

COVID-19: APAC at a Glance

Countries covered: Australia, China, Hong Kong, India, Indonesia, Indonesia Japan, New Zealand, Philippines, Russia, Singapore, South Korea, Taiwan, Thailand, Vietnam

Country	Extent of lockdown	Schools/ nurseries closed?	Domestic travel banned?	International travel banned?	Sick pay changes announced?	Additional support for unemployed?	Support for employers?	Support for self- employed?	Can employers reduce hours?	Can employers reduce salary?	Can employers require WFH?	Can employers suspend without pay?	Special dismissal protection?
Australia Updated: 25 Apr 2020	High in some areas but vary by state	Yes but NSW has announced that it will be opening schools from May 2020	Yes, in some locations	Yes	Yes	Yes	Yes, in the form of wage subsidy, tax deferrals, and other benefits	Yes	Not without agreement	Not without agreement and only in accordance with the minimum statutory rates under applicable modern award. Additionally, if the employer is eligible for the JobKeeper wage subsidy then additional limitations apply on the ability to reduce salary	Recent leave changes this week allow employers to direct employees to work from home or remain home on stand- down. There are consultation requirements for employers who are eligible for the government JobKeeper wage subsidy program	Possibly. Employers can direct employees to remain at home on stand- down in some limited circumstances. However, if an employer is eligible for the government JobKeeper wage subsidy then consultation requirements apply.	The unfair and unlawful dismissal laws remain as outlined under the Fair Work Act
China Updated: 25 Apr 2020	Low, voluntary	Yes.	No.	Yes.	No.	No.	Yes, in form of various social insurance and tax benefits.	Yes, in form of various social insurance and tax benefits.	Not without agreement.	Not without agreement.	Yes.	No. Not without agreement.	Yes, for COVID-19 patients.



Country	Extent of lockdown	Schools/ nurseries closed?	Domestic travel banned?	International travel banned?	Sick pay changes announced?	Additional support for unemployed?	Support for employers?	Support for self- employed?	Can employers reduce hours?	Can employers reduce salary?	Can employers require WFH?	Can employers suspend without pay?	Special dismissal protection?
Hong Kong Updated: 27 Apr 2020	Low, voluntary	Yes	No	No, but not recommended	No, existing rules remain unchanged	No, but the Government will release a payment of HK\$10,000 to each resident over 18.	Yes, in the form of wage subsidies and other support.	Yes, limited support in form of subsidies	Not without agreement.	Not without agreement.	Yes.	Not without agreement.	No.
India Updated: 27 Apr 2020	High until May 3, 2020. Some state govts have extended until May 7, 2020	Yes.	Yes.	Yes.	Depends, as some states have announced certain paid leave for COVID-19 affected employees.	No, as govt is still evaluating options	Yes, in the form of some monthly provident fund contribution for employees of small employers and allowing delayed contributions and compliances	No.	Yes, as per contract.	No. Govt orders against reduction of wages.	Yes.	No. Govt orders to deem the employees 'on- duty' during the lockdown	Yes. Govt orders and advisories have been issued against terminations during lockdown.
Indonesia Updated: 27 Apr 2020	Low, voluntary	Some	No	Incoming yes (with certain exceptions), but outgoing no, but not recommended	Yes, if an employee is sick due to COVID-19, they are entitled to full pay.	No	No.	No	Not without employee consent	Not without employee consent	Yes	Not without employee consent	None

Country	Extent of lockdown	Schools/ nurseries closed?	Domestic travel banned?	International travel banned?	Sick pay changes announced?	Additional support for unemployed?	Support for employers?	Support for self- employed?	Can employers reduce hours?	Can employers reduce salary?	Can employers require WFH?	Can employers suspend without pay?	Special dismissal protection?
Japan Updated: 27 Apr 2020	Relatively Low	Yes, at least until May 6.	No, but strongly recommended to refrain from domestic travel.	Yes	No.	Yes.	Yes, in form of wage subsidy to reimburse part of the payment made to the employees on leave and other business support	Yes, various support	Not without agreement.	Not without agreement.	Yes.	No except for very limited situation.	No, but terminations are generally extremely difficult.
Malaysia Updated: 27 Apr 2020	High	Yes	Yes	Yes	No	Yes, in form of incentives for employees that are retrenched or asked to go on unpaid leave	Yes, in form of wage subsidy to reimburse part of the payment made to the employees and other measures.	Yes, in form of one-off cash assistance for eligible household / persons.	Not without agreement.	Not without agreement.	Yes, if it is possible for employees to do so.	No. Not without agreement.	Yes, if the employer accepts subsidy support.
New Zealand Updated: 25 Apr 2020	High. However, the government has reduced the lockdown restrictons from level 4 to level 3 starting April 28	Yes.	Yes.	Yes.	Some for employees in Essential Workers Leave Scheme	No.	Yes, in form of wage subsidy and other relief.	Yes.	Not without agreement.	Not without agreement.	If this will effect a reduced schedule, then employee consent must be obtained.	No. Not without agreement.	No.
Philippines Updated: 27 Apr 2020	High, Lockdown From March 17- May 15	Yes.	Yes.	Yes.	No	Yes, certain cash assistance to low income families	Yes, loans for Small/Medium Scale companies	Yes, Emergency Employment for about 10 days thru DOLE	Yes, by following government notice scheme	No, employee consent/ agreement required	Yes, where possible for the position	Yes, through adoption of flexible work arrangements	Yes, dismissal due to Covid 19 alone not allowed/ possible for just or authorized causes

Country	Extent of lockdown	Schools/ nurseries closed?	Domestic travel banned?	International travel banned?	Sick pay changes announced?	Additional support for unemployed?	Support for employers?	Support for self- employed?	Can employers reduce hours?	Can employers reduce salary?	Can employers require WFH?	Can employers suspend without pay?	Special dismissal protection?
Russia Updated: 27 Apr 2020	High.	Yes.	Yes.	Yes.	Yes, including certain sick pay entitlements for quarantine or if of senior age.	through the Barangays village council Yes. In Moscow, simplified electronic procedure, not required to prove 2 unsuccessful attempts to find a job, payments start within 3-	Yes. Lowered payroll taxes and 6 month extension on tax and loan payments for small and mid- size businesses.	Yes, unemployment benefits available to self-employed now.	Yes, but 2 months of notice period is required.	Salary reduction is possible only if government scheme followed	No. Not without worker's consent.	No. Not without agreement.	Yes. Ministry of Labor opines that no terminations are allowed until April 30 for any companies subject to COVID-19 closures for "nonworking days" per President's Executive Order.
Singapore Updated: 27 Apr 2020	Yes, to 1 Jun 2020	Yes	Yes	Yes	No.	5 days. Yes, tax deferrals	Yes, wage subsidies, tax deferrals, and other items	Yes, various tax deferrals and other support	Not without agreement	Not without agreement	Yes, if possible	Generally not without consent	Yes, a notification requirement if certain thresholds are met
South Korea Updated: 25 Apr 2020	Relatively low.	Yes.	No.	Yes.	No.	Yes. Requirements for unemployed insurance softened	Yes, if employers initiate WFH or allow paid leave during shutdown.	Yes.	Not without agreement.	Not without agreement.	Yes, but with some requirements such as Rules of Employment or individual contract changes.	Generally no.	No, but existing laws are quite stringent re dismissal(including prohibition on termination when an employee uses annual leave related to quarantine/ hospitalization caused by infectious diseases).

Country	Extent of lockdown	Schools/ nurseries closed?	Domestic travel banned?	International travel banned?	Sick pay changes announced?	Additional support for unemployed?	Support for employers?	Support for self- employed?	Can employers reduce hours?	Can employers reduce salary?	Can employers require WFH?	Can employers suspend without pay?	Special dismissal protection?
Taiwan Updated: 27 Apr 2020	Low, voluntary minor measures imposed	No	No, but the government discourages travel.	No, but the government discourages travel.	No	Yes, as unemployed may apply for a subsidy to cover children's tuition up to university.	Yes, in the form of low interest loans, payment deferrals, and subsidies, including some covering the cost of retraining the workforce	Yes.	Not without agreement.	Not without agreement.	Yes.	Not without agreement.	No.
Thailand Updated: 27 Apr 2020	High, including a nationwide curfew (10p to 4a) and local ordinances with additional limitations.	Yes.	Not generally, but there may be screening at checkpoints and mobile tracking apps being used.	Incoming flights banned until 31 May 2020. Outgoing travel is not recommended.	No.	Yes, in the form of certain benefits from the Social Security Office	Yes, including income tax deductions, low interest credit, withholding tax reductions, expedited VAT refunds	Yes, including certain tax filing extensions	No, unless the employer obtains written consent from the employee.	No, unless writted consent is obtained or otherwise compliance with certain procedures and pay limits respected	Yes.	Yes, if the employer's business has been compelled to close by government order, otherwise consent needed	No.
Vietnam Updated: 28 Apr 2020	Low, except in some high risk areas	Schools and nurseries will reopen in May, except in high risk areas	No, except travel from high-risk areas is limited	Yes.	No.	Yes, in the form of a subsidy for employees on leave	Yes, in some industries, tax and lease support available	No.	Not without agreement.	Not without agreement.	Yes.	No. Not without agreement.	Yes, standard limitations for pregnancy, marriage, nursing leave

This document provides high-level guidance only and is not a substitute for taking legal advice.

Published 28 April 2020, 5pm EST

For further information, please contact Stephan Swinkels (<u>sswinkels@littler.com</u>), Trent Sutton (<u>tsutton@littler.com</u>) or one of the following attorneys:

APAC Region



tsutton@littler.com +65 6809 5172

Nancy Zhang

Special Counsel



India

Japan

+65 6809 5172 Vikram Shroff Partner

Littler

Nishith & Desai

nzhang@littler.com

Vikram.shroff@nishithdesai.com +91 22 6669 5139



Aki Tanaka Of Counsel – Boston Littler

atanaka@littler.com +1 (312) 795-3216

Australia & New Zealand

Hong Kong

Indonesia

Malaysia



Naomi Seddon Shareholder – Los Angeles Littler

nseddon@littler.com +1 (310) 712-7312

d.hui@ribeirohui.com



Partner Ribeiro & Hui

+852 2537 0686

Dominic Hui

Dicky Tanjung Associate SSEK

dickytanjung@ssek.com +62 21 29532000



Kelvin.kho@christopherleeong.com

+60 3 2273 1919

Christopher & Lee Ong

Kelvin Kho Partner

This document provides high-level guidance only and is not a substitute for taking legal advice.

Published 28 April 2020, 5pm EST

Philippines



Emerico O. De Guzman Senior Partner ACCRA Law

Russia

Thailand

eodeguzman@accralaw.com +632 8 830 8010



cchen@winklerpartners.com +866 (0) 2 2311 8307



Vietnam

Bernadette Fahy Partner

Christine Chen

Winkler Partners

Partner

Audier & Partners

<u>fahy@audierpartners.com</u> + 84 24 39 36 95 78



Uliana Kozeychuk Associate – Irvine Littler

ukozeychuk@littler.com +1 (949) 705-3032



Sui Lin Teoh Partner R&T Asia (Thailand) Limited

Sui.lin.teoh@rajahtann.com +66 2656 1991