



Myanmar

Overview of Guideline for Factories, Workshops, Workplaces regarding prevention and control of Coronavirus Disease 2019 (COVID-19) (as of April 1, 2020)

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***This article is based on information available as of April 1, 2020.**

The Ministry of Health and Sport (“MOHS”) issued an updated guideline for all workplaces for the prevention and control of COVID-19 (the “Guidelines”) on Tuesday, March 30, 2020. The Guidelines outline measures to be taken by employers, employees, and supervisors, including instructions for before entering into workplaces and while present at the workplace. The key points of the Guidelines are below.

Guideline for Employers

Employers are required to supervise employees for any suspected symptoms of COVID-19 before permitting employees to enter workplaces, by installing non-touch Thermometers or Thermal Scanners, and if an employee’s body temperature is 38° C/100.4° F and above, the employee(s) should not be allowed to enter the workplace. Additionally, employers should supervise pregnant employees and/or employees who are staying at the same house as persons suspected of having COVID-19, so that such persons do not enter the workplace. Employers are required to arrange transportation to/from the workplace for employees, which contains hand sanitizer, tissue, and masks, and which shares healthcare awareness by televising or playing audio recordings, in order to avoid employees commuting using public transportation, to mitigate the outbreak of COVID-19.

In addition, employers have to ensure that all employees can stay 3 feet away from one another when entering/remaining in the workplace, working at the workplace, using dining rooms or restrooms, and when having meetings and/or education campaigns. Employers have to arrange sufficient hand washing facilities, including soap, water, hand sanitizers, tissue, etc., and to ensure that each employee is washing and drying hands frequently and in a systematic manner. Employers also have to ensure that not many employees have to queue for the toilet, that toilet doors and buttons for flushing are frequently cleaned, that there are sufficient dustbins, and

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whether or not such dustbins are being properly emptied. Employers should instruct the frequent cleaning of surfaces of tables in dining rooms, places the public come into contact with frequently, and any other places at the workplace, with soap and water or sanitizer liquid containing 70% alcohol.

Furthermore, employers are required to ensure that employees are avoiding working in close contact, including avoiding sharing personal protection equipment, and cleaning personal protection equipment. Employers should encourage employees not to use elevators, and if the use of the elevator is compulsory, not more than four people should use it at one time. Employers must also refrain from conducting meetings or education campaigns with large groups.

Guideline for Employees

Employees should wash their hands frequently with water and soap, and must not touch their eyes, nose, and mouth without washing their hands before doing so. Employees should avoid crowded places as much as possible and if an employee has a body temperature that is 38° C/100.4° F and above, or is coughing, having difficulty breathing, or is fatigued, the employee must not enter the workplace. Employees should use only transportation arranged by Employers, and refrain from using public transportation. Employees should immediately take a shower and wash their clothes when they return home.

Guideline for Supervisors

Supervisors of employees are required to demonstrate and teach employees about systematic hand washing and to supervise whether or not employees are complying with systematic hand washing. Supervisors should measure the body temperature of employees and always monitor the presence of suspected symptoms among employees. Supervisors are also required to monitor guests coming into workplaces.

Construction Workplaces

More than (50) employees must not be at one workplace and the number of employees who come to work should be recorded on a daily basis.

Conclusion

Although the legal nature and scope of the Guidelines is unclear from the text and there are no specific underlying laws related to the Guidelines, compliance with the Guidelines is recommended. The Guidelines are quite comprehensive measures to be taken at the workplace, both for employers and for employees, to control and prevent the outbreak of COVID-19. Based on a preliminary hearing with the relevant authority, the Guideline is merely a suggestion by the MOHS for the safety of people at workplaces; MOHS has no intension of imposing penalties for breaches of the Guidelines at this stage. However, it is highly likely that MOHS and other authorities might attempt to enforce the Guidelines or to impose a penalty for a breach.

END.



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