

NEWSLETTER

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GOVERNMENT ISSUES THE “NEW NORMAL” POLICY FOR WORKPLACES DURING COVID-19 PANDEMIC

In an attempt to support the government’s “new normal” policy while supporting the sustainability of businesses in amidst of COVID-19 pandemic, the Ministry of Health has issued the health protocols for the employer and its employees to mitigate the spread of COVID-19 in the workplaces as set forth in the Ministry of Health Decree No. HK.01.07/MENKES/328/2020 of 2020 on COVID-19 Prevention and Control Guideline in Offices and Industrial Workplaces in Support of Business Sustainability in Pandemic Situations dated 20 May 2020 (“**MHD No. 1/2020**”).

In essence, this regulation provides guidelines to mitigate the transmission of COVID-19 virus in the work environment during and after the large-scale social restriction (*Pembatasan Sosial Berskala Besar* or “**PSBB**”) as well as the guidance if there is any employee being suspected or infected with COVID-19 virus.

Health Protocols in the Course of PSBB Period

Throughout this social restriction period, MHD No. 1/2020 requires the management/employer to enforce the following measures in the workplace:

1. Undertake the mitigation policies, the employer must perform the following:
 - a. Monitor the development of information about COVID-19 (can be accessed at <http://infeksiemerging.kemkes.go.id>) as well as the Local Government policies related to this particular disease.
 - b. Establish a COVID-19 Supervisory Team at the workplace.
 - c. Provide a reporting procedure toward COVID-19 suspected symptoms.
 - d. Refrain from stigmatizing the COVID-19 positive cases.
 - e. Implement work-from-home policy by determining which employees required to be attended at the office and which may carry out its duties from home.
2. In the event where the employer requires its employees to present at the office, the following procedures must be satisfied:
 - a. Checking the body temperature of the employees, and ensuring that such employees do not infect with COVID-19 by filling out COVID-19 Self-Assessment Risk form (as attached in the annexure of MHD No. 1/2020) before entering the office.
 - b. Refraining from obliging overtime work.
 - c. Eliminating late-night shift work (if possible) or only assign this task to the employees who are under the age of 50.
 - d. Requiring the employees to wear a mask.

- e. Ensuring the food provided in the workplace is nutritious.
 - f. Providing a safe and healthy workplace.
3. Socializing and Educating the workers regarding the matters related to COVID-19 disease.

In terms of the employees, they shall comply with the following requirements:

1. Employees who are not obliged to present at the office must remain at their home, if there is an urgency to go out, wear a face mask at all times, and to maintain physical distancing of at least one meter.
2. Maintain home environment hygiene.
3. Wash their hands regularly.
4. Carry out proper coughing etiquette.
5. Use a facial mask when feeling unwell or sick.
6. Distance themselves from sick family members.
7. When experiencing COVID-19 symptoms, immediately consult with online health services.
8. Avoid visiting hospitals or other health services facilities if there are no compelling reasons.
9. Only acquire information related to COVID-19 from trusted sources.

Health Protocols After the PSBB Period Has Expired

To anticipate the expiration of the PSBB Period, MHD No. 1/2020 stipulates several guidelines that shall be followed by the employer and the employee.

The employer shall apply some protocols, such as obliging all employees to wear facial mask at the office, prohibiting sick visitor or employee to enter the workplace, providing observation room for symptoms examination, etc.

The employee shall maintain healthy lifestyle protocols, maintain his/her body immune and exercise extreme caution for those who have a history of diabetes, hypertension, pulmonary disorders, kidney disorders, or other degenerative diseases.

Guidance on Employees Whose Suspected or Infected by COVID-19

MHD No. 1/2020 provides the following definitions to categorize the employee or person that has been suspected of having or infected with the corona virus:

1. A person without symptoms (*orang tanpa gejala* or “**OTG**”) means an individual who had a history of close contact with COVID-19 patient but has no signs of COVID-19 disease.
2. A person under monitoring (*orang dalam pemantauan* or “**ODP**”) means an individual who experiences a high fever (more than 38° C) or has a history of it or has respiratory system disorders such as flu, sore throat, coughing, etc, without any other symptoms, or who in the 14 days before the symptoms occur, have a history of travel or living in a country/region that has confirmation COVID-19 positive cases.
3. A patient under supervision (*pasién dalam pengawasan* or “**PDP**”) means an individual who experiences a high fever (more than 38° C) or has a history of it, and also experience

coughing, and/or sore throat, and/or asphyxiate, and/or shortness of breath, and/or flu, and/or mild or severe pneumonia symptoms without any other causes, and in the 14 days before the symptoms occur, have a history of travel or living in a country/region that has confirmation COVID-19 positive cases.

4. Infected Person means a patient who infected and has been deemed to suffer from COVID-19 disease by PCR examination.

With regard to the person who categorized as OTG, ODP, PDP, and Infected Person, this regulation provides various scenarios that can be implemented within the workplace, as follows:

1. Immediately report and liaise with the local health center.
2. The worker who satisfies the OTG's characteristics must be immediately taken to the nearest health center to undergo a polymerase chain reaction (“PCR”) test or rapid test.
3. The worker who satisfies the ODP's characteristics shall also undergo the PCR or rapid tests on the first and second day the symptoms have occurred.
4. For the worker who satisfies the PDP's characteristics must immediately be referred to a designated hospital to endure epidemiology test.
5. Infected Person shall also need to complete an epidemiology test.

If it has been identified that there is a COVID-19 positive case occurred at the workplace through one of the above scenarios, then the workplace shall identify which employees who have been in contact with such positive case by undertaking the steps required under MHD No. 1/2020.

Aside from the above, the Ministry of Health has also issued the guideline specifically on health protocols to prevent the spread of COVID-19 in the workplace for the services and trade sector (public areas) through Circular Letter of Ministry of Health No. HK.02.01/MENKES/335/2020 (“**CL No. 2/2020**”). The aim of the CL No. 2/2020 is the same as the MHD No. 1/2020, which is to prevent the transmission of COVID-19 virus in the workplace during and post-PSBB period. However, such guideline is intended to particularly support the business activities in services and trade sector during on going COVID-19 pandemic.

The protocols stipulated under the CL No. 2/2020 have mostly covered in the MHD No. 1/2020. However, there are some protocols during and post-PBB period regulated under CL No. 2/2020 that are not regulated under the MHD No. 1/2020:

1. For the employer:
 - a. minimizing contact with customer; and
 - b. preventing a crowd of customers;by applying the required measures.
2. For the employee:
 - a. Ensuring the good health before leaving for work.
 - b. Paying attention to keeping distance/physical distancing of at least 1 (one) meter when dealing with business actors or coworkers while on duty.
 - c. Wearing special work clothing and changing clothes when the employee finishes work.

- d. Taking a shower immediately and changing clothes before contact with family members at home. Cleaning mobile phones, glasses, bags and other items using liquid disinfectant.
3. For the customers:
 - a. Always wearing a mask while in a public area.
 - b. Keeping your hands clean by washing your hands frequently with soap and running water or using hand sanitizer.
 - c. Avoiding touching the face area such as eyes, nose and mouth.
 - d. Paying attention to keep distance/physical distancing at least 1 meter with other people.

If you have any queries or would like us to assist you with any matters in relation to these guidelines, please feel free to reach us by email through info@yangandco.com.