

March 2020



Recent Update on Emergency Regulation – Limitation of Activity

On Wednesday, **March 25, 2020, at 17:00** an **amendment** to The Emergency Regulations (Novel Coronavirus – Restriction of Activity), 5780-2020 (the “**Regulations**”), came into effect. The Regulations include an **additional reduction in the permitted entrance into public areas, responsibilities on employers, the closing of unessential stores and limitations on public transportation**. The Regulations will apply for seven days from the date of their approval.

Our firm has a team which is dedicated to following the updates, publications and governmental regulations and directives in connection with these matters, and is available to consult and advise on any questions arising from these issues. We invite you to contact us with any uncertainty or questions that you may have.

Below is a summary of the changes to the current government regulations and directives described in our previous updates.

General Restrictions

- **Unchanged:** the rule limiting the maximum number of employees which may be present at the workplace at the same time to no more than 10 employees or 30 percent of employees (according to the highest) has remained unchanged; and the list of industries that are exempt from this rule have remained unchanged, as explained in our latest update, attached here;
- **Unchanged:** the rule **allowing employees to arrive and return from the workplace which was approved by the previous regulations** has remained unchanged.
- **Changed:** an additional activity was approved, allowing employees to arrive to their workplace **to conduct essential maintenance work and urgent repairs**;
- **Unchanged:** **the below definitions of “employee” and “workplace” have remained unchanged:** A **workplace** is defined as (i) a place in which employees are employed by an employer; (ii) any place in which work is done for business purposes; and (iii) a place to which an employee arrives in order to do his or her work, including in a public area. An **employee** includes self-employed individuals, volunteers, soldiers, police officers, wardens, and anyone who is employed and provides services in an employer’s premises, regardless of whether or not employment relations;
- **Changed:** stricter limitations have been placed on entering public areas, reducing the activities and purposes allowed upon exiting a place of residence into a public area (for more details, click here).

Employer Responsibilities in the Workplace

- **Changed:** employers are **responsible to provide a stand in the entrance to the workplace to check the temperature of potential entrants to the workplace using a non-invasive device**; individuals with temperature of over 38 degrees Celsius fever **will be barred from entering**;
- **Changed:** employers are responsible to ensure that at least **2 meters distance is maintained between individuals**, to the extent possible;
- **Unchanged:** in response to many repeated questions, the Regulations do not place responsibility on employers to issue transit certificates for employees.

Rules of Conduct in Public Areas (including the workplace)

- **Unchanged:** Maintaining at **least 2 meters distance between individuals**, to the extent possible, excluding individuals living in the same residence (members of the same family or individuals sharing a single residence);
- **Changed:** when driving in a private vehicle, there may be up to **2 passengers in the same vehicle** (there is no exception regarding individuals living in the same residence);
- **Unchanged:** however, **more than 2 passengers can be in the same vehicle** when there is an essential need (there is no definition of what constitutes an “essential need”);
- **Changed:** the section allowing 2 or more employees employed in an essential workplace to drive in a private vehicle to and from their workplace was **deleted**.

Businesses that may not be opened – not even from home

- **Unchanged:** Malls, **excluding** stores in malls that sell food (including restaurants), pharmacies or stores in which main business is the selling of hygiene products;
- **Unchanged:** Nightclubs, bars, pubs, event halls, gyms, swimming pools, water parks, animal farms, safaris, petting zoos, public bath houses, cinemas, theatres, libraries, museums or any other cultural institutions, amusement parks, business for non-medical body treatments, concert and exhibition halls, public boats, cable cars, nature reserves, national parks, heritage sites, and any place which has tourist attractions, retail markets open to the general public and stands in these markets (including food stands) and excluding a wholesale market;
- **Changed:** **amusement facilities, playgrounds and alternative medical procedures cannot be opened or operated**;
- **Changed:** types of **stores which are not listed below** cannot be opened:
 - Businesses selling food;
 - Pharmacies;
 - Optometry stores;
 - Store in which the main operations involve the selling of hygiene products;
- **Changed:** **stores that can only be opened for delivery**:
 - Stores selling essential products for home maintenance;
 - Home appliance stores;
 - Stores selling communications devices and services and medical devices;
- **Changed:** **delivery services cannot be operated excluding those involving**:
 - Medical appliances;
 - Newspapers;
 - Products sold via telephone or internet;
 - Essential products for home maintenance;
 - Electric appliances;
 - Communication devices and services and medical devices.

- **Unchanged:** for **delivery** services to places of residence, the parcel delivered will be left at the doorstep;
- **Unchanged:** the aforementioned does not derogate from the transportation and delivery services **which are not delivered to a customer's residence** including raw materials, equipment and supplies.

Businesses that may operate with limitations

- **Changed:** **restaurants** (including restaurants in hotels) can continue to stay open and sell food for consumption **outside of the restaurant**, but **a limitation was added, restricting these services to delivery only** (“take away” services are prohibited).
- **Unchanged:** places **selling food, pharmacies or any store in which its main business is the sale of hygiene products** can continue to stay open, subject to the following limitations:
 - **Unchanged:** the owner or operator of the place will insist, to the extent possible, on the maintaining of a distance of at least **2 meters** between individuals that do not live in the same place, including while waiting lines, and for these purposes **will mark** the places to stand by the cash register and any areas where individuals wait in line;
 - **Unchanged:** the owner or operator of the place will **prevent, to the extent possible, the crowding** of individuals in one place and for this purpose will adjust the entrance for visitors;
 - **Changed:** At all times there will be **a maximum of 4 customers** by each of the store's active cash registers;
- **Changed:** **optometry stores** were added to the list of stores allowed to be open subject to the aforementioned limits;
- **Changed:** stores selling essential products for **home maintenance, electric appliances, communication devices and services and medical devices** can stay open but **a limitation was added, restricting these services only to delivery.**

Public transportation limitations and specific transportation services

- **Changed:** the following public transportation services will not operate, except in accordance to the Ministry of Transportation's guidelines (these guidelines have yet to be published): buses, passenger trains and transportation services for passengers that are public servants;
- **Changed:** transportation services can operate for employees allowed to go and return from their workplace, according to the guidelines of the Head of Medical Services for Preventing Infection.
- **Changed:** taxis can continue operating with only one passenger; or with one passenger and (i) an escort required for medical purposes, or(ii) an escort for minors as described in the Regulations, or for welfare-related treatments, or for purposes defined in the Public Health Order (Limitations on Educational Institution Activities – Temporary Order); aforementioned passengers will sit in the backseat and the taxi's windows should be open.

Approved purposes to enter a public area

According to the new Regulations, leaving a place of residence is restricted, other than for one of the following activities or purposes: an employee going to his or her workplace in accordance with the conditions explained in the Regulations • purchasing food, medication, essential products and receiving essential services • receiving medical services • donating blood • legal proceedings • demonstrations • going to the Israeli Parliament business • receiving welfare-related services • individuals or people living in the same residence leaving for a short time within 100 meters of their place of residence • providing medical assistance to another individual or providing assistance to an individual experiencing difficulty or distress • prayer in an open area, attending a funeral, wedding, circumcision or ritual bathhouse (mikvah) • transporting a minor to an educational institution for children of essential workers and special needs frameworks • transporting a minor, whose parents live apart, by one of their parents, to the other parents home • transporting a minor whose parental guardian is required to leave for an essential purpose and their place of residency does not have a responsible individual that can supervise the minor.

We invite you to contact us regarding any uncertainty or question.



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