

COVID-19: SINGAPORE'S MINISTRY OF HEALTH PROMULGATES INFECTIOUS DISEASES (WORKPLACE MEASURES TO PREVENT SPREAD OF COVID-19) REGULATIONS 2020

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Asia-Pacific Labor, Employment, and Workplace Safety Alert

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The Singapore Ministry of Health just promulgated the Infectious Diseases (Workplace Measures to Prevent Spread of COVID-19) Regulations 2020 ("Regulations") on 1 April 2020, pursuant to the Infectious Diseases Act (Chapter 137). The measures stipulated under the Regulations will be in place during the **control period of 2 April 2020 to 30 April 2020 (inclusive)**, to prevent the spread of COVID-19.

The Regulations clearly spell out what the various Singapore government agencies have been advising businesses and workers to do. Businesses should identify their critical business functions and essential personnel for whom telecommuting would not be practical; otherwise, all employees must work from home. Businesses should prioritize activities which require face-to-face interactions, as well as put in place screening procedures for employees and visitors at the workplace. They should also effectively communicate such arrangements and measures to employees and others. Employees who display any symptoms or are subject to a movement control measure must not go to work. Personnel of the Singapore Police Force (including the Special Constabulary), Singapore Prisons Service, Internal Security Department, Central Narcotics Bureau, Singapore Armed Forces, Singapore Civil Defence Force and the Immigration & Checkpoints Authority while on duty, and crew at work on board any ship, aircraft or any other international mode of transport are exempt under these Regulations. Any person who contravenes the Regulations shall be guilty of an offence and liable, upon conviction, to a fine not exceeding S\$10,000 or to imprisonment for a term not exceeding six months or to both.

Key elements of the Regulations are as follows:

1. Employers **must implement telecommuting**. They must provide the necessary facilities for as well as instruct their employees/contractors/subcontractors to work from their own residence in Singapore during the control period, unless it is not reasonably practicable to do so. [Regulation 4(1)(b)] Under the Workplace Safety and Health Act, "employees" includes volunteers, interns and trainees.
2. Where employees/contractors/subcontractors are required to work at the office or other such workplaces, employers must implement the following **safe distancing measures** [Regulation 5]:

- a. Workers should be placed in two or more groups to avoid or minimise physical interaction between workers in different groups;
 - b. Workers should not all arrive at and leave the workplace at the same time;
 - c. Any worker who exhibits any symptoms or is physically unwell must report immediately to the employer; and
 - d. The employer must ensure that there is a distance of at least one metre between any two individuals in the workplace. The one-metre distance is applicable for seating arrangements at workstations, in meeting rooms, and in a queue or area (e.g., pantry or waiting area).
3. Employers **must cancel or postpone organised activities involving face-to-face interactions**, except for the following:
- a. If the activity is critical to the operations of the organization;
 - b. Professional or vocational training or tests or certification events for professional or vocational purposes; or
 - c. Educational activity for workers by an educational institution.
- While the Regulations do not identify what activities are deemed “critical to the operations of the organization”, various Singapore government agencies have advised that non-critical events, such as welfare activities or celebratory festivities, be deferred.
4. Employers must not require or permit employees who are subject to movement control measures to enter the workplace.
5. Employees who display any symptoms must not enter any workplace and must comply with the employer's instructions regarding COVID-19 measures, where practical.

While the Regulations are applicable from 2 April 2020 to 30 April 2020, the Singapore government may extend the measures beyond the control period depending on the still-unfolding situation.

If you have any questions or need advice on complying with the new Regulations, our team at K&L Gates Straits Law LLC in Singapore would be happy to assist you.

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