

Client Alert

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What Employers Need to Know about Epidemic Warning Level 3 in Taiwan

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Due to a spike of locally confirmed cases over the past week, the Central Epidemic Command Center (**CECC**) had elevated the epidemic warning for Taipei City and New Taipei City from Level 2 to Level 3 effective from 15 to 28 May. Below are the key points that employers need to know.

1. Employees are still allowed to work at the office.

According to the CECC rulings issued on 15 and 16 May, employees are still allowed to work in the office. Our recommendations for this are as follows:

- Request employees to work from home to the extent possible. If an employee needs to enter the workplace to take equipment or documents needed for work, ask the employee to (1) test his/her forehead temperature and confirm no COVID-19 symptoms, (2) sign a document confirming he/she has not been to any venues visited by confirmed cases announced by the government, and (3) wear a mask at all times and leave the premises ASAP.
- If the employee insists on working on premise, inform the employee that (1) the health risk situation is serious, (2) he/she has the obligation to protect the health and safety of the workplace, and (3) if he/she is later tested COVID positive and jeopardizes the workplace, the company would consider imposing appropriate disciplinary action for such misconduct.

2. Disease prevention guidelines for employers

The CECC rulings mandate that everyone wear a mask at all times when going outside. Therefore, an employee should wear a mask at all times when he/she is inside the workplace.

In addition to the above, the CECC reiterated the Guidelines for Enterprise Planning of Business Continuity in Response to the Coronavirus Disease promulgated in 2019 and advises employers to follow the its guidance throughout the duration of the continuous and/or widespread community transmission stage. The following are two less observed key points:

- Implement employee health monitoring plan and measures for handling and tracking abnormalities.
- Adjust working space to maintain proper distances between work stations.



3. Disease Prevention Care Leave

As the Taipei City Government and the New Taipei City Government announced that classes for all elementary, middle, and high schools will be suspended from 18 to 28 May, the Ministry of Labor (**MOL**) announced that parents of students and/or disabled children who are 12 years old or younger that require child care supervision can apply for a Disease Prevention Care Leave during this period. The key points of this special leave entitlement are as follows:

- An employer needs to approve this leave and is prohibited from imposing unfavorable treatment of employees applying for this leave. The employer is also prohibited from requesting an employee to use their paid annual leave allowance or personal leave instead. Violations thereof are subject to a fine between NTD 20,000 to 1,000,000 (approx. USD 714 to 35,714).
- An employer has the discretion as to whether to pay for this leave or not.

If a more detailed explanation or further assistance is required, please feel free to contact us. Thank you.

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