

**PROTOCOL FOR ENTRY OF FOREIGN WORKERS AND
OTHER FOREIGNERS INTO BHUTAN**



ROYAL GOVERNMENT OF BHUTAN

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1. **Background:**

The Royal Government of Bhutan (RGoB) closed its international border on 23rd March 2020 as a part of its preparedness and containment measure to address the COVID-19 pandemic. Mandatory quarantine for all travellers entering Bhutan was introduced on 16th March 2020. As the RGoB will gradually allow the entry of foreign workers, this Protocol has been developed to ensure there is no importation and transmission of COVID-19 in the country.

2. **Purpose:**

This Protocol aims to ensure smooth and proper coordination among the different sectors of RGoB, namely, the Department of Labour (DoL), Ministry of Labour & Human Resources (MoLHR); Department of Immigration (DoI), Ministry of Home & Cultural Affairs (MoHCA); Ministry of Economic Affairs (MoEA), Ministry of Health (MoH); and the Ministry of Foreign Affairs (MoFA) to facilitate the entry of foreign workers and other foreigners into Bhutan during the COVID-19 pandemic in a transparent manner.

3. **Scope:**

This Protocol shall apply to all Foreign Workers Recruitment Agents (FWRA) in Bhutan, Private Bhutanese Employers (PBE) and Government Agencies, hereinafter referred to as “Employers”, recruiting foreign professionals and skilled foreign workers as well as to other foreigners entering Bhutan through international land border crossings or Paro International Airport during the COVID-19 pandemic.

This Protocol shall be applicable to Phuentsholing, Samdrup Jongkhar, Gelephu and Paro that have facilities for quarantine and medical screening and testing as per MoH requirements.

4. **Role of DoL, MoLHR**

4.1. **Definition**

a. Professional worker

A professional worker is someone who possesses a minimum of a bachelor's degree and can perform advanced tasks that require specific training, knowledge and experience.

OR

A worker who is certified by a recognized professional/accreditation body of the country of origin.

b. Skilled:

A skilled worker is someone who has special skills, knowledge and ability to perform the work acquired through work experience or training. For example, technicians and the occupations in the construction sector including carpenter, mason, tile layer etc.

- 4.2. The Employers shall process for the recruitment of Foreign Workers through the online LaborNet system as per the existing practice of MoLHR. In addition, the following documents are also required to be submitted:
- A valid Voter Card/passport for Indian nationals and passport copies for other nationals.
 - Duly filled *Employer Undertaking Form (Appendix 1)*.
 - All foreigners including foreign workers in the professional and skilled categories are required to produce RT-PCR Negative Test Certificate performed within 72 hours before entry at the port of arrival.
 - Migrant workers from India who do not have access to RT-PCR testing may submit a Rapid Antigen Negative Test Certificate.
- 4.3. After following all required internal procedures, MoLHR and the respective agency will coordinate with MoH and the quarantine team (PMO) on providing approval for entry, subject to the availability of quarantine facilities.
- 4.4. The renewal of the work permits of Foreign Workers who are outside the country shall not be entertained. However, the renewal of work permits of the Foreign Workers who are inside the country will be facilitated as usual.
- 4.5. Foreign Workers with valid work permits who are currently outside the country need not apply for fresh work permits. However, the concerned Employers must submit the details of the Foreign Workers willing to re-enter the country through the online registration system available on the MoLHR website.
- 4.6. The approval for re-entry of Foreign Workers will not be automatic and will be reviewed on a case-by-case basis.
- 4.7. For those foreign Workers engaged in physical and manual labour, the age criteria shall be limited to those above 18 years and below 55 years of age at the time of filing applications. The professional category will not have such age criteria.

5. **Role of DoI, MoHCA**

- 5.1. The Department of Labour (DoL), Ministry of Labour and Human Resources (MoLHR), shall share the list of foreign workers with DOI, MoHCA prior to approval.
- 5.2. DOI, MoHCA, shall exercise due diligence and vet the list of foreign workers in accordance with the Immigration Act, Rules and Regulations, policies and practices and revert to DOL, MoLHR, with its recommendation on eligibility of entry of those foreign workers on the list.
- 5.3. DOL, MoLHR, shall exclude those foreign workers who are ineligible for entry.

- 5.4. For nationals of countries that require a visa, the applicant must apply for an employment visa prior to arrival in the country.
- 5.5. On arrival in Bhutan, the employer/FWRA shall declare and facilitate the foreign worker(s) individually at the port of arrival and complete all formalities. They shall follow the Health Protocol such as avoiding crowding and keeping minimum staff for work. They will be supervised by respective task force members and MoH.
- 5.6. On completion of 21-days quarantine, the foreign worker(s) shall be permitted to leave the facility for their worksites, if they test negative.
- 5.7. Employers/FWRA shall ensure that foreign workers depart for their worksites within 24 hours of release from the quarantine facility after completion of immigration formalities, including obtaining TWP (COVID-19) Card from DOI or its regional offices.
- 5.8. In addition to other requirements, it shall be mandatory for all foreign workers to be in possession of a quarantine completion and release certificate for issuance of work permit/visa and TWP (COVID-19) Card.
- 5.9. All foreign workers shall be required to produce a valid work permit and TWP (COVID19) Card along with quarantine completion and release certificate at all upcountry/interior checkpoints.

6. Role of the Ministry of Health

6.1. Procedure for Medical Screening

All foreign workers shall bring along 2 copies of passport size photographs for use during medical screening.

- 6.2. After having completed all the required procedures for entry at the port of arrival in Bhutan, Foreign Workers would need to follow the following public health intervention measures:

- Fever screening
- Wash hands on entry
- Mandatory use of new face mask issued by employer/FWRA
- Maintain strict physical distancing
- Receive token
- Be seated at the allocated area at the port of arrival.

- 6.3. MoH will set-up designated medical screening facilities near port of arrival where Foreign Workers will need to register by employer and undergo the following medical screening.

- Laboratory tests (as per the Health screening guideline of Ministry of Health)
- Chest X-Ray

- 6.4. After the medical screening, Foreign Workers will be taken to designated holding areas/places until the result is declared.
- 6.5. The above medical tests will be carried out by the identified private diagnostic centers/government hospitals in respective port of entry. These diagnostic clinics/Hospitals shall develop and align their SOPs in line with COVID-19 precautions. The diagnostic clinics should submit the report of the Foreign Worker using the attached report form (**Appendix 2**).
- 6.6. Registered medical practitioner from the government hospitals at the point of arrival will review the reports as per the established medical screening practice and certify the individual.
- The medical reports of all screened Foreign Workers will be made available as early as possible to the relevant authorities on the same day.
 - Any individual found medically unfit through the above screening will be listed and arrangements will be made to send them back as soon as possible, in coordination with the Employers, MFA and DoI.
 - Number of foreign workers that can be screened on a particular day shall be determined by the respective health teams at the point of arrival.
- 6.7. **Quarantine** (Quarantine facilities will be guided by the PMO).
- All individuals found medically fit will undergo the 21 days' mandatory quarantine at the designated quarantine facility.
 - While in quarantine, Foreign Workers must adhere to the Guidelines and SOP for Quarantine for COVID-19 (can be accessed through www.moh.gov.bt).
 - While in quarantine, all individuals will undergo testing as per the existing national quarantine testing Protocol.
 - Foreign Workers under quarantine shall be released on the 22nd day upon testing negative. Decision to release or extend quarantine or isolate shall be made by MoH based on test results.
 - The Employers bringing in Foreign Workers into Bhutan shall bear the full cost of COVID-19 tests, mandatory quarantine and treatment.

6.8. Payments

- (i) The Government subsidized cost for testing are as follows:
- *Rapid Antigen Test: Nu. 1,000/test*
 - *Rapid Antibody Test: Nu. 1,000/test*
 - *RT-PCR Test: Nu. 3,000/test*
- (ii) The Employers shall pay for the treatment (including the testing and de-isolation) for Foreign Workers tested positive for COVID-19 during or after the quarantine period while in the country.
- (iii) The treatment for COVID-19 shall be provided as per the clinical management Protocol of the MoH (can be assessed through www.moh.gov.bt).
- (iv) The Government subsidized cost of medical treatment for COVID-19 per patient at the hospital are as follows:

<i>Sl. no.</i>	<i>Particulars</i>	<i>Cost per day (Nu.)</i>
1	Ward	3,500
2	Cabin	4,700
3	ICU (with ventilator)	10,000

The above cost includes the COVID and other laboratory testing conducted during the treatment course.

7. **Foreigners entering through the International Airport**

All foreigners entering Bhutan through the International Airport must undergo the mandatory 21 days' quarantine. Costs for quarantine, COVID-19 tests and treatment will be borne by the individual or agency concerned.

8. **Role of MoEA**

- 8.1. All workers required in the Hydropower and power sector will be submitted by MoEA to DoL, MoLHR.
- 8.2. They will coordinate with the respective projects on facilitating the movement of workers and follow all required protocols set by DoL, DoI and MoH.

9. **Role of MFA**

- 9.1. For those foreign workers who are declared medically unfit after the medical screening at the port of arrival, MFA will process with the Consul General's Office in Phuentsholing or the Embassy of India in Thimphu for the return of these workers back to India on the same day.
- 9.2. In the event, the foreign workers cannot be repatriated as soon as possible, cost of food & accommodation arrangements shall be borne by the FWRA/Employers.
- 9.3. MFA, DoI and the respective Employers will coordinate to ensure the smooth return to India of Foreign Workers found to be medically unfit.

10. **Exit of Foreign Workers**

- 10.1. All foreign workers wishing to exit the country will inform their employer and get approval.
- 10.2. The Employer or the foreign workers shall submit the application to exit to MoLHR along with the undertaking form from the employer. MoLHR will then upon verification provide approval for exit.
- 10.3. For Indian workers, MoLHR will verify and submit the list to EoI for exit permit with copy to MoFA.
- 10.4. DoI, MoHCA will facilitate exit based on the approvals from the respective agencies.

Appendix 1: EMPLOYER UNDERTAKING FORM

I, the undersigned holding Citizenship Identity Card/ Document No.....would like to apply for the following professional /skilled foreign worker(s) to work at.....(work)under.....Dzongkhag:

Sl. No	Name of the foreign workers	Voter ID/Passport no.	Job category	Country of Origin
1				
2				
3				
4				

(Attach additional sheet if required)

Towards this, I understand that:

- (i) It shall be mandatory, without exception, for all foreign worker(s) granted entry to undergo 21-days quarantine at a designated facility.
- (ii) Home quarantine shall not be permitted for any foreign worker.
- (iii) All costs relating to quarantine, testing and medical treatment/intervention/evacuation, if required, shall be borne by the employer.
- (iv) Costs of quarantine shall be as per rates approved by the government. Other costs relating to testing and medical treatment/intervention/evacuation, if required, shall be levied by the concerned agency.
- (v) On completion of quarantine, the foreign worker(s) shall be permitted to leave the facility, if they test negative.
- (vi) All foreign workers admitted into the country shall be required to comply with all Notifications issued by the government including COVID-19 safety protocols/advisories issued by the Ministry of Health.
- (vii) All foreign workers shall be insured as per provision of Labour and Employment Act of Bhutan, 2007 and its regulations.
- (viii) All the provisions of L& E Act 2007 of Bhutan and the guidelines are to be fully complied.
- (ix) RT-PCR and Anti-gen Test Certificate required.

I hereby affirm that all information provided by me is complete and correct. In the event of submission of false information and non-compliance of the above conditions, I shall be liable for penalties/prosecution as per the relevant laws of the Kingdom of Bhutan.

Legal Stamp

and

Signature

Name:
 Address.....
 Contact No. :.....
 Email address.....

**Appendix 2: RADIOLOGY AND LABORATORY INVESTIGATION FORM FOR
FOREIGN WORKERS ENTERING BHUTAN**

Name..... Age/Sex..... CID/PP No.....
Address in Bhutan (C/o).....

1.	Chest X-ray no:	Date:
	Report/Remarks:	
	
	

2.	Laboratory Investigation				Date.....	
	Serology	Results/Findings		Serology	Results/Findings	
2.1	HIV	Positive	Negative	2.3	Hepatitis B	Positive Negative
2.2	Syphilis (RPR)	Positive	Negative	2.4	Hepatitis C	Positive Negative
	Others					
2.5	Malaria	Positive	Negative	2.6	RBS (mg/dl):	

Reported by:

Official Seal below

Signature.....

Full Name..... Contact No.....Email ID:.....