

**CORONAVIRUS: EMPLOYER REQUIREMENTS TO RESUME OPERATIONS  
IN SELECT MAJOR CITIES IN CHINA**

Location	Filing Requirements	Prevention and Control Requirements	Alternative Working Manner	Source
<p><b>NATIONAL</b></p>	<p>At the February 11, 2020, press conference of the National Development and Reform Commission (NDRC), NDRC officials stated that they do not encourage local governments to establish preapproval systems for the resumption of operations.</p> <p>Further, at the highest levels of leadership, the National COVID-19 Workgroup called on February 20, 2020, for the rectification of unreasonable requirements that hinder the resumption of operations.</p> <p>The official statements from the NDRC and the National COVID-19 Workgroup have significant implications for the current preapproval and prefiling system implemented by local governments, and as time passes and when the 2019 Novel Coronavirus (COVID-19) situation improves, the filing and preapproval system for resumption of operations will likely be phased out.</p>	<p>Employers shall:</p> <ol style="list-style-type: none"> <li>(1) have in place disinfectants, temperature gun and other supplies;</li> <li>(2) distribute face masks and other protection items to employees;</li> <li>(3) minimize workspace crowding;</li> <li>(4) provide routine disinfection, cleaning, ventilation, and temperature monitoring;</li> <li>(5) maintain employee health records;</li> <li>(6) provide tighter management of their premises and maintain a registry of all who enter and leave the premises;</li> <li>(7) have in place a COVID-19 prevention and control plan and emergency plan, and appoint responsible persons with accountability for COVID-19 prevention and control;</li> <li>(8) set up a quarantine and observation area; and</li> <li>(9) provide staggered mealtimes, with seating at a proper distance, and permit employees can take meals at their workstations.</li> </ol>	<p><input checked="" type="checkbox"/> Flexible working arrangements such as Working From Home (WFH) and staggered time for employees to start and end work, among other measures.</p>	<p><a href="#">Source Site 1</a></p> <p><a href="#">Source Site 2</a></p>

# Morgan Lewis

<p><b>BEIJING</b></p>	<p>x</p>	<p>Office building owners, operators, and tenants shall:</p> <ol style="list-style-type: none"> <li>(1) set up a COVID-19 prevention and control committee, delineate accountability, designate an employee to be responsible for COVID-19 prevention and control and have in place emergency plans;</li> <li>(2) strengthen publicity and education related to the COVID-19 prevention and control;</li> <li>(3) strengthen people management, implement employee observation and quarantine as necessary, maintain health check and monitoring records and emergency reporting; in particular, employees returning to work from localities other than Hubei Province shall work in an enclosed premise while under observation for symptoms, and where this is not possible, those employees shall follow the 14-day quarantine requirement at their home; and relevant information shall be collected for employees returning to Beijing and returning to work.</li> </ol> <p>Depending on job duties, employers shall:</p> <ol style="list-style-type: none"> <li>(1) provide masks, thermometers, and disinfectants, and require employees to wear face masks at work;</li> <li>(2) disinfect and clean public areas and important areas;</li> <li>(3) maintain natural circulation of air and ventilation in work space;</li> <li>(4) provide proper treatment of garbage, including classified disposal; and</li> <li>(5) provide checkpoints at office building entrances to check temperature and ensure that everyone entering the building wear masks.</li> </ol> <p>On February 20, 2020, the Beijing Municipal Bureau of Economy and Information Technology issued Guidance on Prevention and Control of COVID-19 in Industrial Enterprises and Enterprises Providing Software and Information Services, as follows:</p>	<p><input checked="" type="checkbox"/> Flexible working arrangements such as remote working and staggered time for employees to start and end work.</p>	<p><a href="#">Source Site 1</a></p> <p><a href="#">Source Site 2</a></p> <p><a href="#">Source Site 3</a></p> <p><a href="#">Source Site 4</a></p>
-----------------------	----------	---	---	---

		<ol style="list-style-type: none"> <li>(1) The person in charge in the company should set up a COVID-19 prevention and control organization/committee and determine a work plan, an emergency plan and the reporting system for COVID-19 prevention and control. The work for COVID-19 prevention and control should be assigned to specific persons in the company who should take specific responsibilities.</li> <li>(2) During the recruitment process for new hires, the company should inquire about the living environment and health status of the candidates in detail.</li> <li>(3) For any sourcing project or with respect to dispatched workers through a staffing agency, the company should also supervise the person in charge to attend to strong COVID-19 prevention and control processes for the relevant employees.</li> <li>(4) The company should establish a "health-card system" for its employees. A health card can be a form recording each employee's health status, temperature, quarantine status and travel history, and other relevant issues.</li> <li>(5) The company should provide face masks for the employees. Every individual who enters or leaves the company's factory/office should wear a face mask. The company should also set up checkpoints at the office/factory to check people's temperature and should report to the competent authorities if someone has a temperature over 37.3°C as soon as possible.</li> <li>(6) The company should arrange for employees to start and end work at staggered times, and should try to arrange for flexible working arrangements, such as working remotely and using video conferences. In addition, the company should try its best to arrange for shuttles to take employees to and from work and encourage employees to commute by walking, bicycle, or car to reduce the use of public transportation.</li> <li>(7) If the company has a canteen, the company should strengthen the disinfection of the tableware by using the method of boiling or steaming the tableware for 15 minutes. The company should</li> </ol>		
--	--	---	--	--

		<p>arrange for employees to have lunch/dinner at different times and ensure that each employee keeps a distance of at least one meter away from one another when having their meals. The company should encourage employees to use their own tableware and to bring their food from home, and should prohibit employees from having meals together without keeping the requisite distance.</p> <p>(8) The company should ensure that the area for each employee to work in the office/factories or live in the dormitories is no less than 2.5m<sup>2</sup> per person (approx. 27 sq. ft.) and should set up an isolated observation area. In addition, the company should close its gym and other nonessential amenities that may resulting in overcrowding. The company should ask employees to try to avoid taking the elevator. If employees do need to take the elevator, the company should limit occupancy in the elevator to 50% of the maximum occupancy number.</p> <p>(9) The company should not hold activities that may result in people crowding in one place. Holding meetings that are small and short may be permissible, but employees should keep a distance of more than one meter away from one another in any meeting.</p> <p>On February 24, 2020, five departments of the Beijing government jointly issued the Notice to Further Clarify the Requirements for Companies in Office Buildings to prevent COVID-19. These five departments are the Beijing Municipal Comprehensive Law-Enforcement Bureau of City Administration, Beijing Municipal Commission of Housing and Urban-Rural Development, Beijing Emergency Management Bureau, Beijing Municipal Health Commission, and Beijing Municipal Administration for Market Regulation.</p> <p>Companies located in office buildings should:</p> <p>(1) arrange for flexible working arrangements, such as arranging for employees to start and end work at staggered times, to work from home, or to work in shifts, etc. Companies where employees work</p>		
--	--	---	--	--

		<p>in a crowded office area should arrange for less than 50% of their employees to come to the offices at a given time;</p> <ul style="list-style-type: none"><li>(2) require employees to abide by the 14-day quarantine requirement in a strict manner and continuously inquire about employees' health status;</li><li>(3) check the temperature of employees daily and ensure that employees who come to the office wear face masks;</li><li>(4) advise employees to take elevators in smaller numbers, not to exceed 50% of an elevator's maximum occupancy number per elevator ride;</li><li>(5) ensure that each employee in the office keeps a distance of more than one meter away from one another, and the area for each employee to work in the office should be no less than 2.5 m<sup>2</sup> (approx. 27 ft. sq.) per person. If the number of employees within one single space is relatively high, the required distance apart or size of the area should be increased accordingly;</li><li>(6) disinfect the workplace and items in the public area(s) of the workplace daily;</li><li>(7) for those companies using the central air conditioning and ventilation systems, turn off the return air and clean, disinfect, or replace key components (those components that may be contaminated) of the central air conditioning and ventilation equipment every week;</li><li>(8) ensure that each employee keeps a distance of more than one meter away from any other employees when having their meals and ensure that employees do not eat their meals facing each other;</li><li>(9) effectively manage third parties who visit the office;</li><li>(10) assign a specific person to be in charge of COVID-19 prevention and assign employees to be tasked with specifically handling matters related to COVID-19 prevention.</li></ul>		
--	--	---	--	--

# Morgan Lewis

<p><b>SHANGHAI</b></p>	<p><input checked="" type="checkbox"/></p>	<p>Employers shall:</p> <ol style="list-style-type: none"> <li>(1) strengthen people management, such as check temperatures and require use of face masks for all employees at work, encourage use of goggles, minimize gatherings of people, and maintain a health registry for all employees;</li> <li>(2) encourage staggered start and end times for employees, and use video conferencing instead of face-to-face meetings;</li> <li>(3) strengthen premises and mealtime management, including disinfection, ventilation, avoiding crowded dining conditions; in particular, ensure 100% disinfection of public places and crowded places;</li> <li>(4) strengthen emergency management, including detailed emergency plans for employees with symptoms of COVID-19 infection; and</li> <li>(5) implement reporting and monitoring mechanisms, including 24-hour on-call for emergencies with an executive in charge of the matter; establish COVID-19 prevention and control records; and implement reporting to relevant authorities.</li> </ol>	<p><input checked="" type="checkbox"/></p> <p>Flexible working arrangements such as WFH, online working, and staggered time for employees to start and end work.</p>	<p><a href="#">Source Site</a></p>
<p><i>Changning</i></p>	<ol style="list-style-type: none"> <li>(1) Commitment letter, promising to be responsible for disease prevention and control and monitoring of its employees; and</li> <li>(2) Employee checkup list, which includes the employee's name, contact information, whereabouts during the covered period, and means of transport taken.</li> </ol> <p>Employers are required to complete online registration of their employees on the designated municipal website</p>	<p>Employers shall:</p> <ol style="list-style-type: none"> <li>(1) prepare a detailed COVID-19 prevention and emergency plan;</li> <li>(2) set up enclosures around the premises for easier and safer management;</li> <li>(3) set up a temporary quarantine space;</li> <li>(4) keep natural air circulation and try not to use central air-conditioning;</li> <li>(5) keep conference management at a minimum; and</li> <li>(6) maintain preventive disinfection of public areas.</li> </ol>	<p><input checked="" type="checkbox"/></p>	<p>Official WeChat account for Changning District</p>

# Morgan Lewis

	and complete their filing for resumption of operations at the Changning district web portal.			
<i>Baoshan</i>	Currently not available online.	Employers shall:  (1) report the health conditions of employees on the designated Baoshan district portal daily; (2) set up a leadership group led by the entity's person-in-charge, and designate an employee to be specially responsible for disease control and prevention during this period; (3) prepare a COVID-19 prevention and control plan, and take disease prevention and control measures; (4) stagger times for employees to report back to work; (5) implement quarantine and related measures for employees returning from COVID-19 high-prevalence areas and other cities; (6) advance disinfection of relevant areas; (7) strengthen disposal of used masks; (8) strengthen COVID-19 control and prevention in on-site canteen; and (9) strengthen management at exits and entrances.	<input checked="" type="checkbox"/>	Official WeChat account for Baoshan District
<i>Xuhui</i>	(1) Application form, including COVID-19 prevention measures, such as action plans, <u>mask-wearing requirements</u> , meeting room management, and disinfection of premises;  (2) Commitment letter, including authenticity of information, compliance with government requirements, strengthening health management, promising	<b>Measures before resumption of operations:</b>  (1) Companies with more than 50 employees shall set up a leadership group and designate a liaison person; companies with less than 50 employees shall appoint at least one person to be responsible for COVID-19 control and also serve as the liaison person; (2) Employee management, including monitoring of employee health and quarantine and observation of employees returning from high-prevalence areas and other cities; and (3) Thorough disinfection and cleaning of premises.	<input checked="" type="checkbox"/>	Official WeChat Account for Xuhui District

# Morgan Lewis

	<p>not to organize large meetings and events, and promising to shut down once any employee is confirmed infected.</p>	<p><b>Post-resumption measures:</b></p> <ol style="list-style-type: none"> <li>(1) Strict management at entrances and exits;</li> <li>(2) Strengthen routine management, for example, <u>urge employees to wear mask at work</u>; strengthen routine prevention and control; avoid large gathering at workplace by employees; and urge employees to stay away from crowded public places;</li> <li>(3) Strengthen logistics management, including food delivery and express deliveries;</li> <li>(4) Daily disinfection of public areas and ventilation of offices to take in fresh air; and</li> <li>(5) Emergency management, when any symptom of COVID-19 occurs, contact the property management department promptly and arrange quarantine and treatment at the nearest designated clinic.</li> </ol>		
<p><i>Minhang</i></p>	<p>Commitment letter promising to strictly follow the resumption of operations plan, strengthen routine work such as COVID-19 control and prevention, related publicity and education, voluntarily undertake related social responsibilities, and submit to governmental and public oversight.</p>	<p>Employers shall:</p> <ol style="list-style-type: none"> <li>(1) set up a leadership group, prepare a COVID-19 prevention and control plan, and prepare an employee checkup list and a list of employees returning to work;</li> <li>(2) strengthen employee management, for example, check the whereabouts of employees and urge employees to file personal information as required; strictly implement quarantine and other observation measures for employees returning to work from high-prevalence areas and other cities; report information to relevant authorities; carry out routine health and temperature check and reporting; avoid arranging business travel to high-prevalence areas before lifting of the Level 1 emergency response by the municipal government; and avoid conducting recruitment events in and recruiting from high-prevalence areas;</li> <li>(3) set up enclosures, boundaries, or cordons around premises for better and safer management;</li> <li>(4) ventilate and disinfect workshops and office spaces;</li> </ol>	<p><input checked="" type="checkbox"/></p>	<p>Official WeChat account for Minhang District</p>



# Morgan Lewis

		<p>(5) ventilate staff dorms three times a day for at least 30 minutes each time, disinfect staff dorms once a day;</p> <p>(6) maintain conference management, for example, <u>require attendees to wear masks</u>; require disinfection of hands before entering conference room; maintain seating distances of at least one meter; and minimize conferences and shorten meeting time;</p> <p>(7) maintain meal management to avoid crowded eating and disinfect eating utensils; and</p> <p>(8) have in place COVID-19 control and prevention items and maintain sufficient supply of basic life necessities.</p>		
<i>Jing'an</i>	<p>Employers located in office buildings are required to log onto the Jing'an official WeChat account or app to</p> <p>(1) first register their information, including a commitment letter, and receive a QR code;</p> <p>(2) with the QR code, employees can then complete an employee information form;</p> <p>(3) employers then should complete their application and filing for the resumption of operations; and</p> <p>(4) upon approval of the application for resumption of operations by the local authority, employees must complete an employee commitment letter and receive a pass to enter the office building.</p>	<p>Employers shall:</p> <p>(1) strictly implement emergency plan (including leadership, division of responsibility, health check, routine management, logistics assurance, and emergency response);</p> <p>(2) temperature check all people entering the premises (have in place masks, disinfectants, and thermometers, and designate a person in charge of COVID-19 prevention and control);</p> <p>(3) gather and record information for people returning to Shanghai;</p> <p>(4) disinfect and educate on prevention of COVID-19;</p> <p>(5) control crowding at a single space.</p> <p>Employers who fail to strictly implement the above measures or do not have the basic conditions for prevention of COVID-19 shall not resume operations.</p>	<input checked="" type="checkbox"/>	Official WeChat account for Jing'an District

# Morgan Lewis

<p><i>Huangpu</i></p>	<p>Currently not available online.</p>	<p>(1) The employer is responsible as an entity for implementing COVID-19 prevention and control measures, with the legal representative as the primary responsible person. It shall appoint a designated person to be responsible for related work.</p> <p>(2) The employer shall promptly check and investigate the health conditions of its employees, including quarantine for employees returning or coming from high-prevalence areas, and reporting and tracking of employees from other areas.</p> <p>(3) All employees and others entering the premises shall have their temperature checked.</p> <p>(4) Preventive disinfection shall be carried out.</p> <p>(5) Strengthen dissemination and publicity of relevant knowledge about COVID-19 prevention and control.</p> <p>(6) Minimize gathering or crowding of people.</p> <p>An employer who fails to strictly implement the above measures or does not have the basic conditions to prevent the disease shall not resume operations.</p>	<p><input checked="" type="checkbox"/></p>	<p>Official WeChat account of Huangpu District</p>
<p><b>GUANGDONG PROVINCE</b></p>	<p>×</p>	<p>Employers shall:</p> <p>(1) set up and optimize COVID-19 prevention and control accountability and management mechanism;</p> <p>(2) disinfect premises and facilities;</p> <p>(3) maintain in place necessary prevention and control items and devices;</p> <p>(4) monitor the health conditions of employees and visitors;</p> <p>(5) urge people from high-prevalence areas and those with close contact to confirmed patients to observe quarantine and other requirements;</p> <p>(6) promptly report infection and suspected infection to authorities and take related measures; and</p>	<p><input checked="" type="checkbox"/></p> <p>Flexible working arrangements such as work rotation arrangement, remote working, and staggered time for employees to start and end work.</p>	<p><a href="#">Source Site</a></p>

# Morgan Lewis

		(7) organize employees to participate in COVID-19 prevention and control as required by the government.		
<i>Shenzhen</i>	<input checked="" type="checkbox"/> <p>(1) Filing form, covering basic information of the employer, total number of employees and number of employees returning to work, number of employees returning from high-prevalence areas, date of resumption of operations, and a description of COVID-19 prevention and control mechanisms;</p> <p>(2) Commitment letter, including implementation of entity responsibility for COVID-19 prevention and control, strengthening employee health monitoring, improvement of relevant facilities and equipment, provision of hygiene products and quarantine and observation place, and cleaning and disinfection of important areas and prompt reporting of relevant matters. The employer will be responsible for any confirmed cases of COVID-19 infection resulting from noncompliance.</p> <p>As the COVID-19 situation improves, on February 20, 2020, it was reported that the verification and</p>	<p>Employers shall:</p> <p>(1) appoint an employee to be in charge of health matters and appoint a health liaison; prepare and maintain employee health records and report the same to the community officer as required;</p> <p>(2) use dorms or lease other places as quarantine centers; urge employees (relatives) from high-prevalence areas to observe quarantine and other measures;</p> <p>(3) purchase and maintain masks, disinfectants and thermometers;</p> <p>(4) avoid storage of large amounts of necessary supplies; avoid selling or making fake products or raising the price of supplies;</p> <p>(5) raise health and safety awareness; maintain amicable employee relationship and safeguard employees' legitimate rights; and</p> <p>(6) ensure employees returning from Hubei Province and Wenzhou City (Zhejiang Province) are subject to a 14-day observation under quarantine, while employees returning from other places are free to return to work so long as they have no symptoms (such as a fever).</p>	<p>×</p> <p>In reality, many companies have adopted WFH and remote working.</p>	<p><a href="#">Source Site 1</a></p> <p><a href="#">Source Site 2</a></p>

# Morgan Lewis

	<p>approval step in the filing process would be eliminated in the following few days (some districts reportedly already removed this requirement in practice), whereupon upon filing, employers can already resume operations without waiting for approval or review. After the resumption of operations, the local/community level staff will make an onsite inspection to verify the measures taken.</p>			
Guangzhou	<p><input checked="" type="checkbox"/> The documentation required differs from district to district. Basically, each district requires:</p> <ol style="list-style-type: none"> <li>(1) Filing form and</li> <li>(2) Commitment letter.</li> </ol> <p>As the COVID-19 situation improves, some districts (for example, Panyu District) no longer require any filing, and some districts (for example, Baiyun district) have relaxed their approval and filing process.</p>	<p>Employers shall:</p> <ol style="list-style-type: none"> <li>(1) have in place COVID-19 prevention and control measures, and emergency plan; have clear delineation of duties and responsibilities; and an internal accountability system;</li> <li>(2) check and keep track of employee health conditions, including employee whereabouts over the past 14 days; the 14-day observation period shall be strictly followed; employees from high-prevalence areas are encouraged not to report to work at present;</li> <li>(3) have in place necessary infrared thermometers, disinfectant, face masks, and places for quarantine;</li> <li>(4) provide internal routine management, including ventilation and disinfection of premises and living quarters; daily checking of temperature; where possible, employers should enclose the premise for better management and adopt flexible working arrangements; and</li> <li>(5) provide COVID-19 prevention and control training, post relevant knowledge and information about COVID-19 prevention and control tips and procedures in prominent places.</li> </ol>	<p><input checked="" type="checkbox"/> Flexible working arrangements such as remote working and staggered times to start and end work.</p>	<p><a href="#">Source Site</a></p>

# Morgan Lewis

		Before resumption of operations, the employer shall hold an ad hoc meeting, prepare a set of plans for the resumption of operations, organize a thorough inspection, and conduct safety training.		
<i>Dongguan</i>	<input checked="" type="checkbox"/> (1) Commitment letter  As the COVID-19 situation improves, Dongguan government has stressed that the community and other authorities shall not impose conditions and requirements for the resumption of operations that are unnecessary for the prevention and control of the COVID-19 situation.	Employers shall:  (1) establish an internal accountability system and have in place an emergency plan, detailing the emergency procedures, responsible persons, and related duties; (2) check and record their employees' whereabouts and home town; encourage employees from or with contact with high prevalence areas not to report to work at present; and take different measures for employees who have returned within the past 14 days depending on their monitored body temperature, including hospitalization and medical observation; (3) have in place at least a three-day supply of face masks and disinfectants; where possible, the employer shall have a well ventilated standalone space for temperature measuring and managing employees with a fever; (4) set up temperature checkpoints at the entrances of their premises, canteens, and living quarters, and check the employees' temperature daily; (5) ventilate and disinfect their premises and provide training to employees regarding COVID-19 prevention and control; and (6) cooperate with onsite inspections after the resumption of operations.	<input checked="" type="checkbox"/> Flexible working arrangements such as staggered time to start and end work.	<a href="#">Source Site 1</a>  <a href="#">Source Site 2</a>
<b>ZHEJIANG (INCLUDES HANGZHOU)</b>	<input checked="" type="checkbox"/> (1) Prevention work plan; (2) Production plan; and (3) Commitment letter	Employers shall:  (1) strengthen health monitoring for employees returning to work, and urge employees from high-prevalence areas not to return to work; (2) appoint an employee to be in charge of COVID-19 prevention and control; set up temperature checkpoints and quarantine rooms; <u>provide masks, disinfectant, and infrared thermometer</u> ; check temperatures each morning, and if necessary also at noontime;	<input checked="" type="checkbox"/> Flexible working arrangements such as WFH and work rotation arrangements.	<a href="#">Source Site</a>

# Morgan Lewis

		<p>educate employees on knowledge about infectious disease; strengthen canteen disinfection and ventilation; minimize crowded dining conditions; and disinfection of public areas;</p> <p>(3) prepare emergency response plan; and</p> <p>(4) provide routine monitoring and supervision of COVID-19 control and prevention measures taken, and routinely report to relevant governmental agencies.</p>		
<p><b>NANJING (JIANGSU PROVINCE)</b></p>	<p><input checked="" type="checkbox"/></p> <p>(1) Employee checkup list;</p> <p>(2) Prevention work plan; and</p> <p>(3) Commitment letter</p> <p>However, as the COVID-19 situation improves, Nanjing authorities relaxed their requirements on February 18, 2020, stipulating that submission of an online application by entities that satisfy the standards and requirements for COVID-19 prevention and control will be deemed as having completed the requisite filing.</p>	<p><b>Before resuming operations</b>, employers shall:</p> <p>(1) set up a work group for COVID-19 control and prevention, and prepare COVID-19 prevention and control plan;</p> <p>(2) collect employee information, record the whereabouts of employees, and implement checking and quarantine as required for employees returning from Hubei Province;</p> <p>(3) thoroughly disinfect premises; and</p> <p>(4) prepare necessary supplies, including masks, disinfectant, and thermometer, and provide quarantine dorms if any.</p> <p><b>Post resumption of operations</b>, employers shall:</p> <p>(1) implement health reporting and morning health checks;</p> <p>(2) manage employee daily commute;</p> <p>(3) disinfect and ventilate premises;</p> <p>(4) provide mealtime and dining management;</p> <p>(5) provide proper guidance to and education of employees; and</p> <p>(6) strengthen safety and environmental protection.</p>	<p><input checked="" type="checkbox"/></p> <p>Flexible working arrangements such as remote working, provision of shuttle bus service by employer, and gradual resumption of operations.</p>	<p><a href="#">Source Site</a></p>
<p><b>SUZHOU (JIANGSU PROVINCE)</b></p>	<p><input checked="" type="checkbox"/></p> <p>(1) Filing form;</p> <p>(2) Prevention work plan;</p> <p>(3) production plan; and</p> <p>(4) Commitment letter</p>	<p>Employers shall:</p> <p>(1) set up COVID-19 prevention and control mechanisms, such as workgroup and prevention and control plan, emergency response plan, and reporting mechanism, and stipulate clear responsibilities;</p> <p>(2) provide employee management, such as prepare and maintain employee information records and arrange local employees and employees from less risky locations to resume work first;</p>	<p><input checked="" type="checkbox"/></p> <p>Flexible working arrangements such as remote working</p>	<p><a href="#">Source Site 1</a></p> <p><a href="#">Source Site 2</a></p>

# Morgan Lewis

		<p>(3) prepare supplies of masks, disinfectants, thermometers; disinfect and ventilate premise, dorms, canteens, and other important areas;</p> <p>(4) provide routine management, such as minimizing unnecessary travels and indoor gatherings, and strengthening hygiene and health education; <u>provide employees with masks and regularly provide replacement masks</u>, and ensure proper disposal of masks; and</p> <p>(5) provide meal management, such as disinfection of utensils</p>		
<p><b>CHONGQING (SICHUAN PROVINCE)</b></p>	<p><input checked="" type="checkbox"/> (1) Filing form; and (2) Commitment letter</p>	<p>Employers shall:</p> <p>(1) set up a leadership group led by an executive; prepare a COVID-19 prevention and control plan, and emergency response plan; implement COVID-19 prevention and control measures, and voluntarily undertake the related responsibilities and cover related expenses; <u>avoid recruiting applicants from high-prevalence areas during the COVID-19 outbreak (from our perspective, it is against the national equal employment-related laws and regulations)</u>; strictly implement 14-day quarantine and medical observation for employees returning from other cities; and strictly implement the requirements of the manual for COVID-19 prevention and control;</p> <p>(2) check in advance the health conditions of each employee, including their whereabouts, and arrange local employees to return to work first; encourage employees from Hubei Province not to return to work for the present; avoid arranging pregnant employees, employees with chronic diseases, or elderly employees to return to work;</p> <p>(3) prepare infrared temperature gun, disinfectant, masks, gloves, and other items for COVID-19 prevention and control (masks shall be supplied in sufficient quantity to ensure each employee wear masks as required); ensure ventilation (two times a day for 30 minutes each), disinfection (every three days), and cleaning; ensure employees have stable living quarters, and set up temporary quarantine places; and</p>	<p><input checked="" type="checkbox"/> Flexible working arrangements such as WFH and staggered time to start and end work.</p>	<p><a href="#">Source Site 1</a></p> <p><a href="#">Source Site 2</a></p>

# Morgan Lewis

		<p>(4) provide routine management: training related to COVID-19 prevention and control; implement temperature checks and sickness reporting mechanism, and check employee temperature at the beginning and end of each day, and <u>require employees to wear masks at work</u>; set up enclosures around the premises for better management; stagger mealtimes; and minimize meetings and avoid crowded gathering of employees.</p>		
<p><b>CHENGDU (SICHUAN PROVINCE)</b></p>	<p><input checked="" type="checkbox"/> (1) Filing form;          (2) Operations resumption plan; and          (3) Emergency plan for COVID-19 prevention and control</p> <p>Although Chengdu announced on February 19, 2020, that the resumption of operations is no longer subject to the preapproval of the relevant authority in charge of the industry, at the grassroots level (at the time of this writing) the prefiling and preapproval process is still in place, and the community/street level authority require it pending further notice.</p>	<p><b>Before resuming operations</b>, employers shall:</p> <p>(1) collect information about employee whereabouts, and collect employee health information daily;          (2) thoroughly disinfect the premise, set up fixed exits and entrances, avoid using central air-conditioners;          (3) have in place sufficient quantities of masks, infrared thermometers, and disinfectant; and          (4) set up a workgroup led by a legal representative, and appoint an employee to be responsible for COVID-19 prevention and control; set up an interaction mechanism with local governments and report employee health and other conditions daily.</p> <p><b>Post resumption of operations</b>, employers shall:</p> <p>(1) provide entrance and exit management; set up temperature checkpoints and <u>require employees and visitors to wear masks</u>;          (2) provide meal and dining management: avoid crowded dining conditions and disinfect and clean utensils;          (3) provide premises management: ventilate premises; daily disinfect important areas (at least twice a day); adopt videoconferencing instead of face-to-face meetings;          (4) keep a close eye on the mental health of employees and relieve them of anxieties; display signs requiring the wearing of masks and frequent washing of hands; promptly publish relevant notices; and</p>	<p><input checked="" type="checkbox"/> Flexible working arrangements such as WFH and staggered time to start and end work.</p>	<p><a href="#">Source Site 1</a>  <a href="#">Source Site 2</a>  <a href="#">Source Site 3</a></p>



# Morgan Lewis

		educate employees to stay away from crowded places and gatherings; and (5) submit to onsite inspections by local authorities.		
<b>HEFEI (ANHUI PROVINCE)</b>	<input checked="" type="checkbox"/> (1) Work mechanism for COVID-19 prevention and control; (2) Work plan for resumption of operations and COVID-19 prevention and control; (3) Emergency plan; and (4) Employee health record	Employers shall:  (1) set up a work mechanism, including a work plan for resumption of operations and COVID-19 prevention and control; (2) check employee health conditions: ask employees in Hubei Province and other high-prevalence areas not to return to work for the present; implement 14-day quarantine and medical observation for employees with close contact with confirmed or suspected cases of infection; implement 7-day quarantine for employees from others cities in Anhui Province; take immediate quarantine measures for employees with symptoms of infection and take the employee to hospitals and report the same to local authorities; (3) provide routine management: set up enclosures around the premises; routine disinfection and temperature checking; require all employees wear masks at work and take temperature at the entrance; clean and disinfect important areas and facilities; suspend meetings, trainings, and other gatherings; use videoconferencing and conference calls if necessary; and (4) maintain in place at least one week's supply of masks and disinfectants; purchase infrared thermometers; set up a temporary quarantine place; and try to arrange single rooms for employees.	<input checked="" type="checkbox"/> Flexible time for return to work, and employers with the necessary means are encouraged to pick up employees returning to work.	<a href="#">Source Site</a>
<b>DALIAN (LIAONING PROVINCE)</b>	<input checked="" type="checkbox"/> (1) Work plan and work mechanism for resumption of operations and COVID-19 prevention and control; and (2) Commitment letter (templates vary from district to district)	Employers shall:  (1) ensure that its operations will not lead to spread of COVID-19, and the legal representative shall be the primary responsible person; (2) implement a reporting mechanism, with daily reports to local authorities; and	<input checked="" type="checkbox"/> Flexible working arrangements such as WFH and staggered time for the employees to start and end work.	<a href="#">Source Site</a>

		<p>(3) maintain in place sufficient quantities of protection items that are enough to satisfy the need of operations for a certain period of time.</p> <p><b>Before resuming operations</b>, employers shall:</p> <ol style="list-style-type: none"> <li>(1) check employee’s itinerary for returning to work, and ask employees in high-prevalence areas not to return to work before the end of February;</li> <li>(2) Implement 14-day at-home quarantine for all employees returning from other cities; send employees with suspected symptoms to hospitals for treatment; and set up a fixed place for quarantine and observation of employees from high-prevalence areas;</li> <li>(3) Disinfect premises, dorms, canteens, and set up temperature checkpoints;</li> <li>(4) print and arrange employees to complete a registration form to collect information about employees, relatives, and families related to COVID-19 prevention and control; and</li> <li>(5) educate employees about COVID-19 prevention and control.</li> </ol> <p><b>Post resumption of operations</b>, employers shall:</p> <ol style="list-style-type: none"> <li>(1) set up enclosures around premises for safer management; register relevant information about any visitors;</li> <li>(2) take temperatures of employees and others entering the premises throughout the day; for tenants in office buildings, the building operator will be responsible for temperature checking; and employees must wear face masks;</li> <li>(3) minimize gatherings for meetings and other receptions;</li> <li>(4) stagger mealtimes;</li> <li>(5) strengthen management of dorms, and set up a quarantine area at the dorms;</li> <li>(6) ventilate and natural air circulation at premises and dorms, especially for lifts and washrooms;</li> </ol>		
--	--	---	--	--

# Morgan Lewis

		<p>(7) strengthen travel management; request traveling employees to report back immediately at the end of the trip; and</p> <p>(8) strengthen management of offices, branches, and subsidiaries in other cities.</p>		
<b>HAIKOU (HAINAN PROVINCE)</b>	×	<p>Employers shall:</p> <p>(1) conduct preparation work for resumption of operations, including disinfection and purchase of masks, disinfectants, and thermometers;</p> <p>(2) monitor employee health conditions and maintain health records;</p> <p>(3) educate employees regarding COVID-19 prevention and control;</p> <p>(4) minimize meetings and strengthen ventilation, disinfection, and cleaning of premises; and</p> <p>(5) implement COVID-19 prevention and control.</p>	<p><input checked="" type="checkbox"/> Flexible working arrangements such as staggered time for the employees to start and end work</p>	<p><a href="#">Source Site 1</a></p> <p><a href="#">Source Site 2</a></p>
<b>XI'AN (SHAANXI PROVINCE)</b>	<p><input checked="" type="checkbox"/> Work plan for resumption of operations and COVID-19 prevention and control</p>	<p>Employers shall:</p> <p>(1) be responsible, as an entity, for supervision of COVID-19 prevention and control, and the legal representative shall be the primary responsible person;</p> <p>(2) ensure compliance with the COVID-19 prevention and control measures; if due to noncompliance, any major risk in connection with COVID-19 prevention and control or any adverse effect arises, the relevant persons will be held legally liable;</p> <p>(3) implement routine monitoring and observation;</p> <p>(4) report daily to local authorities about COVID-19 prevention and control until the municipal governments lifts the announced Level 1 emergency response;</p> <p>(5) set up enclosures around premises and living quarters for better protection and management;</p> <p>(6) require employees to wear face masks;</p> <p>(7) carry out regular disinfection of work and living areas;</p> <p>(8) maintain sufficient quantities of protective items;</p> <p>(9) stagger mealtimes; and</p> <p>(10) resolve difficulties for employees commuting to work.</p>	<p><input checked="" type="checkbox"/> Flexible working arrangements such as WFH and staggered time for the employees to start and end work.</p>	<p><a href="#">Source Site</a></p>

# Morgan Lewis

## **CORONAVIRUS: EMPLOYER REQUIREMENTS TO RESUME OPERATIONS IN SELECT MAJOR CITIES IN CHINA**

**Note 1:** Most cities require employers to provide face masks for their employees and to require the employees to wear face masks at work, but the exact quantity per employee or duration of an employer's supply has not been specified. Some cities do have specific requirements as part of the requirement to resume operations. In general, companies should plan to have sufficient stock of face masks to provide one new face mask to each employee each day.

**Note 2:** Based on the template commitment letters we have reviewed, the letters typically require the official company chop and signature of the legal representative.

**Note 3:** Based on our consultation with local officials in some cities, there are deadlines for filing, but the deadline might not apply if an employer does not resume operations by the recommended date for the resumption of operations. Nevertheless, the filings should be made at least several days in advance of an employer's planned date for the resumption of operations.

**Note 4:** According to the National Health Commission (NHC), where an employee is confirmed to have COVID-19 after resumption of operations, his/her close contacts at the office will be thoroughly checked and quarantined for observation. Under this circumstance where the situation is contained, the company need not be shut down or closed for business. This is contrary to the current practice of certain cities/provinces. However, when there is a contradiction between local regulations and national laws, the local regulations shall prevail. The NHC may issue further guidance in this respect.

**Note 5:** Based on our consultation with local officials in some cities, so long as the employer has performed its duty of care in checking on the health conditions of employees and complied with COVID-19 prevention and control measures, the employer will generally not be liable for any employee's infection of COVID-19 in the workplace, particularly if the infection was caused by an employee concealing his/her health condition.

*Disclaimer:* This chart provides our understanding of the current state of affairs for the resumption of operations in a number of locations across the People's Republic of China. Any district or subdistrict within any of the municipalities or provinces highlighted above may change these requirements at any time. The situation is quite fluid, but we aim to provide as complete and accurate a picture as we can at this snapshot in time. Please do not hesitate to contact us with any questions.

### **Contact**

If you have any questions or would like more information on the issues discussed in this chart, please contact [K Lesli Ligorner](#).