

Cambodia Issues COVID-19 Preventive Measures During Deferred Cambodian New Year

On April 9, 2020, Cambodia's Ministry of Labor and Vocational (MLVT) enacted measures to prevent the spread of COVID-19 infections during the now-postponed Cambodian New Year holiday from Monday, April 13, 2020, to Thursday, April 16, 2020.

As detailed in [our recent article](#), on April 7, 2020, the MLVT declared the delay of the Cambodian New Year holiday, and required all employers and employees in Cambodia to treat the four days of the usual holiday period as regular working days, promising to declare a five-day replacement holiday at a suitable later date. However, there has been concern that many employees will still take leave during the original holiday period, against government advice, and that their return to work may put other employees at higher risk of contracting COVID-19.

Consequently, the MLVT decided to put in place a few preventive measures for employees who would like to take leave during Cambodian New Year to minimize the spread of COVID-19 at the workplace.

The primary measure is that employees who take leave during the Cambodian New Year must be placed under quarantine for 14 days before returning to work. If an employee takes leave without the permission of their employer, that employee is not entitled to any salary during the mandatory quarantine period. In contrast, if an employee's leave is approved by the employer, the employer must pay the employee during the quarantine. The MLTV's notification is, however, unclear as to whether employees who take leave with permission are entitled to 100% of their average salaries.

Employers are obligated under the notification to record employees who take leave, with or without permission, so that the employer can provide a list of names to the competent authority for implementing the mandatory quarantine. While this notification is silent on which competent authority should receive name lists, and the deadline for providing them, we anticipate that this information will be provided in subsequent updates.

For more information on employment law in Cambodia, or any aspect of COVID-19's impact on doing business in the jurisdiction, please contact Tilleke & Gibbins' Phnom Penh office at cambodia@tilleke.com or +855 23 964 210.

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Our Commitment to Continuous Client Service

During the COVID-19 outbreak, we are focused on maintaining high-quality client services while ensuring the safety and wellbeing of our team. Over the past several weeks, Tilleke & Gibbins has implemented our Business Continuity Plan across our offices in Cambodia, Indonesia, Laos, Myanmar, Thailand, and Vietnam. The vast majority of our team members are now working remotely, and based on our robust technology infrastructure, we are providing our full range of services as usual. We are now carrying out all client meetings through the use of technology, and, as many of you will have already experienced, this is proving to be a highly effective solution. By implementing a range of technology and agile working measures, we will ensure that you continue to receive the highest quality services with the fastest possible response times from our team. We know that you are facing complex business challenges during this crisis, and we have put together a bank of practical resources tracking the legal developments in the region as they happen—[you can access them all at this link](#). In addition, we want to assure you that our team will be continuously available to help you navigate these issues across Southeast Asia. If you have any queries about these measures, please contact your usual client service partner, or email communications@tilleke.com.

Stay well, safe, and healthy.