



March 2020

## Coronavirus Update #1 – Instructions for Employers of Quarantined Employees

In light of the SARS-CoV-2 virus outbreak which causes the COVID-19 disease (hereinafter: the “**Coronavirus**”) and following the publication of the Nation’s Health Order (The New Coronavirus 2019) (Instructions for Employers of Quarantined Employees) (Temporary Order), 5780-2020<sup>1</sup> (hereinafter: the “**Order**”), the following update summarizes the responsibilities of employers and the rights of employees in quarantine.

As of the date of this update, pursuant to the Ministry of Health’s guidelines and the Order, any individual who returned to Israel over the past 14 days from China, Thailand, Hong Kong, San Marino, Macau, South Korea, Japan, Italy, Andorra, France, Germany, Switzerland, Spain or Austria, or who was in close contact<sup>2</sup> with an individual infected with the Coronavirus over the past 14 days, is required to self-quarantine until 14 days have passed from the date in which he or she left any of the aforementioned countries or

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<sup>1</sup> [Nation’s Health Order \(The New Coronavirus 2019\) \(Instructions for Employers of Quarantined Employees\) \(Temporary Order\), 5780-2020 \[in Hebrew\]](#).

<sup>2</sup> Close contact (as defined in Section 1 of the Order) includes any of the following:

- (1) Exposure to a diagnosed patient in a medical institution, including any of the following: providing direct treatment to a diagnosed patient, working with diagnosed health workers, visiting patients or being in a room with a patient, either of which were done without the protections set forth in the guidelines of the Ministry of Health;
- (2) Working in proximity to a patient or being in a classroom with a patient;
- (3) Riding with a patient via any form of transportation, and being at a distance of at least 2 meters from where the patient was sitting;
- (4) Living with a patient;
- (5) Any close contact with a patient that raises a suspicion of contagion.

since the latest date in which the person was in contact with the individual infected with Coronavirus, and is also required to report such quarantine.

Under the Order, self-quarantined individuals are restricted from entering or being present in public areas, including, *inter alia*, educational institutions, workplaces, means of public transportation, recreational areas and malls, hospitals and medical clinics.

The Order's main highlights are as follows:

- Section 2 of the Order states that employers will not force quarantined employees to arrive at their workplace and will not allow an employer to allow an employee subject to quarantine obligations to enter the workplace during his or her quarantine period, even if the employee requests to come to work.
- Section 3 of the Order obligates employees to report to their employer, as soon as possible, about their quarantine and the length of their quarantined period.
- Section 4 of the Order prohibits the dismissal of employees who are absent from their workplace as a result of their being in quarantine pursuant to the Order's guidelines.

As of the date of this update, the Ministry of Health has defined an employee forced into quarantine due to the possible exposure to Coronavirus, as an employee who is on "sick leave". Therefore, a comprehensive sickness certificate has been granted to employees in quarantine, replacing the individual sickness certificate necessary under the law, as long as the employee signs the affidavit at the end of the comprehensive sickness certificate.<sup>3</sup>

This sickness certificate will apply to every employee, upon their request from their employers, and will be in coordination with the employee's affidavit, which will include their name, ID number, and the period in which the employee is unable to arrive to their workplace due to being quarantined pursuant to the Order. The duration of the approval will correspond to the remaining period of the employee's quarantine pursuant to the Order.

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<sup>3</sup> [Comprehensive sickness certificate for quarantined employees.](#)

Pursuant to the comprehensive sickness certificate, employers should relate to quarantined employees as employees who are on “sick leave” regarding the payment procedures.

This update was prepared by the Employment team at Gornitzky & Co. The information provided in this notice is for informational purposes only and does not constitute legal advice.

We are happy to assist with any additional questions and/or clarifications regarding the legal consequences and/or the implementation of the matters discussed in this update.



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