



## TOP NEWS

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## THE PRESIDENT'S MESSAGE

# DEAR FRIENDS AND MEMBERS OF THE STCC



**PRESIDENT BRUNO G. ODERMATT**

As we navigate our way through this unprecedented health and economic crisis, many government leaders are under pressure to rescue economies in free-falling and loosen up stringent restrictions to encourage shuttered businesses to open again. It is a delicate balancing act between protecting the health of people and providing them with a livelihood, with the least loss of lives and least damage to the economy. The only two measures to end this crisis are medicines for effective treatments and vaccines to prevent the virus from the start. As some politicians have stated, "we cannot let the cure be worse than the problem is".

When I look at the performance of different government leaders dealing with this calamity, I note that it is helpful to have an education in science. I strongly believe we should have more politicians with a science background, especially when dealing with major global threats such as global warming, the rise of Artificial Intelligence, and now the emergence of pandemics. When I recently watched the US leader explaining to a stunned audience that doctors might treat coronavirus patients by shining ultraviolet lights inside their bodies or with injections of household disinfectants, I had to really scratch my head. Or take the UK leader who initially played down the severity of the coronavirus, deliberately shook hands with infected patients to make his point, became infected, ended up in the ICU for three days, and in the process also infected his pregnant life partner, then I have to wonder. If your only tool is a hammer, every problem looks like a nail.

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## SERVICE

# MEMBER DETAIL UPDATES

Do you have changes among your delegates or changes to your e-mail, mobile, telephone, or fax numbers?

Please send all updates to [secretary@swissthai.com](mailto:secretary@swissthai.com)



# Swiss Thai



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## THE PRESIDENT'S MESSAGE

In contrast, watch Germany's counsellor walking you through methodically with simple explanations of the scientific basis behind her government's lockdown strategy, you were assured that the right captain is steering the boat through this perfect storm. The video clip was shared thousands of times on social media and just the calm confidence of the former research scientist with a doctorate in quantum chemistry made you feel at ease. Even her critics – and I am one of them – appreciate politicians who are on safer ground explaining the importance of statistical medical models rather than projecting great visions about the future. Besides Germany, other governments such as Switzerland and Thailand have also done a superb job in dealing with this crisis. Prime Minister Prayut Cha-o-cha adopted a "public health lead economy", to use his term, by giving more weight to health safety than succumbing to business pressures. Personally, I find it commendable and support it.

During the last weeks we have been in touch with many members, as the impact of the government mandated lockdown has taken its toll on many businesses. We were also engaged in numerous video conferences with the Foreign Joint Chamber of Commerce and the Board of Trade, providing input to the

government from the foreign business community on how to deal with this exceptional situation. The Swiss Embassy was also actively engaged in leading the Swiss business community through this crisis, and inside this edition you will find a personal statement from H.E. Ambassador Helene Budliger-Artieda. During the largest repatriation of thousands of stranded Swiss tourists in Swiss history in Thailand, Myanmar, Laos and Cambodia, the Swiss Embassy has done an outstanding job, as evidenced by the positive feedback of Swiss compatriots on the Embassy's Facebook page. It shows again that in times of crisis you need a competent and compassionate leadership team in charge, which in turn creates social solidarity and trust.

As we are waiting on directions from the Thai government on clear measures to rehabilitate the economy, we decided to hold the Annual General Meeting around mid-June 2020. It will not be possible to physically participate at the AGM, but we will send you by e-mail all related documents beforehand and you can exercise your voting rights through an on-line voting facility. Protecting the health of our members and staff is our number one priority and we will communicate to you shortly about AGM date, voting procedures and which on-line voting tool we selected.

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## THE PRESIDENT'S MESSAGE

We will keep you updated on further developments as we move into uncharted territory, but as long we keep up our positive spirits we will emerge stronger after this crisis. In the meantime, please stay safe and observant.

\*\*\*

**Contact the President:**  
**Bruno G. Odermatt**  
**President STCC**  
**president@swissthai.com**  
**Tel: +66 2 652 1911**

*With my best wishes*

**Bruno G. Odermatt-Maag**  
**President**

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## STCC CALENDAR MAY 2020:

**Due to the Corona Situation all activities of the Chamber are put on hold.**

*More details for above events please wait for the invitation-mail or get it from [www.swissthai.com](http://www.swissthai.com), click on "events".*

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## MESSAGE FROM THE AMBASSADOR OF SWITZERLAND, H.E. HELENE BUDLIGER ARTIEDA, TO THE MEMBERS OF THE SWISS THAI CHAMBER OF COMMERCE

Dear Members of the Swiss Thai Chamber of Commerce,

The unprecedented crisis generated by the spread of COVID-19 worldwide is affecting all of us at different levels and will certainly have long lasting effects. The Embassy of Switzerland has been operating in crisis management mode since mid-March in order to assist as much as possible the affected Swiss citizens in the region, in particular thousands of travelers who wanted to return to Switzerland. The Embassy is now gradually on its way back to some more “business as usual”, even though, like for everyone, a return to normality is simply not possible for the time being.

What was initially a public health emergency has turned into a global economic crisis, and Thailand is no exception. Over the last weeks, I have been in regular contacts with Mr Bruno Odermatt, the Chair of the STCC, and I am conscious of the numerous uncertainties and concrete difficulties the current situation is causing for your respective business operations.

In these difficult times, I wanted to tell you that the Embassy of Switzerland continues to stand ready to support Swiss related companies in their contacts with the Thai authorities when necessary. For example, if you face movement restrictions which impair the conduct of your business or supply chain within the country, a “Laissez-Passez” can be issued by the Embassy. If you need assistance to open the doors of certain Thai authorities – e.g. to discuss concrete challenges or to explore potential investment incentives- the Embassy

will support you to the best of its ability. Please feel free to contact us at [bangkok@eda.admin.ch](mailto:bangkok@eda.admin.ch). Deputy Ambassador Pierre Hagmann and myself will gladly engage personally with you.

I wish you all a lot of strength and hope that you, your staff and families will remain safe and healthy.

*With my best wishes,*

**Helene Budliger Artieda**



# Swiss Thai



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## COVID-19: INFORMATION FROM THE EMBASSY OF SWITZERLAND TO SWISS CITIZENS TRAVELLING OR CURRENTLY RESIDING IN THAILAND / NO. 7 / 29.04.2020

Dear compatriots,

Following the new measures taken by the Thai government, please find below new information from the Embassy of Switzerland in Thailand.

### A) Measures taken by the Thai authorities in response to COVID-19

**New visa extension:** in order to avoid mass gatherings and to reduce the risk of spreading COVID-19, the Thai authorities have decided that foreigners whose visa expired after March 26, 2020 will be allowed to stay **until July 31,**

**2020** without having to apply for an extension (no need to go to the immigration office and no daily fine if the visa has already expired). There is also no need to report to the Immigration after 90 days ("90 days report") within this period.

You will find more information on the Thai government's public relations web page.

**Extension of the state of emergency:** the Thai government has declared a one-month extension of the state of emergency **until 31 May 2020.** The national curfew

(every night from 22:00 to 04:00) remains in force until that date.

Furthermore, the government is extending the ban on all flights carrying passengers from landing in Thailand. Land and sea borders remain closed.

At the local level, several provinces have ordered different measures from those in force at the national level. It is therefore important to seek information from local sources.

In addition, certain businesses will be able to reopen in the next

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few days, as part of a multi-phase plan to ease restrictions in the country. The local government should publish more details about it in the coming days.

### **Maintenance of public holidays:**

The official public holidays of May 1, 4, 6 and 11 2020 are maintained by the Thai government. In view of the situation, please note that the Embassy will be closed on May 1 and 4, but open on May 6 and 11.

### **B) For Swiss travelers: commercial flights**

For travelers wishing to return to Switzerland, a regularly updated list of the remaining international flights from Thailand is available on our website. Despite government restrictions, several commercial flights operate weekly to Europe. Although there are currently no direct flights to Switzerland, it is still possible to return to our country via indirect flights.

We will inform you as well as citizens registered on the Travel Ad-

min application (Itineris) in case of relevant new flight possibilities to Europe, such as special flights organized by other governments. So do not forget to register on this application if you are currently travelling to Thailand or the region. Your travel dates must be up to date in this application, so that we can easily identify travelers still in the country. If you are a resident in Thailand and registered with our Embassy, please do not register on this application.

Furthermore, we are currently compiling information on Swiss travelers in the region in order to obtain a clear overview of the situation and possible needs of our fellow citizens. Therefore, if you have not done it yet, please indicate to the Embassy where you are located (city and province), how we can best contact you (e-mail and telephone) as well as your expected date of return. We will then be able to send you specific information about your situation.

Given the current situation, you may have to stay in Thailand longer than expected. If this is the case, it is advisable to make sure that you have a place where you can reside for a longer period of time, that you are in good migratory standing, that you have sufficient financial reserves and that you have the necessary insurance (travel, health, repatriation - e.g. REGA).

### **C) For Swiss residents in Thailand**

Given the travel restrictions imposed by the Thai authorities, we strongly advise you to stay in your place of residence in Thailand, or return to it without delay. In case of difficulty, please contact our Embassy, if necessary we can issue a "Pass" to help you.

We ask you to strictly comply with the instructions of the Thai authorities. Any violation of these rules is severely punishable. You can find information about these restrictions on our website and



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Facebook account, but it is not exhaustive.

## **D) Functioning of the Swiss Embassy**

The Embassy continues to be fully operational. The crisis management mode in which we had been operating since 16 March was lifted on 27 April (see our Facebook video on this subject). Of course, it can be reactivated if circumstances so require. All of our consular services have been resumed. However, we can only receive you at the counter by prior appointment. The visa section remains closed until 15 June 2020.

If you have any questions, please contact us by email: [bangkok.cc@eda.admin.ch](mailto:bangkok.cc@eda.admin.ch) or by phone at +66 2 674 69 00.

In case of emergency, or during the official days off on 1st and 4 May, you can contact the FDFA

Helpline on +41 800 24 7 365 or +41 58 465 33 33.

Don't forget to check our Facebook page and our website regularly.

***With my best wishes and greetings,***

***Helene Budliger Artieda  
Swiss Ambassador***

***Embassy of Switzerland  
to Thailand***

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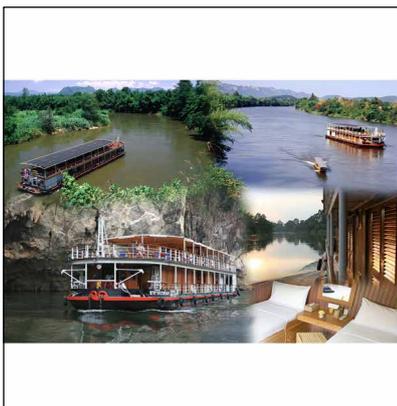
## SWISS AMBASSADOR PAYS COURTESY VISIT TO PRIME MINISTER



On Thursday, 30 April, H.E. Ambassador Helene Budliger Artieda, and Pierre Hagmann, Deputy Head of Mission, paid a courtesy visit to Prime Minister General Prayut Chan-o-cha at the Government House. Switzerland and Thailand enjoy long-standing and excellent diplomatic and business relations, dating back nearly 90 years ago. The STCC is very pleased that the Prime Minister discussed and agreed to extend bilateral investment and economic ties, which is also part of the efforts of EFTA members Switzerland, Norway, Iceland and Lichtenstein to resume Free-Trade negotiations with Thailand. The STCC is also encouraged by the strong engage-

ment of the Swiss Embassy under the leadership of the Ambassador to further build-up the already strong bilateral trade and business between the two respective countries.

As part of the welcome ceremony, our Ambassador presented the Prime Minister with a photograph of the Thai flag projected on the world famous Matterhorn in Zermatt. In the context of a spectacular show of support for the global fight against the Covid-19 Pandemic, the town of Zermatt projected a Thai flag onto the Matterhorn as part of light projection show, presenting the flag of several coun-



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tries who fight on the forefront against the Pandemic. The iconic Swiss mountain village displayed the following message on the website: “The always friendly population of Thailand suffers from the coronavirus. Therefore, this year Songkran could not be carried out in the usual way. We send a sign of hope and strength and show of solidarity with the people of Thailand”.

The STCC and its Board of Directors join the efforts of Switzerland and the Swiss Embassy and wish the people of Thailand hope and strength during this difficult time and unprecedented crisis.

Switzerland is always worth a visit.

Even if you go somewhere else.

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## LEGAL

# COVID-19 AND THE LABOR LAW UNDERSTANDING THE LEGAL IMPLICATIONS OF “NO WORK NO PAY”

**Contribution by Seri Manop & Doyle**

The COVID-19 pandemic has had a devastating impact on workplaces in Thailand, forcing many employers to take drastic measures such as temporarily suspending operations in order to save their businesses. This situation is especially traumatic for affected staff, as, at present, there is no clear indication as to how long this crisis will last and there is uncertainty as to what the employees' legal rights are in the event that their employment is suspended or terminated. This area of the law is not well settled, however, below is a summary of the current status “No Work No Pay” principle and another measure allowing employers to suspend employment of employees in crisis situations under Thai labor law.

### 1. No Work No Pay

No Work No Pay is not specifically defined by statute, however, it is a recognized legal principle under Thai law, whereby, in certain extreme crisis circumstances employers are legally allowed to temporarily suspend the employment of staff without the legal

obligation to pay those staff wages. One of the situations in which No Work No Pay applies is force majeure which is defined as situations that “excuse a party to a contract from not performing its contractual obligation that becomes impossible or impractical, due to an event or effect that the parties could not have anticipated or controlled.” Note here that force majeure is very seldom applicable because it is only allowed in the most extreme circumstances, however, the Thai government has recently announced that it may apply to businesses recently ordered closed by the government such as department stores, health clubs, theaters, spas, etc. in Bangkok metropolitan region, pursuant to a Declaration in accordance with Section 9 of the Emergency Decree of Public Administration in Emergency Situations (2005)(No. 1).

Accordingly, under the principle of No Work No Pay and force majeure, employers who have been required to close these types of businesses may order affected staff to cease work and such employers should not be required to pay wages to those employees

until such time the government order is lifted.

For example, a health club closes pursuant to the above-mentioned government order and orders all staff at the health club to cease work. In this situation, the employer should not have a legal obligation to pay wages to the affected staff during such time of the government ordered closure.

### 2. Section 75 of Labor Protection Act

For those businesses which have been materially affected by the COVID-19 crisis but do not currently qualify under force majeure, Section 75 of the Labor Protection Act allows employers under severe economic duress to temporarily suspend operations in certain situations, however, here employers are required to continue to pay employees at least 75% of their wages subject to the following conditions.

- The employer must inform a labor inspection officer, and the employees, three business days in advance of the intended cessation of operations and make a



## LEGAL

required filing at the local district office.

- There is a necessity and a significant cause for the employer to take this step, such as the employer's business being unable to operate as usual.
- The employer elects to seek temporary cessation of operations on a whole or partial basis.
- The employer must pay employees throughout the entire period of cessation.
- The cessation period depends on the situation on a case-by-case basis. Once the previously cited reason for cessation of operations no longer exists, the employer must resume operations and employment.

For example, suppose a hotel operator is forced to suspend operations due to the fact that the current crisis has caused a severe reduction in travel and tourism and occupancy at the hotel had dropped to below 10%. In this situation the hotel operator should be legally entitled to suspend operations and order the affected staff to stop work until such time as the situation passes, however, will be required to pay the affected staff a minimum of 75% of their normal wages.

For example, the same hotel op-

erator wishes to make employment suspension effective on Thursday, April 16. In order to accomplish this, the hotel operator would be required to make a written notification to the affected staff and make a filing at its local Labor Protection and Welfare Office by Friday, April 10th.

Note that both No Work No Pay and Section 75 both only allow employers to reduce or suspend wages on a temporary basis and, after the crisis period has past, they would be required to resume the payment of normal wages to all staff.

For example, the health club mentioned above suspends the employment of all staff pursuant to No Work No Pay / force majeure for one month after which time the government lifts the closure order for health clubs. As of the time that the government order is lifted, the health club will be required to resume paying all the employees who were suspended at their normal wage rate.

Also, note that the rules stated under No Work No Pay and the provisions of the above Section 75 only apply to the temporary suspension of work and do not apply to the situation where the staff's employment is terminated.

For example, same situation as above but the hotel permanently

closes and all staff whose work had been temporarily suspended are now laid off. Here the normal rules with respect to payment of severance and other termination compensation would apply (compensation calculated based upon employee's period of employment, current wage rate, notice of termination requirements, etc.) unless the employer can demonstrate legal cause for the termination

***Mike Doyle is a US lawyer and Senior Partner with the Bangkok based law firm Seri Manop & Doyle.***

***He may be reached at michael@serimanop.com .***



# Swiss Thai



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STCC INTERNAL NEWS

## STCC WEBSITE: NEW SERVICE - JOB BOARD

Dear Members

We have re-introduced the Job Board on our website. It shall give our members the possibility to post open positions in their enterprise, or to select suitable staff from the candidates approaching the chamber for employment in Thailand. You may send your job posting or a CV to [secretary@swissthai.com](mailto:secretary@swissthai.com)

**Open Jobs:** We accept job postings from members of the chamber only. Please send the job description / requirement and deadline for application in one single pdf file which will be uploaded as received. It should also contain the job position and the city / province of work location. This service is free of charge, postings will be removed after 3 months.

**Candidates:** The upload of CV's is normally restricted to candidates speaking at least one of the 4 languages of Switzerland or having other

special connections to Switzerland or Swiss companies. (PS: please accept that we do not list candidates currently employed with one of our members) Send your CV in a single pdf file, it will be uploaded as received.

For any questions please do not hesitate to contact me

*Best regards*

*Thomas Gerber, Executive Director*



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## RIS SWISS SECTION DEUTSCHSPRACHIGE SCHULE BANGKOK



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RIS Swiss Section – Deutschsprachige Schule is an international school with 45 teachers and around 320 students from more than 25 nationalities. The school is recognized and supported by the German and Swiss governments. Classes are taught according to the school's own syllabus, which is based on the curriculum from Lucerne and Thuringia. The education covers the entire spectrum from pre-Kindergarten up to the bilingual Swiss Maturity (German-English).

To start immediately or according to agreement, we are looking for a Head of Administration

### **Responsibilities:**

- the range of duties focuses on the fields of personnel management/HR, real estate and finance management, and involvement in the School Leadership Team
- coordination of all administrative affairs, including the support by both countries of origin (Switzerland and Germany) and various other stakeholders
- close collaboration with the Principal and preparation of information for the Treasurer of the School Board
- coordination with the host school (Ruamrudee International School) concerning their administrative services
- management of the school office, accounting and IT department with local administrative staff
- management of janitorial services and coordination with the external cleaning provider
- supervision of maintenance and repairs to school buildings

### **Requirements:**

- Thai nationality
- master's degree or equivalent in the area of business administration or international management
- sound professional experience in similar positions in business management and accounting
- very good verbal and written command of Thai, German and English



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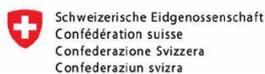
- proficient IT skills (MS Word/Excel/PowerPoint) and knowledge of MS Access and accounting software (Sage ERP Accpac) is a plus
- experience in school construction is a plus
- willingness to learn about school-related and pedagogical topics
- ability to work independently, flexibility and willingness to contribute, partly also outside regular working hours

**Further information can be found on our website [www.ris-swiss-section.org](http://www.ris-swiss-section.org). Your application documents, along with a motivation letter and CV (both in German) with photo, degrees, letters of recommendation and references should be e-mailed to [applications@ris-swisssection.org](mailto:applications@ris-swisssection.org) as soon as possible. If you have any questions regarding the position, please contact Ms. Uraiwan Sethakul at [uraiwan.s@ris-swiss-section.org](mailto:uraiwan.s@ris-swiss-section.org).**

**We look forward to your application!**

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## ACROBATICS PROJECT



Our Grade 5 students participated in an acrobatics project during their physical education lessons before the Corona time. The students demonstrated what they have learned during previous lessons. Their performances were recorded by the physical education teacher and the students, then, self-evaluated their group's progress.

Acrobatics does not just develop the physical strengths and fitness of the students but also improves their overall concentration, is great for teambuilding and increases self-esteem and social confidence of the students.



RIS SWISS SECTION DEUTSCHSPRACHIGE SCHULE BANGKOK

## SCHOOL DEVELOPMENT AT THE SWISS SECTION: THE TEACHING STAFF ENGAGES WITH THE RESULTS OF THE 360° FEEDBACK



In May of last year, students, parents, teachers and the board had the opportunity to indicate areas of possible development for the school when they completed the 360° feedback. Based on feedback from several stakeholders, ten items were selected and incorporated with the school's action plan. These items are now being worked on by assigned working groups.

How these groups work is explained here using the example of the „AG corridor and break room design“. The results of the 360° feedback indicated that both parents and board members would like to see the school develop further with regards to the corridor and break room design. After a working group had been tasked with classroom design over the past few years, this topic was eagerly taken up and integrated into the „extension and renovation“ quality area of the school action plan.

The newly founded working group „corridor and break room design“ will firstly deal with the question of how new learning islands can be created in the corridor, which will enable flexible classroom management in everyday teaching.



Secondly, they will pursue the matter of how new break rooms can be opened up or how a diverse range of exercise and relaxation options can be created in the existing break rooms that meet the needs of students and teachers.

All the working groups will be working on the development of the school according a set project plan and regularly report on progress towards meeting intermediate targets.



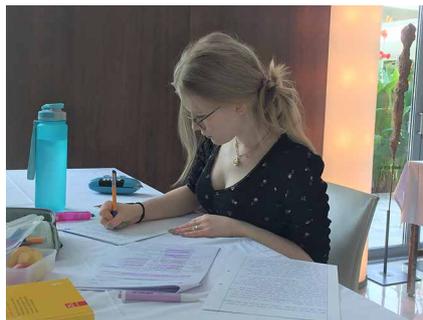
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## WRITTEN MATURA EXAMS AT THE SWISS EMBASSY



From Wednesday, April 22nd until Tuesday, April 29th, 2020, the written Matura exams of our Grade 12 students were held at the Swiss Embassy. Even though it is a very challenging time right now, we are very glad

that our students could continue their educational journey online and take all their written final exams.

We would like to express a big thank you to the Swiss Embas-

sy and especially to Ambassador Helene Budliger Artieda for their much-appreciated support and for hosting the final exams of our Matura class!

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RIS SWISS SECTION DEUTSCHSPRACHIGE SCHULE BANGKOK

## SCHOOL ADMISSION AND VIRTUAL OPEN HOUSE INFO SESSION ON SATURDAY, MAY 23RD, 2020

Although our school building remains temporarily closed, RIS Swiss Section – Deutschsprachige Schule Bangkok is very much in operation. All teachers and staff continue to work hard to ensure that our students' learning experience continues online and the registration of new students is possible anytime.

plus a live Q&A session starting at 1.00 pm. Join us if you want to experience our unique Swiss and German learning experience first-hand!

Kindly register on our website under: <https://www.ris-swiss-section.org> or via email to [events@ris-swiss-section.org](mailto:events@ris-swiss-section.org)



### Virtual Open House Info Session



Saturday, 23rd May 2020

From 13:00 onward

Video conference, Live Q&A

Please register on our webpage: [www.ris-swiss-section.org](http://www.ris-swiss-section.org)



The RIS Swiss Section – Deutschsprachige Schule Bangkok will organize a virtual Open House Info Session on Saturday, May 23rd, 2020 including a Video conference with the school principal and the head of primary and secondary school

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## Planned events in the second semester of the school year 2019-20:

23.05.2020	Virtual Open House Info Session (13:00)
11.06.2020	Flea Market for Primary School (11:00 - 12:00)
12.06.2020	Graduation Ceremony (10:00)

*Please visit our website - [www.ris-swiss-section.org](http://www.ris-swiss-section.org) - and get more information about our upcoming events.*



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DEUTSCHSPRACHIGE SCHULE BANGKOK



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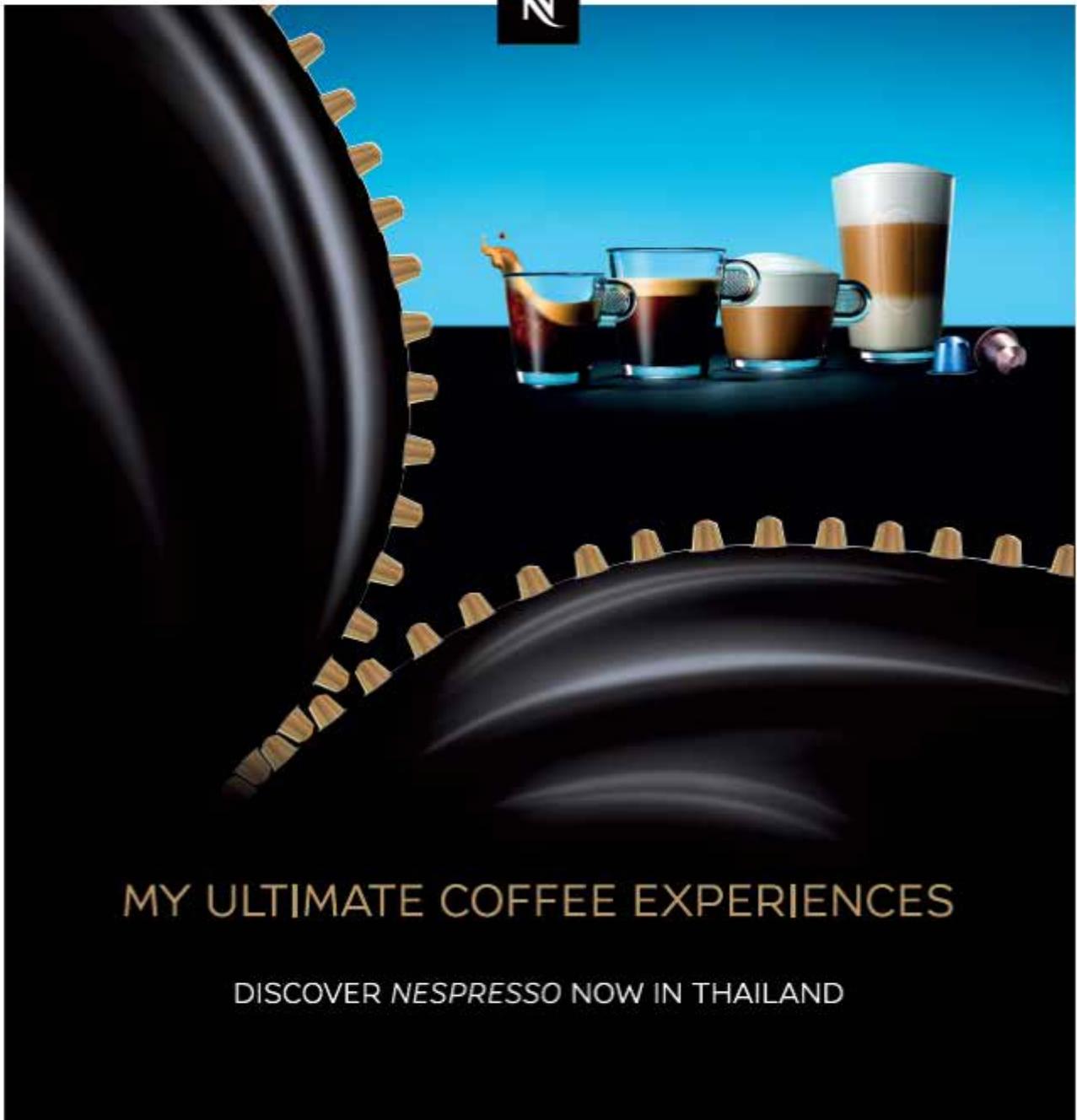
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