Guide' and the Ministry of Interior will be provided 'the Safe Area Logo (Güvenli Alan)'. A call centre will be established where all kinds of complaints and notifications regarding violations of COVID-19 safety measures can be made and a central database will be launched where information including the nature of the violation will be recorded on the inspected workplaces and people.

**Analysis:** Turkey aims to tighten the measures to fight against Covid-19 after the number of new infection cases has been increased. To this end, the Interior Ministry issued a [Circular](#) that includes directives and information for the relevant Governors since they are responsible for the inspection and ensure implementation of the measures. The new measures will include:

City Outbreak Control Centers (İl Salgın Denetim Merkezi) will be established within the Governors' offices to ensure the single coordination and management of the activities related to Covid-19;

Daily quarantine inspections will be launched for those who must be self-isolated at their homes;

A reward system will be launched for workplaces that comply with the related instructions specified by the Ministry of Health, namely "[Covid-19 Outbreak Management and Working Guide \(Covid-19 Salgın Yönetimi ve Çalışma Rehberi\)](#)" and the Ministry of Interior and these workplaces will be provided 'the Safe Area Logo (Güvenli Alan)'. Currently, no further information is available on the safe area system or the logo;

a pilot city has been selected (Kırıkkale) to launch a 'safe area rewards system';

A call system will be established where all kinds of complaints and notifications regarding violations can be made;

A central database will be created where violations committed by workplaces, urban public transportation vehicles and people including certain information such as the nature of the violation will be recorded, and

Inspections will be intensified including workplaces.

## 4.5 Africa & Middle East

### 4.5.1 KUWAIT NATIONAL Companies returning to work must comply with Covid-19 safety and prevention measures in the workplaces



**Abstract:** Since 28 July 2020, companies that return to work in Kuwait must do so in accordance with the sanitary measures enforced by the Ministry of Health to ensure a safe work environment for everyone and avoid the spread of the coronavirus.

**Business Impact:** If the company allows its employees to go back to the workplace, it must comply with the social distancing measures and the preventive sanitary measures enforced by the Ministry of Health, such as wearing a face mask at all times, providing hand-sanitizers, cleaning work spaces on a regular basis, keeping 2 meters of distance between the employees and others. In addition, companies must continue to encourage teleworking where possible.

**Analysis: Actionable requirements** If the company allows employees to return to the workplace, it must ensure appropriate social distancing. Through measures such as providing at least 2 meters of distance between everyone, rearranging the offices and workplaces accordingly, prohibit gatherings in all closed spaces and rooms, provide infographics or signs, and provide training on daily preventive measures. If the company allows employees to return to the workplace, it must enforce the wear of face masks at all times, prohibit employees from sharing work-spaces (desks, chairs, etc.), ensure regular cleaning and sanitizing of the workplace, and provide cleaning and sanitizing products. If the company has employees that can telework, it must allow them to keep teleworking if their tasks do not require them to visit the workplace. Going to the work must be limited to employees that undertake works that require their presence in the workplace. If the company allows employees to return to the workplace, it must only allow up to 50% of its employees to go back to the workplace. If the company allows employees to return to the workplace, it must take their temperature before entry to the workplace. Employees with a temperature above 37.5 degrees must be prohibited from entering.

**What's new** The above-mentioned requirements were issued by the Ministry of Health as part of the measures taken to ensure a proper and safe implementation of the third level of the plan to return to normal in Kuwait. [Ministerial Decision No. 117 of the year 2020](#) is available online in Arabic and requires a subscription to the website.

## 3. August 5, 2020

### 3.1 The US & Canada

#### 3.1.1 IOWA Companies must continue to comply with COVID-19 operational requirements until 23 August 2020.

**Abstract:** Effective 24 July 2020, the Governor of Iowa issued a proclamation that extended the disaster emergency to 23 August 2020. Companies must continue to comply with COVID-19 requirements until 23 August 2020.

**Business Impact:** The company must continue to comply with all applicable COVID-19 restrictions until 23 August 2020. This date may be extended or cut short by another order.

**Analysis: Actionable Requirements** If the facility operates during the disaster emergency, it complies with all relevant sanitation, social distancing, and occupancy requirements.

**What Has Changed** The requirements for operating during the State Public Health Emergency Declaration are now set to expire on 23 August 2020. Before this order, the state's operational requirements were set to expire on 25 July 2020. The COVID-19 requirements may be extended or cut short by another order.

**Additional Information** Companies that transport, or offer for transport, listed goods, such as medical supplies and cleaning products, will benefit from suspended transportation regulations. The suspension allows companies to transport oversized and overweight loads of listed goods without a permit. Valid permits will be enforced once the disaster emergency is lifted. For more information, please see the [Proclamation of Disaster Emergency](#).

#### 3.1.2 MONTANA Businesses with indoor spaces open to the public during the COVID-19 state of emergency must enforce mandatory face covering requirements for employees and guests

**Abstract:** As of 15 July 2020, all businesses with indoor spaces open to the public must implement measures requiring all employees, contractors, volunteers, customers, or other members of the public to wear face coverings while in such spaces. This requirement is only mandatory for all businesses located in counties with 4 or more confirmed and active COVID-19 cases, though all businesses in counties with fewer active cases are strongly encouraged to implement these measures.

**Business Impact:** If the facility has indoor spaces open to the public, it must require employees, subcontractors, and members of the public to wear face coverings at all times when in publicly accessible areas. If the facility has such spaces, it must provide face coverings for all employees and clearly post signs at each point of entry stating: "Mask or face covering use required for ages five and older."

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

If the facility operates during the COVID-19 state of emergency, it ensures employees, subcontractors, and members of the public wear face coverings while in indoor spaces open to the public.

If the facility operates during the COVID-19 state of emergency and has indoor spaces open to the public, it provides face coverings for all employees and volunteers.

If the facility operates during the COVID-19 state of emergency and has indoor spaces open to the public, it clearly displays

a sign at all points of entry stating: "Mask or face covering use required for ages five and older."

**What Has Changed** On 15 July 2020, Governor Bullock issued a directive establishing the above requirements for the first time. The requirements will remain in effect for the duration of the COVID-19 state of emergency unless amended, rescinded, or extended.

**Additional Information** *Scope* The face covering requirements apply to any business operating during the state of emergency that has indoor spaces open to the public. The requirements are mandatory for businesses located in counties with 4 or more confirmed and active cases of COVID-19 and strongly encouraged for businesses in counties with fewer active cases. A map of cases by county that is updated daily is available on [Montana's COVID-19 resource page](#).

**Exceptions** The mandatory mask requirement only applies to employees, volunteers, and contractors working in public-facing workspaces. Additionally, businesses are not required to impose mandatory masks on, among other people: children under the age of five; consuming food or drinks in food and beverage establishments; communicating with others who are hearing impaired; removing their face coverings for the purpose of receiving medical evaluation, diagnosis, or treatment; or people who have a medical condition precluding the safe wearing of face coverings.

*Face Coverings required* Face coverings are defined as fabric, paper, or disposable face coverings that cover the nose and mouth and which does not have an exhalation valve. Face shields are considered face coverings for the purpose of these requirements. *"Indoor spaces open to the public"* "Indoor spaces open to the public" are defined as any indoor space, whether publicly or privately owned, where the public has access by right or invitation, express or implied, whether by payment of money or not. Such places include, but are not limited to: lobbies; common areas; elevators; bathrooms; meeting rooms; all modes of commercial transportation; or other places where people gather.

**More Information** For more information on these requirements, see the 15 July 2020 Directive issued by Governor Bullock.

### 3.1.3 VIRGINIA Companies must comply with state-level COVID-19 workplace safety regulations under DOLI's emergency temporary regulations for the first time

**Abstract:** Effective 27 July 2020, companies that are subject to the Virginia Department of Labor and Industry's (DOLI's) Virginia Occupational Safety and Health (VOSH) regulations must comply with a new temporary emergency workplace safety requirements related to COVID-19 for the first time. Under the requirements, employers must 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 apply based on that determination.

**Business Impact:** The company must comply with workplace safety requirements related to COVID-19 under the Virginia Department of Labor and Industry (DOLI) emergency regulation for the first time. Under the regulation, the company is subject to requirements based on the level of risk exposure the company assesses for its hazards and tasks at each facility. For example, the regulation imposes 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 regulation imposes several return-to-work requirements, such as sanitation requirements and developing reporting policies and procedures.

**Analysis: Actionable Requirements** *Requirements for All Facilities*

The facility determines the exposure risk level for each of the various hazards or tasks performed at its workplace.



The facility informs employees of the methods of self-monitoring for signs and symptoms of COVID-19 if employees suspect possible exposure or are experiencing signs of an oncoming illness.

The facility develops and implements policies and procedures if 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.

The facility does not permit employees or other persons known, or suspected to be infected with, SARS-CoV-2 virus to report to or remain at the worksite or engage in work at a customer or client location until cleared for return to work.

The facility discusses with subcontractors and companies that provide contract or temporary employees about the importance of employees or other persons who are known or suspected to be infected with the SARS-CoV-2 virus of staying home.

The facility ensures employees have access to their own SARS-CoV-2 virus and COVID-19 disease-related exposure and medical records.

The facility develops and implements policies and procedures for employees known or suspected to be infected with the SARS-CoV-2 virus to return to work.

The facility ensures that employees observe physical distancing while on the job and during paid breaks on the employer's property, unless otherwise exempt.

The facility ensures access to common areas, breakrooms, or lunchrooms is either closed or controlled. The facility complies with all applicable sanitation and disinfecting requirements.

#### *Requirements for Very-High, High, or Medium Exposure Risk Hazards or Tasks*

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

If employees perform hazards or job tasks that are classified as very-high or high exposure risk, the facility complies with all applicable personal protective equipment (PPE) requirements.

If employees perform hazards or job tasks that are classified as very-high or high exposure risk, the facility develops and implements a written Infectious Disease Preparedness and Response Plan.

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

If employees perform hazards or job tasks that are classified as medium exposure risk, the facility complies with all applicable personal protective equipment (PPE) requirements.

If employees perform hazards or job tasks that are classified as medium exposure risk and has 11 or more employees, the facility develops and implements a written Infectious Disease Preparedness and Response Plan. If the facility is required to develop and implement a written Infectious Disease Preparedness and Response Plan, it designates a person to be responsible for implementing the plan.

#### *Training Requirements*

If the facility has employees performing hazards or job tasks classified as very-high, high, or medium exposure risk, it trains all employees working at the facility, regardless of the employee's risk classification, on the hazards and characteristics of the SARS-CoV-2 virus and COVID-19.

If the facility has employees performing hazards or job tasks classified as very-high, high, or medium exposure risk, it maintains a written certification training record for those employees exposed to hazards or job tasks classified as very high, high, or medium exposure risk levels.

If the facility has employees performing hazards or job tasks classified as very-high, high, or medium exposure risk, it retrains employees as necessary.

If the facility has employees performing hazards or job tasks classified as lower risk, it provides written or oral information to employees exposed to such hazards or engaged in such job tasks on the hazards and characteristics of SARS-COV-2 and the symptoms of COVID-19 and measures to minimize exposure.

**What has changed?** The requirements above are brand new requirements, effective 27 July 2020. Some facilities may already be in compliance with some of the above requirements based on previous COVID-19 Executive Orders issued by Governor Northam.

**Applicability and Scope** The application of the emergency regulation is based on the exposure risk level presented by



COVID-19-related hazards present or tasks undertaken at the facility. First, the facility must 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.

**Return to Work Policies and Procedures** Under the amendments, employers must 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 must 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.

**Physical Distancing, Sanitation, and Disinfecting** 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. Employers must 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. Employers must meet certain sanitation and disinfecting requirements and hazardous communication standards that are applicable to their 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.

**Infection Disease Preparedness and Response Plan** If the facility is required to develop an Infection Disease Preparedness and Response Plan (Plan), the Plan must: - 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** Employees must 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 must 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 must 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. Finally, employees 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 final text of the [emergency regulation](#) can be found online

## 3.2 Europe

### 3.2.1 ITALY NATIONAL The Government extends the validity period of the state of emergency amid the Coronavirus disease pandemic

**Abstract:** Since 30 July 2020, companies must know that the Italian Government decided to extend the national state of emergency due to the Coronavirus disease pandemic, until 15 October 2020. Although this temporal extension does not provide any immediate effect for companies, they should be aware that the state of emergency allows the Government to adopt further restrictions (including regarding companies operations) to contain the spread of the virus.

**Business Impact:** The company must know that the Government decided to extend the validity period of the national state of emergency due to the Covid-19 pandemic, until 15 October 2020. Although this extension does not directly affect the company's operations, it can expect that the country will adopt measures to contain the spread of the



contagion in the upcoming months if the situation worsens.

**Analysis: Actionable requirements** There are no actionable requirements.

**What has changed** On 30 July 2020, the Italian Government decided to extend the state of emergency due to the coronavirus disease pandemic from 31 July 2020 to 15 October 2020. This follows from the adoption of Law Decree n. 83 of 30 July 2020, which modifies Law Decree n. 19 of 25 March 2020 containing urgent measures to face the COVID-19 epidemiological emergency (converted into Law by Law n. 35 of 22 May 2020). There is no direct impact on companies.

**Additional information** With the extension of the state of emergency, companies can expect that the Government will be able to adopt urgent and immediately applicable measures to contain the spread of the coronavirus disease contagion. Currently, companies are required to comply with the measures contained in the Protocol regulating measures to combat the spread of the Covid-19 virus at the workplace, annexed to the [Decree of the President of the Council of Ministers of 11 June 2020](#) (Annex 12). 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.

### 3.2.2 WALES Companies no longer need to impose working from home on employees

**Abstract:** Since 25 July 2020, companies operating in Wales no longer need to impose work from home on employees. Also, work is recognised as a reasonable excuse for gathering indoors and companies must implement measures to maintain hygiene and limit face-to-face contact.

**Business Impact:** The company no longer has to impose work from home on its employees and can allow them to work from their premises once again. If the company has employees return to its premises, it must ensure that hygiene measures are put in place, a 2-metre distance is maintained between persons and face-to-face contact is limited. It must also provide information on limiting exposure to COVID-19 to all employees and persons entering its premises.

**Analysis:** Actionable requirements

Companies take all reasonable measures to ensure that hygiene is maintained and face-to-face contact is limited (new)

Companies provide information on minimising the risk of COVID-19 exposure to all those entering and working on the premises (new)

Companies take all reasonable measures to ensure that a distance of 2 metres is maintained between persons on its premises (existing)

Companies give regard to any guidance on maintaining a distance of 2 metres issued by the Welsh Government (existing)

Companies temporarily close onsite fitness facilities and restaurants (existing)

**What has changed** Companies no longer need to impose work from home on employees when it is reasonably practicable to do so. This is due to the [Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020](#) which removes this requirement from the [Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) Regulations 2020](#). Companies are also able to allow gatherings in the workplace, as work is recognised as a reasonable excuse for gatherings. The below requirements were already recommended in guidance and have now been incorporated into regulation. In addition to reasonable measures to be taken to ensure 2-metre distancing, companies must also take other measures to limit face-to-face interaction and maintain hygiene, such as:  
changing the layout of premises including the location of furniture and workstations;  
controlling use of entrances, passageways, stairs and lifts;  
controlling use of shared facilities such as toilets and kitchens;  
otherwise controlling the use of, or access to, any other part of the premises;

installing barriers or screens;  
providing or requiring use of personal protective equipment.  
Companies must also provide information on minimising the risk of exposure to coronavirus to all persons onsite.  
[Guidance for business and employers](#) is available from the Welsh Government.

### 3.2.3 WALES Companies should follow guidance on keeping safe from COVID-19 specific for business and employers in Wales

**Abstract:** Since 7 July, companies operating in Wales should follow guidance and information on how to operate safely during the COVID-19 pandemic in different business sectors. The guidance documents cover operations such as work taking place inside vehicles, offices and contact centres and labs and research facilities.

**Business Impact:** The company should refer to the guidance documents published by the Welsh government in order to ensure that employees and customers stay safe during the COVID-19 pandemic. The company should use the guidance to support its COVID-19 risk assessments. The guidance documents cover different workplace settings such as work carried out inside vehicles and labs and research facilities.

**Analysis:** On 7 July 2020, the Welsh government published several guidance documents aimed at ensuring businesses and employers implement practices to keep employees and customers safe during the COVID-19 pandemic. The guidance documents which are available to follow include:

[Working in or from a vehicle: coronavirus workplace guidance](#); [Labs and research facilities: coronavirus workplace guidance](#); and [Offices and contact centres: coronavirus workplace guidance](#).

These guidance documents complement already existing guidance which is applicable to industry, such as:

[Workplace guidance for employers and employees: COVID-19](#);  
[Manufacturing: coronavirus guidance](#);

[Safety and physical distancing signs for employers: coronavirus](#); and [Test, trace, protect: guidance for employers](#).

The guidance documents reiterate that employers must carry out an appropriate COVID-19 risk assessment and provide guidance on issues such as, among other things:

- who should go to work;
- physical distancing at work;
- cleaning the workplace;
- personal protective equipment and face coverings; and
- workforce management.

Companies should consult the guidance documents to ensure that the best possible measures are being implemented in the workplace to tackle COVID-19 and can access all documents from the [Welsh Government website](#).

## 3.3 Latin America

### 3.3.1 BRAZIL - FEDERAL DISTRICT Companies to comply with prevention measures against the spread of the new coronavirus (COVID-19)

**Abstract:** As of 2 July 2020, companies operating at the Federal District must be aware of the suspension of activities (such as gyms and sports centers) and the prevention measures (for example, social distancing and mandatory use of

personal protective equipment) imposed by the governmental authorities.

**Business Impact:** As an office, companies operating facilities or establishments in the commerce and industry sectors in the Federal District must comply with sanitary and safety protocols (such as ensuring the minimum distance of 2 meters between people in the establishments and measuring the body temperature of employees, collaborators, and subcontractors accessing the buildings). Facilities that have an onsite gym or sports center must observe specific protocols for the opening of such spaces, such as regularly sanitizing the machines and shared equipment and giving preference to natural ventilation instead of air conditioning.

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

If the company has an office that remains operational during the COVID-19 pandemic in the Federal District, it implements social distancing rules in the workplace, such as a minimum distance of 2 meters between people in their facilities; and creates a rotation schedule among employees, subcontractors, and collaborators.

If the company has an office that remains operational during the COVID-19 pandemic, it does not allow people who are part of the risk group (elderly, children, pregnant women, and those with comorbidity) participate within workgroups.

If the company has an office that remains operational during the COVID-19 pandemic, it provides employees, subcontractors, and collaborators with personal protective equipment and ensure the mandatory use of face masks within the establishment, makes hand sanitizers available in the facilities, and keeps the restrooms and the overall surfaces of the establishment clean.

If the company remains operational during the COVID-19 pandemic in the Federal District, it measures and keeps records of the temperature and of the entry and exit times of customers, employees, subcontractors, and collaborators.

**What has changed?** [Decree 40.939 of 2 July 2020](#) suspends certain activities and sets up new requirements applicable to companies that remain operational in the Federal District during the COVID-19 pandemic.

**Suspended and Exempted Activities in the Federal District** In the context of the public health emergency caused by the coronavirus, Decree 40.939/2020 establishes that all industrial and commercial activities are allowed to remain operational in the Federal District. It does not apply to public events that require a permit from the authorities, sports events of any modalities, cultural activities (such as theaters and cinemas), and nightclubs. Nevertheless, Decree 40.939/2020 requires companies that carry out the allowed industrial and commercial activities to comply with sanitary and safety protocols (such as a rotation schedule and temperature checks) to prevent the spread of the COVID-19. Decree 40.939/2020 came into force on 2 July 2020.

**Additional Information** Companies that remain operational must comply with specific sanitary and safety protocols to prevent the spread of the virus, for example - measuring the temperature of employees and providing protective equipment and sanitizers in their facilities. Under its Annex, Decree 40.939/2020 sets out additional safety and health protocols and requirements applicable to specific activities, for instance, street commerce, shopping centers, gyms, bars, and restaurants - among others. When the employee, subcontractor, or collaborator has COVID-19 symptoms, they must remain in isolation in their homes for 14 days, unless they present a negative COVID-19 test. Any person who has a fever or flu symptoms must have their entrance in the facility or office denied.

**Additional health and safety protocols to be followed on sports centers** According to [Decree 40.939/2020](#), gyms and sports centers of any modalities are authorized to operate as of 7 July 2020. However, they must comply with additional health and safety protocols and requirements, to prevent the spread of the COVID-19, such as: - operating according to opening hours authorized in their business license; - regularly sanitizing the machines and shared equipment; - making available to customers sanitizing and cleaning materials; - closing the establishment once or twice a day at least for 30 minutes for cleaning purposes; - banning collective courses or classes with human contact, and the use of water fountains and showers; - giving preference to natural ventilation instead of air conditioning; - among others.

**Non-compliance** If a company does not comply with the sanitary and safety protocols established under Decree 40.939/2020, it is subject to: - the penalties established under Article 10 of [Federal Law 6.437, of 20 August 1977](#); - criminal prosecution under Article 268 of the [Criminal Code](#); - the suspension of the operating permit for as long as the state of public calamity caused by the spread of COVID-19 lasts; and - the partial or total shutdown of the facility or business establishment.

### 3.3.2 MEXICO – QUERETARO Companies working during the COVID-19 pandemic must implement safety and sanitary measures and notify the State Coordination of Civil Protection

**Abstract:** As of 16 June 2020, all companies, whether considered essential and which continue to operate throughout the COVID-19 pandemic and companies which have resumed other non-essential operations during the pandemic must implement sanitary and safety measures. In addition, companies are also required to submit a notice indicating the name, characteristics of the workplace, location, the personnel that work and the person in charge of the follow-up and supervision of sanitary measures to the State Coordination of Civil Protection (Coordinación Estatal de Protección Civil). This follows the publication of the Agreement establishing sanitary measures for economic, productive, and social activities during the COVID-19 emergency.

**Business Impact:** The company should be aware that the State of Queretaro is operating under the Orange category during the pandemic. During this stage, essential activities can operate normally; non-essential activities have limited operations; commercial activities operate at 75% occupation. Among other things, the company must submit a notice indicating the name, characteristics of the workplace, location, the personnel that work in the facility, and the person in charge of the follow-up and supervision of sanitary measures to the State Coordination of Civil Protection (Coordinación Estatal de Protección Civil).

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

If the facility continues to operate or is restarting its operation during the COVID-19 pandemic, it submits a notice indicating the name, characteristics of the workplace, location, the personnel that works and the person in charge of the follow-up and supervision of sanitary measures to the State Coordination of Civil Protection (Coordinación Estatal de Protección Civil). In addition, the facility must implement the following sanitary and safety measures when operating during the different phases COVID-19 traffic lights alert system (red, orange, yellow or green):

- designate a person responsible for the implementation, follow-up, and supervision of the measures, recommendations and other guidelines issued by the sanitary authorities; among his/her responsibilities is to identify vulnerable persons that can develop a serious illness from COVID-19, verify the compliance of the sanitary and safety measures on a weekly basis, and communicate the new measures that must be implemented;
- place physical barriers in work stations and work areas, in case the production process does not allow physical barriers, then signs must be placed or the floor marked to ensure a distance of 1.5 m between workers;
- install an access protocol with a sanitary filter that takes workers' temperature upon the entrance and exit to the work center and keep a register of the temperature of the workers and other persons that enter the work center; keep a registry for visitors, suppliers and contractors to ensure that all persons that enter the work center comply with the sanitary measures including the use of face masks and safe distancing;
- clean and disinfect areas, surfaces, contact, and common use objects on a daily basis;
- provide workers face masks and other personal protective equipment for the activities conducted when safe distancing in work centers is not feasible;
- provide access to water, soap, disposable paper towels, as well as 60% alcohol-based gel;
- train personnel in necessary actions to prevent and avoid chains of contagion of COVID-19, which can be done by using the platforms made available by the Mexican Institute of Social Security (*Instituto Mexicano del Seguro Social*);
- establish a logbook of the health conditions of the workers to identify the symptoms of COVID-19 as well as their contacts in the work center; and
- develop an action guide for cases where a person has symptoms of COVID-19 in the workplace.

**What has changed Additional Information** As of 16 June 2020, the return or continuity of the activities of the workplaces and establishments linked to the performance of economic, productive and commercial activities must be carried out in congruence with the traffic lights alert system (red, orange, yellow or green) to assess epidemiological risk, published by the Secretariat of Health of the Executive Power of the State of Queretaro. The epidemiological risk is evaluated using a traffic light alert system by means of the following colors: red, orange, yellow and green and the safety measures appropriate for work activities and the use of the public space in each category.

RED: only essential activities can operate; commercial activities operate at 50% occupation;

ORANGE: essential activities can operate normally; non-essential activities have limited operations; commercial activities operate at 75% occupation;

YELLOW: all activities can operate normally, and commercial activities operate at 100% occupation; and GREEN: no restrictions.

Additionally, companies, institutions, workplaces and individuals must comply with the guidelines, protocols, recommendations and administrative provisions issued by federal sanitary authorities and other federal authorities to conduct productive and economic activities during the health emergency caused by COVID-19.

## 3.4 Asia & Oceania

### 3.4.1 HONG KONG The number of a group gathering reduces to 2 persons, and the ban on public gatherings extended from 29 July 2020 to 4 August 2020

**Abstract:** From 29 July 2020 to 4 August 2020, companies must not hold a group gathering even more than 2 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 2 persons has been extended from 29 July to 4 August 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 2 people in any public places from 29 July 2020 to 4 August 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. \(E.\) 92 of 2020\)](#) (預防及控制疾病(禁止羣組聚集)規例) (2020年第92號號外公告)) extends the ban on the public gathering from **29 July 2020 to 4 August 2020**. The G.N. (E.) 92 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 \(Prohibition on Group Gathering\) \(Amendment\) \(No. 9\) Regulation 2020 \(L.N. 151 of 2020\)](#) (預防及控制疾病(禁止羣組聚集)(修訂)(第9號)規例) (2020年第151號法律公告) has tightened the number of a group gathering from 4 to **2** 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.

### 3.4.2 INDIA Lockdown has been extended in the COVID-19 containment zone further until 31 August

**Abstract:** Until 31 August 2020 facilities (except facilities carrying out essential activities) operating in a COVID-19 containment zone must cease their operations/activities. This follows from the issuance of Order No. 40-3/2020-DM-I(A) of 29 July 2020 ("Order July 2020"), which extends lockdown in containment zones until 31 August 2020. However, facilities operating in COVID-19 non-containment zones can continue with their operations/activities with the condition that they comply with the requirements specified in Annexure I of the Order July 2020, such as frequent sanitization of the workplace, mandatory wearing of facemask and following staggered work schedules.

**Business Impact:** If the company operates in a COVID-19 containment zone, it must remain shut down until 31 August 2020 unless it carries out essential activities (i.e., manufacturing of drugs and foods). If the company operates in non-containment zones, it is permitted to remain operational until 31 August 2020. However, the company must keep complying with the following requirements listed in Annexure I (National Directive for COVID-19 Management) of Order No. 40-3/2020-DM-I(A) of 29 July 2020 ("Order July 2020") to prevent exposure and spread of COVID-19 at the workplace:

ensuring that all employees wear facemasks;

allowing telework as often as possible;

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

undertaking frequent sanitization of the workplace and shared facilities that come into human contact such as doors handles; and

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

In addition, the Order July 2020 has lifted night curfew in COVID-19 non-containment zones allowing the company to carry out its operations/activities in multiple work shifts.

**Analysis: New actionable requirement** If the facility operates within a COVID-19 containment zone, it must cease its operations/activities until 31 August 2020, unless it carries out essential activities (i.e., manufacturing of drugs and foods). However, Order No. 40-3/2020-DM-I(A) of 29 July 2020 ("Order July 2020") has not changed any provisions applicable (except night curfew) to facilities operating in non-containment zones that were allowed to resume their operations under the previous lockdown [Order No. 40-3/2020-DM-I\(A\) of 29 June 2020](#) ("Order June 2020"). These facilities must continue to comply with existing requirements under the national directives for COVID-19 management which include, among others:

ensuring that all employees wear facemasks;



allowing telework as frequently as possible;  
practicing frequent sanitization of the entire workplace and common areas;  
practicing thermal scanning, hand washing, making hand sanitizer and hand wash available in all entry and exit points, and common areas; and  
following staggered work schedules.

The Order July 2020 has exempted facilities in COVID-19 non-containment zone from night curfew and allows them to operate in the night shift if they need to.

**What has changed** India has further extended the lockdown in containment zones until 31 August 2020. Facilities operating in non-containment zones can continue to operate with the condition that they comply with the requirements specified in Annexure I (the National Directives for COVID-19 Management) of the Order July 2020. Requirements provided in Annexure I have not changed and are the same as provided under the previous lockdown Order June 2020. The Order July 2020 has lifted night curfew in COVID-19 non-containment zones allowing facilities to operate in the night shift.

**Additional Information** "COVID-19 containment zone" is an area categorized as a high-risk zone, where the number of coronavirus cases are high. The local authorities are empowered to classify areas as containment zones. State Government and Union Territories based on their assessment of the COVID-19 situation are allowed to prohibit or restrict certain activities in the non-containment zones. Thus, operations and activities are regulated at the State or Union Territory level. [Order No. 40-3/2020-DM-I\(A\) of 29 July 2020](#) is available in English on the Enhesa Knowledgebase.

### 3.4.3 SINGAPORE Companies that provide employees with transportation are advised to take safety management measures in light of COVID-19

**Abstract:** Effective 2 June 2020, companies who provide workers with transportation are advised to implement safety management measures when ferrying workers on all employer-provided transportation. Such safety management measures include but are not limited to mask-wearing requirement and capacity limits.

**Business Impact:** If the company provides transportation to the workers, the company is advised to require the workers to wear masks and not to talk or interact while on the vehicles. In addition, the company is advised to ensure that each passenger on the employer-provided vehicle has more than 0.496 square meters clear floor space, or reduces the capacity of the vehicle by at least 25 percent. If the company has workers who live in dormitories, the company must provide these workers with transportation to and from workplaces.

**Analysis:** On 26 June 2020, the Ministry of Manpower (MOM) and Land Transport Authority (LTA) published the [Advisory on Safe Management Measures for workers on employer-provided transportation](#) to give recommendations for companies that provide transportation to workers in light of resumption of operations, which takes effect on 2 June 2020. The affected companies are advised to implement the following Safety Management Measures.

All workers are required to wear a mask at all times while seated in the vehicle provided by the employer. Workers are prohibited to talk or interact while on the vehicle.

The clear floor space for each seated passenger is more than 0.496 square meters, which means there need to be a 25% reduction of Maximum Passenger Capacity allowable for each lorry or van.

In addition, employers are required to arrange private transportation for workers who stay in dormitories to commute to and from their workplaces, with no other passenger on the same vehicle.

## 3.5 Africa & Middle East

### 3.5.1 ISRAEL Israel extends the emergency situation introduced due to the outbreak of the coronavirus (COVID-19) until 6 September 2020

**Abstract:** As of 23 July 2020, the emergency situation introduced due to the outbreak of the coronavirus (COVID-19) in Israel is extended until 6 September 2020. The extension affects all safety measurements and regulatory easements that were adopted as of 18 March 2020 in order to assist companies and facilities in connection with the outbreak of the Coronavirus (COVID-19).

**Business Impact:** The company should be aware that the emergency regime has been extended in Israel until 6 September 2020. Accordingly, the company must comply with emergency measures introduced in order to curb the spread of the Coronavirus (COVID-19) until 6 September 2020. More specifically, the company must continue to ensure the following is complied with: - regular body temperature screening; - face mask wearing obligation; - maximum allowed amount of people at a certain space is not more than 10 or 15% of all the workers at the same in the same office; - the same working groups are scheduled to the same shifts, shuttles; and - eating and drinking alone (one person) at permanent spaces, using own stationary.

**Analysis: Actionable Requirements** The company continues to comply with emergency measurements introduced by the Government in order to curb the spread of the Coronavirus (COVID-19) until **6 September 2020**. More specifically, the company continues to ensure compliance with emergency requirements, such as: regular body temperature screening; face mask wearing obligation; maximum allowed amount of people at a certain space is not more than 10 or 15% of all the workers at the same in the same office; the same working groups are scheduled to the same shifts, shuttles; and eating and drinking alone (one person) at permanent spaces, using own stationary.

**What Has Changed** According to the [Special authorities Law adopted on 23 July 2020 to prevent the spread of the Coronavirus](#) (COVID-19), the emergency situation in Israel is [extended until 6 September 2020](#) (from 23 July 2020). All emergency provisions introduced in order to curb the spread of the Coronavirus remain in force until then. **Additional Information** In March and April 2020, the Israeli Government published two Emergency Regulations and an amendment to the Public Health Decree in order to introduce measures to curb the spread of the Coronavirus (COVID-19) in Israel. More specifically, [the Emergency Regulations of 21 and 22 March 2020](#) introduced requirements on social distancing and on the maximum amount of employees allowed to be in an office. At the same time, [the Amendment to the Public Health Decree of 26 April 2020](#) introduced the obligation of wearing a face mask in public spaces.

**The Emergency Regulations introduced the following:**

the maximum amount of workers in an office at any given time must not be more than 10 or 15% of all the workers (the higher sum of the two options);  
30% employment is possible if the employer can prove it is vital for the functionality of the company. In this case, a formal application containing the names of the vital workers, their titles and explanations on why they are vital has to be supplied to the General Manager of the [Ministry of Economy and Industry](#) (משרד הכלכלה והתעשייה); 100% of the workers are allowed in the construction and infrastructure sectors if the workers are working outdoors ("outdoors" - a space where less than 70% of the windows and doors are installed).

### 3.5.2 KENYA Employers can consult a new Return-to-Work advisory as part of measures to ensure health and safety in their workplaces

**Abstract:** As of 29 June 2020, all employers are advised to develop a Risk Assessment and a Preparedness Policy Statement to help ensure that persons returning to the work premises do not contract the novel coronavirus of 2019 ("COVID-19") while at work. These and other advised measures appear in the Occupational Safety and Health PostCOVID-19 Return to Work Advisory ("the Return-to-Work Advisory"), published by the Directorate of Occupational Safety and Health Services. The Return-to-Work Advisory is applicable to all employers.

**Business Impact:** The company can now follow the guidance of the Occupational Safety and Health PostCOVID-19 Return to Work Advisory ("the Return-to-Work Advisory") to ensure a safe working environment for employees returning to the work premises. Among other measures, the company should carry out a Risk Assessment and develop a Prepared Policy Statement.

**Analysis:** On 29 June 2020, the Directorate of Occupational Safety and Health Services ("DOSHS") issued the [Occupational Safety and Health PostCOVID Return to Work Advisory](#) ("Return to Work Advisory"). The Return to Work Advisory is part of the Kenyan government's response to the outbreak and spread of the novel coronavirus now known as "COVID-19" or "2019-nCoV." It makes general recommendations on safety measures to prevent or minimize the spread of COVID-19 in Kenyan workplaces.

#### **Advised Actions for Workplaces Under the Occupational Safety and Health PostCOVID19 Return to Work Advisory**

Under the Return to Work Advisory, employers intending to reopen their workplaces should:

- within 30 days of reopening, carry out and submit an occupational safety and health Risk Assessment to the DOSHS;
- within 30 days of reopening, develop and submit a COVID-19 Preparedness Policy Statement (including an Infection Control Plan and plans for measures such as physical distancing and workplace sanitization) to the DOSHS;
- identify workers who can operate from home, and implement safe work-from-home protocols for such workers;
- sensitize workers on COVID-19 risk mitigation measures including measures for a safe commute to and from work on public transportation;
- adopt a new workplace safety and health culture focused on infection prevention, which includes denying entry to persons without face coverings;
- ensure that each worker returning to work undergoes a test for COVID-19 conducted by an accredited laboratory under approved guidelines from the Ministry of Health;
- carry out a Health Risk Assessment for each returning employee to determine whether any workplace substance or activity could pose a significant health risk;
- ensure that workers who might need mental health resources as a result of the disease outbreak are connected to such;
- ensure that a worker with a confirmed or suspected case of COVID-19 reports their status to the identified Ministry of Health Institutions for care, quarantine or self-quarantine as may be appropriate;
- report any form of COVID-19-based discrimination in the workplace to the DOSHS;
- ensure that a workplace medical professional that identifies an employee as having COVID-19 provides the DOSHS with a medical report on that employee within 14 days after the first examination of the employee; ensure that the workplace is duly registered with the DOSHS as required under section 8(d) of the Occupational Safety and Health Act, 2007;
- within 30 days of reopening, conduct and submit a thorough PostCovid-19 Initial Safety and Health Audit Report and an accompanying Action Plan to the DOSHS;
- take measures to ensure safe working conditions for immuno-compromised workers, or workers 60 years of age and above; and
- continue to monitor and document the evolving impact of COVID-19 on their workplace.

In addition, employers are advised to continue to provide and/or facilitate the following in the workplace:

handwashing and social distancing; regular sanitization of work stations, phones, computers, assistive technologies for disabled persons (such as wheelchairs and walking aids); hand sanitizers, gloves and masks; and revised work schedules for users of public transportation to travel at off-peak times.

It is currently unclear whether the Occupational Safety and Health PostCOVID-19 Return to Work Advisory ("the Return-to-Work Advisory") as published by the Directorate of Occupational Safety and Health Services ("DOSHS") has the force of law and would place facilities under legal obligations. Enhesa has requested clarification from the DOSHS.

### 3.5.3 SOUTH AFRICA Vehicle operation permits deemed expired during the national lockdown period are now temporarily valid

**Abstract:** Facilities whose employees or vehicles require documents such as a professional licence or roadworthy certificate for assigned tasks can continue those tasks even if such documents expired during the national lockdown period. This follows from the issuance of the Amendment of the Directions Issued in Terms of Regulation 4(7)(b) of the Regulations Made Under Section 27(2) of the Disaster Management Act, 2002 (Act No. 57 of 2002): Measures to Address Prevent and Combat the Spread of COVID19: Determination of Extension for Validity Period of Learners' Licences, Driving Licence Cards, Licence Discs, Professional Driving Permits and Registration of Motor Vehicles.

**Business Impact:** If the company employs a worker or operates a vehicle whose operation permit expired during the COVID-19 national lockdown period, the company must ensure that the permit document is presented for renewal after the grace period allotted for that document. For example, learner's licences, driving licence cards, temporary driving licences and professional driving permits expiring between 26 March 2020 and 31 August 2020 are now due for renewal on 31 January 2021.

**Analysis:** On 22 July 2020, the Department of Transport issued an [Amendment to the Directions Issued in Terms of Regulation 4\(7\)\(b\) of the Regulations Made Under Section 27\(2\) of the Disaster Management Act, 2002 \(Act No. 57 of 2002\): Measures to Address Prevent and Combat the Spread of COVID19: Determination of Extension for Validity Period of Learners' Licences, Driving Licence Cards, Licence Discs, Professional Driving Permits and Registration of Motor Vehicles](#) ("the Amendment"). The Amendment extends the validity of drivers' licences and motor vehicle operating permits expiring after 26 March 2020. The Amendment is applicable to all facilities that operate vehicles and/or assign workers to operate vehicles such as delivery trucks. **Actionable requirements** If the facility employs a worker that requires a learner's licence, driving licence card, temporary driving licence or professional driving permit to perform their assigned tasks, and that licence expires between 26 March 2020 and 31 August 2020, the facility ensures that the licence is presented for renewal on 31 January 2021.

If the facility operates a vehicle whose motor vehicle licence disc, temporary permit or roadworthy certificate expired during between 26 March 2020 and 31 May 2020, the facility ensures that the document is presented for renewal on 31 August 2020.

If the facility operates a vehicle whose motor trade number expired between 26 March 2020 and 31 May 2020, the facility ensures that the document is presented for renewal on 30 November 2020.

**What has changed?** Facilities must typically ensure that learner's licences, driving licences, motor vehicle licence disks, temporary permits and roadworthy certificates are renewed when they expire. Because the validity of any such expired documents was extended through the national COVID-19 lockdown period, the renewal requirement was suspended until 3 June 2020. On 4 June 2020, the extension was withdrawn and all such documents were deemed due for renewal. As of 22 July 2020, learners licences, driving licence cards, temporary driving licences, professional driving permits, motor vehicle licence discs, temporary permits and roadworthy certificate, and motor trade number licences requiring renewal under the 4 June 2020 Directions will again be considered temporarily valid.



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