

APAC COVID-19 FAQ
EDITION XII – 26 JUNE 2020

Employment Law Expertise Provided by
Asia Pacific Members of the



INTRODUCTION

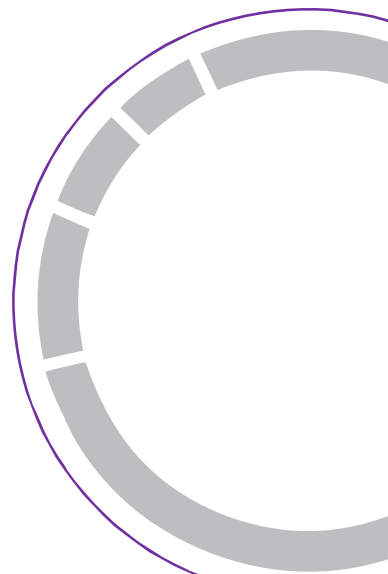
In the recent weeks, the Covid-19 situation has brought about great uncertainty for the world. Employers have not been spared. It can be challenging to wade through the ever changing myriad of notices, advisories and guidelines issued by the different governments.

To assist our clients, the Employment Law Alliance's APAC member firms have put together a set of FAQs to deal with some of the more common questions we have been asked relating to the new policies / advisories which have been issued in our respective jurisdictions as well as cost cutting measures which can be implemented to manage the cost of doing business.

The eleventh edition of this paper was published on 17 June 2020 and can be found [here](#). As the situation is constantly evolving, we are providing weekly updates to our readers. This is the twelfth edition and includes updates from Philippines and Taiwan.

Readers should take note that this information is accurate as at 26 June 2020. We encourage readers to keep abreast of developments in the countries of concern to them on a daily basis. Should you have any queries, please feel free to reach out to the contributors individually.

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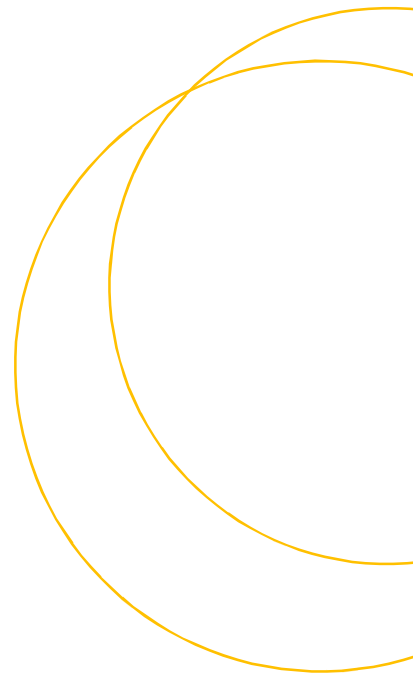
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Q: Are there any government directions to shut down business (“Shut Down directives”)?

A: The different areas in the country remain either under either Enhanced Community Quarantine (“**ECQ**”), Modified Enhanced Community Quarantine (“**MECQ**”), General Community Quarantine (“**GCQ**”), or Modified General Community Quarantine (“**MGCQ**”). GCQ is extended in several areas including the National Capital Region (“**NCR**”) from June 15, 2020 to June 30, 2020. Meanwhile, Cebu City is placed on ECQ from June 15, 2020 to June 30, 2020. Please refer to *APAC COVID-19 FAQ Edition VIII – 22 May 2020* for the definitions of the different community quarantine classifications.

Pursuant to the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (“**IATF**”) Revised Omnibus Guidelines on Community Quarantine (“**Omnibus Guidelines**”), the Department of Trade and Industry (“**DTI**”) issued Memorandum Circular No. 20-33 dated June 8, 2020 (“**MC No. 20-33**”). MC No. 20-33 generally reiterates the list of business activities that are allowed to operate in community quarantine areas and the maximum operational capacity allowed for each industry or establishment provided under the Omnibus Guidelines but with a few additions (in the list of business activities that are permitted to operate) and a few modifications (in the operational capacities of some industries in ECQ areas). These additions and modifications are underlined in the table below. The Omnibus Guidelines was further amended by IATF Resolution No. 45 dated June 10, 2020 and IATF Resolution No. 48 dated June 22, 2020.

For ease of reference, the updated list of business activities allowed to operate in community quarantine areas is summarized in the table below.

		ECQ	MECQ	GCQ	MGCQ
1	CATEGORY I				
1.1	Agriculture, Forestry, and Fisheries	100%	100%	100%	100%
1.2	Manufacturing of essential goods:				
1.2.1	Food and Beverages (only non-alcoholic drinks)	50-100% may be increased by the DTI	100%	100%	100%
1.2.2	Essential and Hygiene Products	50-100% may be increased by the DTI	100%	100%	100%
1.2.3	Medicines and Vitamins	100%	100%	100%	100%

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		ECQ	MECQ	GCQ	MGCQ
1.2.4	Medical Products, medical supplies, devices and equipment	100%	100%	100%	100%
1.2.5	Pet food, Feeds, and Fertilizer	50%	100%	100%	100%
1.3	Essential Retail (groceries, markets, drug stores)	50%	100%	100%	100%
1.4	Food preparation insofar as take-out and delivery	50%	100%	100%	100%
1.5	Water-Refilling Stations	50%	100%	100%	100%
1.6	Laundry Services (including self-service)	50%	100%	100%	100%
1.7	Public and private hospitals	100%	100%	100%	100%
1.8	Health, emergency and frontline services (dialysis, chemotherapy, and others)	100%	100%	100%	100%
1.9	Other medical (dental, rehabilitation, optometry, non-aesthetic dermatological clinics, EENT, other)	skeleton	100%	100%	100%
1.10	Logistics Service Providers	100%	100%	100%	100%
1.11	Delivery and courier services (e.g., food, medicine, essential good, accessories, hardware, housewares, school and office supplies, pet food, and others)	100%	100%	100%	100%
1.12	Water supply and sanitation services and facilities (e.g., waste disposal, management and building utility services)	skeleton	100%	100%	100%
1.13	Companies engaged in repair and maintenance of machinery and equipment (e.g., repair of	skeleton	100%	100%	100%

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		ECQ	MECQ	GCQ	MGCQ
	computers and household fixtures)				
1.14	Telecommunication companies, internet service providers, and cable television provides including their third-party contractors;	skeleton	100%	100%	100%
1.15	Energy and power companies including their third-party contractor	skeleton	100%	100%	100%
1.16	Gasoline Stations	skeleton	100%	100%	100%
1.17	Workers accredited by the Department of Transportation to work on utility relocation works and specified railway projects.	<u>skeleton accommodations or shuttle services provided</u>	100%	100%	100%
1.18	Airline and aircraft maintenance	skeleton	100%	100%	100%
1.19	Essential construction projects, public or private (e.g., quarantine facilities, disaster risk reduction and rehabilitation works, sewerage projects, water service facilities projects, digital works)	<u>100% limited to major construction projects</u>	100% (except small scale projects)	100%	100%
1.20	Manufacturing companies and suppliers of products necessary to perform construction works (e.g., cement and steel)	<u>100% only suppliers of major public construction projects</u>	100%	100%	100%
1.21	Business Process Outsourcing and export-oriented companies	<u>100% Work From Home ("WFH"), on-site accommodation or point-to-point shuttle services</u>	100% without need to set up on-site or near site accommodation or	100%	100%

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		ECQ	MECQ	GCQ	MGCQ
			point-to-point shuttle service		
1.22	Printing presses authorized by the Bureau of Internal Revenue or other appropriate agencies to print official receipts and other accountable forms	<u>100%</u>	100%	100%	100%
1.23	Media Establishments	50%	100%	100%	100%
2	CATEGORY II				
2.1	Other manufacturing industries (e.g., beverages including alcohol drinks, wood products and furniture, non-metallic products, textiles and clothing, tobacco products, paper and paper products, rubber and plastic products, coke and refined petroleum products, other non-metallic products, computers, electronic, and optical products, electrical equipment, machinery and equipment, motor vehicles, trailers and semi-trailers, other transport equipment, and others)	not allowed	50%	100%	100%
2.2	Mining and Quarrying	Skeleton WFH; on-site or near site accommodation or point-to-point shuttle services	100% only export-oriented mining companies	100% for export-oriented mining companies and 50-100% for domestic	100%
2.3	Electronic commerce companies	<u>100%</u>	100%	100%	100%

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		ECQ	MECQ	GCQ	MGCQ
2.4	Postal, courier and delivery services for articles or products other than food, medicines, or other essential goods	skeleton	100%	100%	100%
2.5	Real estate activities	skeleton limited to leasing	100% limited to leasing; 50% for other real estate activities	100%	100%
2.6	Housing service activities (e.g., plumbing, electrical, and others)	<u>skeleton</u>	100%	100%	100%
2.7	Administrative and office support (e.g., photocopying and billing services)	not allowed	50%	50-100%	100%
2.8	Veterinary Activities	skeleton	100%	100%	100%
2.9	Security and Investigation Activities	skeleton	100%	100%	100%
2.10	Funeral and embalming services	skeleton except funeral parlors, the employer must provide for a shuttle or in-site accommodation	100%	100%	100%
2.11	Hotel and other accommodation establishments providing basic services to specific guests <i>Please refer to APAC COVID-19 FAQ Edition IX – 29 May 2020 for the list of guests allowed to be accommodated in hotels and list of services the hotels may offer.</i>	skeleton	skeleton	skeleton	50% authorized to operate

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		ECQ	MECQ	GCQ	MGCQ
3	CATEGORY III				
3.1	Banks, money transfer services, microfinance institutions and cooperatives, excluding pawnshops not performing money transfer	skeleton	100%	100%	100%
3.2	Capital markets	skeleton	100%	100%	100%
3.3	Other financial services (e.g., money exchange, insurance, reinsurance, lending companies, and non-compulsory pension funding)	not allowed	50%	50%	100%
3.4	Legal and Accounting	not allowed	50%	50%	100%
3.5	Management Consultancy Activities	not allowed	50%	50%	100%
3.6	Architecture and Engineering Activities; Technical Testing and Analysis	not allowed	50%	50%	100%
3.7	Scientific and Research Develop	not allowed	50%	50%	100%
3.8	Advertising and Market Research	not allowed	50%	50%	100%
3.9	Computer programming	not allowed	50%	50%	100%
3.10	Publishing and printing services	not allowed	50%	50%	100%
3.11	Film, music, and TV production	not allowed	50%	50%	100%
3.12	Rental and Leasing Activities, other than real estate,	not allowed	100%	100%	100%
3.13	Employment Activities that involve recruitment and	not allowed	<u>50%</u>	50%	100%

PHILIPPINES

		ECQ	MECQ	GCQ	MGCQ
	placement for permitted sectors				
3.14	Other services such as photography services; fashion, industrial, graphic, and interior design	not allowed	50%	50%	100%
3.15	Wholesale and retail trade of motor vehicles, motorcycles, and bicycles, including their parts and components	not allowed	50%	50%	100%
3.16	Repair of motor vehicles, motorcycles, and bicycles	not allowed	50%	50%	100%
3.17	Malls and commercial centers (non-leisure only)	not allowed	50%	50%	100%
3.18	Other non-leisure whole sale and retail establishments such as:				
3.18.1	Dining/Restaurants/Cafes/Bars	50% delivery and take-out only	50% delivery and take-out only	50% delivery and take-out only <u>Starting June 15, 2020, the IATF has allowed dine-in food establishments to operate at 30% operational capacity and they may operate until 9:00 p.m.</u>	100% dine-in allowed provided seating capacity will not exceed 50%
3.18.2	Mall-based government frontline services	skeleton	skeleton	100%	100%
3.18.3	Hardware stores	not allowed	50%	50%	100%

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		ECQ	MECQ	GCQ	MGCQ
3.18.4	Clothing and accessories	not allowed	50%	50%	100%
3.18.5	Bookstores and school and office supplies stores	not allowed	50%	50%	100%
3.18.6	Baby or infant care supplies stores	not allowed	50%	50%	100%
3.18.7	Pet shops, pet food and pet care supplies	not allowed	50%	50%	100%
3.18.8	IT, communications, and electronic equipment	not allowed	50%	50%	100%
3.18.9	Flower, jewelry, novelty, antique, perfume shops	not allowed	50%	50%	100%
3.18.10	Toy store (with playgrounds and amusement area closed)	not allowed	50%	50%	100%
3.18.11	<u>Music stores</u>	<u>not allowed</u>	<u>50%</u>	<u>50%</u>	<u>100%</u>
3.18.12	<u>Art galleries (selling only)</u>	<u>not allowed</u>	<u>50%</u>	<u>50%</u>	<u>100%</u>
3.18.13	Firearms and ammunition trading establishment	not allowed	50%	50%	100%
3.18.14	Barbershops and Salons	not allowed	not allowed	30-50% May open at 30% beginning June 7 to gradually increase every two weeks and limited to haircutting services	50-100% May increase to up to 100% capacity after three weeks
3.19	All other public and private construction projects (subject to the Department of Public Works and Highway guidelines)	not allowed	not allowed	50%	100%
4	CATEGORY IV				
4.1	Gyms/Fitness studios and Sports Facilities	not allowed	not allowed	skeleton	50%

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		ECQ	MECQ	GCQ	MGCQ
				Limited to outdoor facilities for non-contact sports.	May include outdoor and indoor sports facilities for non-contact sports.
4.2	<u>Internet and computer shops</u>	<u>not allowed</u>	<u>not allowed</u>	<u>not allowed</u>	<u>50%</u>
4.3	Other education and educational support establishments				
4.3.1	<u>Testing centers, tutorial and review centers</u>	<u>not allowed</u>	<u>not allowed</u>	<u>not allowed</u>	<u>50%</u>
4.3.2	<u>Language, driving, dance/acting/voice schools</u>	<u>not allowed</u>	<u>not allowed</u>	<u>not allowed</u>	<u>50%</u>
4.4	Entertainment industries (e.g., cinemas, theaters, karaoke bars, and others)	not allowed	not allowed	not allowed	50%
4.5	Kid amusement industries	not allowed	not allowed	not allowed	50%
4.6	Libraries, archives, museums and cultural centers	not allowed	not allowed	not allowed	50%
4.7	Tourist destinations (e.g., water parks, beaches, resorts)	not allowed	not allowed	not allowed	50%
4.8	Travel agencies, tour operators, reservation service and other related activities	not allowed	not allowed	not allowed	50%
4.9	Other personal care services (e.g., massage parlors, sauna, facial care, waxing, and others)	not allowed	not allowed	not allowed	50%
4.11	<u>Pet grooming services</u>	<u>not allowed</u>	<u>not allowed</u>	<u>not allowed</u>	<u>50%</u>

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Q: Please state what implications such Shut Down directives have in managing employees?

A: Those allowed to operate at less than full operational capacity may have to continue implementing flexible work arrangements (such as rotation of workers, reduction of workdays, forced leave) or work from home arrangements where feasible. While the movement of workers of business establishments that are allowed to operate in all community quarantine areas is allowed, the restrictions in public transportation continue. In ECQ and MECQ areas, public transportation is still suspended while in GCQ and MGCQ areas, public transportation may operate at a limited capacity. Due to these restrictions and limitations, business establishments are still encouraged to provide shuttle services to their employees.



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TAIWAN

Q: Are there government directions restricting travel out of or into your jurisdiction (“Travel Restrictions”).

A: Yes.

Recent orders from the Central Epidemic Command Center (“CECC”):

1. From March 17 until the end of this semester (i.e. July 15, 2020), no students and teachers of high school level and below may leave the country
2. From midnight March 19: All inbound non-Taiwanese individual is prohibited from entering the country, except those holding permanent residence, diplomat, business and other special permits. All inbound travelers, including Taiwanese citizens, shall submit to home quarantine for 14 days. Starting from June 22, individuals on short-term business visits who meet all of the following conditions may apply to shorten the home quarantine period:
 - (1) those that the CECC has given permission for entry
 - (2) those that are staying in Taiwan for less than 3 months
 - (3) entry into Taiwan for short-term business matters (e.g., acceptance inspection, customer service, technical guidance & training, contract execution)
 - (4) those that departed from a country or region that the CECC has recognized as low or medium infection risk, and did not travel to any other country or region 14 days prior to boarding the flight.

For individuals who departed from a low infection risk country or region and have completed the application to shorten the quarantine period, on the 5th day after entry into Taiwan, he or she may request the health authority of the region where the quarantine hotel is located for a test at his or her expense; for those who departed from a medium infection risk country or region, the test may be requested on the 7th day after entry. If the test returns negative, he or she may apply for a change to self-monitoring until the 21st day after entry.

Countries or regions listed as low or medium risk may be found at:

<https://www.cdc.gov.tw/Bulletin/Detail/sBnnQc8Q1LsYkwWYVkwucA?typeid=9> (updated every two weeks).

3. From midnight March 21: Travel advisory for every country in the world has been raised to a Level 3 Warning – meaning avoid unnecessary travel. All inbound citizens shall submit to home quarantine for 14 days.
4. From midnight March 24: No more transit flights through Taiwan. [\(On April 23, the CECC announced that considerations on the lifting the ban will depend on new developments in the COVID-19 pandemic. Please refer: <https://www.cdc.gov.tw/En/Bulletin/Detail/iesKeclTdk1gqZr3xgRpg?typeid=158>\)](#)

TAIWAN

5. From May 4 midnight: Inbound travelers returning from overseas should complete the COVID-19 Health Declaration and Home Quarantine Notice before boarding. Those who make a false health declaration will be fined up to NT\$150,000. For those travelers who live with seniors (65 year-old or older), children (6 year-old or younger), or person with chronic diseases (such as cardiovascular diseases, diabetes or lung disease), or the dwelling of such travelers does not have a separate bedroom and bathroom, then he/she shall undergo the 14-day isolation at an quarantine hotel designated by the government.
6. The CECC announced on June 17 that people who tested positive for COVID-19 abroad are allowed to fly back to Taiwan only when he/she meets one of the conditions listed below:
 - (1) No current symptoms, and it has been more than two months from the day symptoms arose to the day of the flight.
 - (2) It has been 10 days from the day symptoms arose, and tested negative for COVID-19 twice (tests taken at least 24 hours apart).

In terms of employment, the Occupational Safety Guidelines state that employees may refuse to be dispatched to outbreak areas if the employer is unable to provide protective equipment or measures. If the employer continues to insist on making the trip, the employee may terminate the employment and seek severance pay.



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