

Ireland: a return-to-work protocol that calls on companies to work with workers and their representatives to define and implement Covid-19 prevention measures

Planet Labor, 12 May 2020, n°11925 - www.planetlabor.com

On 09 May the Irish government presented its 'Return to Work Safely Protocol' ahead of the first phase of the lockdown easing process that is set to start on 18 May. In particular the protocol requires the appointment of at least one worker representative who will work with the employer to ensure that COVID-19 workplace measures are strictly adhered to; that safety plans are updated; and that there will be COVID-19 induction training for all workers prior to workplace reopenings.

The Health and Safety Authority (HSA) has been charged with oversight and enforcement of the agreement that was drawn up following discussions and agreement within the Labour Employer Economic Forum, which is the forum for high-level dialogue between government, and union and employer representatives on national strategic labor market issues. High-level consultations will continue to oversee the transition, in a forum that brings together the trade unions and the employers' organizations.

In addition to the standard measures that include social distancing, provision of disinfectants, personal protective equipment and the isolation of potentially ill people, the protocol places 'a collaborative approach' at the core of its return-to-work strategy, which is 'essential to achieve success and maximum buy-in.' To this end, each workplace will have to appoint at least one worker representative responsible for ensuring that COVID-19 measures are strictly adhered to in their workplace, and as such should be appropriately trained with a structured framework to be followed within the organization in order to be effective in preventing the spread of the virus. In addition, employers must involve workers' representatives or, failing that, the workers themselves, in the measures being implemented.

Employers are required to update their risk prevention plans prior to reopening, and in consultation with workers' representatives.

The protocol also requires employers to issue a pre-return to work form for workers to complete at least 3 days in advance of their return to work. This form must confirm that the worker, to the best of his or her knowledge, does not exhibit any COVID-19 symptoms and also confirm that s/he is not self-isolating or waiting for the results of a COVID-19 test.

Prior to reopening a business, workers will receive training on the virus to ensure that they are aware of public health advice and guidelines.

Employers will also be required to keep records of any group work performed, in order to facilitate contact tracing in the event of any suspected contamination.

Under the new rules, if a worker begins to show symptoms of COVID-19 during working hours, a designated official must direct the worker to an isolation zone along a designated route, while maintaining a distance of two meters. Arrangements should then be made for the individual to remain isolated before making arrangements to take the individual home or to a medical facility, avoiding public transport. The employer must then carry out a risk assessment of the incident.

Employers will also need to put support structures in place for workers who may be suffering from anxiety or stress.

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