

## **Summary of the COVID19 Direction on Health and Safety in the Workplace**

The Minister of Employment and Labour has issued a Direction setting out the measures that employers are required to take to prevent the transmission of COVID19 in workplaces.

The Direction applies to all workplaces covered by the Occupational Health and Safety Act, 1993 (OHSA). It does not apply to healthcare facilities, which are regulated by a Direction issued by the Minister of Health.

The Direction contains the basic measures that employers must take to prevent the transmission of the SARS-CoV-2 virus in the workplace. Businesses that are re-opening must put these measures in place before restarting work. A risk assessment must be undertaken to adapt the provisions of the Direction to the requirements of individual workplaces. The Direction does not reduce the existing obligations on employers in terms of the Occupational Health and Safety Act, 1993.

Employers must take measures to protect the health and safety of everyone in their workplace. This includes employees of contractors, self-employed persons and volunteers.

### **Administrative measures**

Every employer must –

- notify workers of the Direction and how it will implement it
- inform employees that if they have COVID 19 symptoms they must not be at work and grant paid sick leave
- appoint a manager to address the concerns of employees and consult with workplace representatives
- take measures to minimise the contact between workers and between workers and the public to prevent transmission
- minimise the number of workers in the workplace at any time through shift or working arrangements to achieve social distancing
- provide employees with information concerning COVID 19 and how to prevent its transmission
- report any diagnosis of COVID 19 at work to the Department of Health and the Department of Employment and Labour; investigate the cause and take appropriate measures
- support any contact tracing measures by the Department of Health.

### **Social distancing**

Workplaces must be arranged to ensure a minimum of 1½ meters between workers. If this is not practicable, physical barriers must be erected and workers must be supplied free of charge with appropriate Personal Protective Equipment (PPE).

Social distancing must be implemented in all common areas in and around the workplace to prevent crowding.

### **Symptom screening**

Employers must screen workers for symptoms of COVID 19. Workers with symptoms must be placed in isolation and arrangements made for their safe transport for a medical examination, testing and/or for self-isolation.

Employees who recover from COVID19 may return to work after a medical evaluation and be subject to ongoing monitoring.

### **Sanitisers and disinfectants**

Employers must

- provide sufficient quantities of hand sanitiser with at least 70% alcohol content
- ensure that work surfaces, equipment and common areas such as toilets, door handles and shared equipment are regularly cleaned and disinfected;
- provide adequate facilities for hand washing with soap and clean water and sufficient paper towels.

### **Masks and personal protective equipment (PPE)**

Workers must wear masks at work. Employers must also require members of the public entering workplaces to wear masks. Employers must provide each employee free of charge with at least two masks to wear while at work or commuting. There must be suitable arrangements for washing and drying masks.

Where a risk assessment indicates, workers must be provided with PPE to provide a greater level of protection. Employers must keep up to date with recommendations from agencies such as the National Institute for Communicable diseases and the National Institute for Occupational Health on the appropriate steps to take to prevent transmission in their workplaces and the provision of PPE.

### **Ventilation**

Every workplace must be well ventilated to reduce the viral load.

### **Small business**

The Direction sets out the obligations of businesses with less than 10 employees

### **Enforcement**

Labour inspectors are empowered to promote, monitor and enforce compliance with the Direction. Employers who do not comply with the Direction may be ordered to close their business. In addition, as the failure to comply fully with OHSA is a criminal offence, failure to take the necessary measures to prevent the transmission of Covid 19 may result in criminal prosecutions.