

MEMO

Date: 13 February 2020
From: Christiaan Oberman and Lydia Milders
Subject: Coronavirus 2019-nCoV and the possible impact on the workplace

This memo is intended for information purposes only and provides some general information regarding the Coronavirus 2019-nCoV ("**Coronavirus**") in the Netherlands and the possible impact on the workplace. Please note, that at the time of drafting this memo no cases of infection with the Coronavirus in the Netherlands are known.

Travel advice from the Dutch Ministry of Foreign Affairs

The Dutch Ministry of Foreign Affairs advises against traveling the Hubei province (including Wuhan). Furthermore, the Ministry advises to only travel to China and stay there if it is absolutely necessary. If Dutch citizens do travel to China it is possible that the Dutch Government cannot offer any or limited help to them, if any problems arise.

Measures Dutch employers are obliged to take and/or should consider taking

Following the Working Conditions Act (in Dutch: *Arbeidsomstandighedenwet*), an employer is obliged to provide a healthy and safe work environment for its employees. The employer must implement measures for their physical and mental health protection. The work of the employees should be organized in such a way that it does not adversely affect the employee's health and safety. Furthermore, the occupational hazards and risks to the safety and health of the employee should be prevented or reduced as much as possible.

Regarding employees travelling to or from or working in China

Based on current information provided by the Dutch government, Dutch employers are not obliged to take (any additional) measures for employees travelling to China for business reasons. However, it is advisable to cancel any business trips to China at the moment, wherever possible.

In principle, when an employee, working in China, requests to return to the Netherlands because of health concerns, the Dutch employer cannot refuse this request. Furthermore, should the employer want the employee to return to the Netherlands, the employer can request the employee to do so, based on the employer's right to issue instructions.

Employees returning from China do not have to be temporarily excluded from the workplace when they do not have any health problems. However, the employer can request these employees to work from home the first two weeks after returning from China.

Employees returning from China who develop health problems (fever in combination with respiratory problems such as coughing) in the first two weeks after returning from China, should stay at home and contact their doctor. The employer can instruct employees returning from China with health problems to stay (and if possible work from) home during a certain period after their return to the Netherlands.

If employers have employees working in China, they should inform them to work from their homes as much as possible. In any case, the employer should inform its employees to avoid (public) places with large groups of people.

Regarding the work place

It is advisable to remind all employees of the hygiene measures and, if necessary take additional measures. For example:

- wash your hands regularly;
- cough and sneeze on the inside of your elbow;
- use paper tissue wipes;
- pay attention to buying, washing, separating, heating and cooling food;
- clean (more than) regularly,
 - and (ask the cleaners to) pay extra attention to door handles, computers or shared workspaces, light switches, banisters and newspapers;
- make sure the place has good ventilation.

Internal health and safety policies

In addition to the foregoing, the employer may have internal policies concerning the health and safety of the employees, including dealing with sickness of employees. If this is the case, the employer should also follow these policies.

Please do not hesitate to contact us for any further questions.

Best regards,

Christiaan Oberman and Lydia Milders