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COVID-19 Specific National Protocol for Employers and Workers - A Summary from Stratis Consulting.

1.0 Introduction

Stratis Consulting welcomes the publication on 09.05.20 by the Department of Business, Enterprise and Innovation of the above Protocol which represents an important milestone on the road to getting Ireland back to work. It is critical that we get as many businesses back working again in the coming weeks and months, but we must do it safely and in manner which gives confidence to both employers and workers that safety issues are a top priority as we take each step in the Government's Roadmap for reopening the economy and as the COVID-19 restrictions are lifted. The Protocol is supported by Ibec, Chambers Ireland, the CIF and by the ICTU.

In this update, we set out a summary only of the key measures set out in the Protocol. Full details of the Return to Work Safely Protocol is available at <https://dbe.gov.ie/en/Publications/Return-to-Work-Safely-Protocol.html>

As a result of the Protocol, employers will need to take the following immediate steps if they are to resume operations in a safe and positive manner:

1. Review the Protocol and adjust any existing measures they have in place or were already being considered to reflect the terms set out.
2. Decide on the appointment of at least one 'worker representative' to ensure that C-19 measures are adhered to.
3. Decide on the COVID-19 response management team.
4. Provide information, guidance, and training (as will be necessary for particular roles) to ensure everyone knows what is expected.
5. Review all workplace practices and put the necessary plans in place to ensure compliance.
6. Decide and implement any physical changes that will be needed to follow the Protocol.

The protocol incorporates current advice about measures to reduce the spread of COVID-19 in the community issued by the National Public Health Emergency Team (NPHET). It is applicable to all sectors is non-exhaustive and its details are subject to change. As a 'living' document the protocol may be supplemented by further guidance. It encourages strong communication and a shared collaborative approach between employers and workers to protecting against the spread of COVID-19 in the workplace. Information and guidance should be provided by employers to workers, which should include the signs and symptoms of COVID-19, how it spreads, cleaning routines and waste disposal as well as advice on hand and respiratory hygiene, physical distancing, use of Personal Protection Equipment (PPE) and work equipment where relevant.

Note: *The Health and Safety Authority (HSA) have been charged with oversight and enforcement.*

2.0 Role of Worker Representative

Each workplace will appoint at least one lead worker representative charged with ensuring that COVID-19 measures are strictly adhered to in their place of work. The person(s) undertaking the role must receive the necessary training and have a structured framework to follow within the organisation to be effective in preventing the spread of the virus. The number of worker representatives for COVID-19 appointed will, ideally, be proportionate to the number of workers in the workplace and this person should be clearly identifiable in the workplace.

3.0 Impact on 'Essential Businesses'

The Protocol is not intended to replace the existing measures that essential businesses, which have continued to operate, have already implemented. However, such businesses should review their existing measures to ensure they are in line with this Protocol.

4.0 Communication & Training

The worker representative should, together with the COVID-19 response management team, support the implementation of the measures identified in this national protocol. Such a person or persons should be clearly identifiable in the workplace and receive the relevant and necessary training by their employer. The employer should use the appointed occupational safety and health officer or an external competent person to ensure the effective implementation of changes to work activities and the implementation of infection prevention and control measures in the workplace at the place of work.

5.0 Other key measures under the Protocol include:

5.1 Develop and/or Update the COVID-19 Response Plan.

As well as updating any OHS risk assessment and safety statement, employers are to address the level(s) of risk associated with various workplaces and work activities in the COVID-19 business plans and OSH risk assessments. For example, where, how and to what sources of COVID-19 might workers be exposed, including the general public, customers, co-workers etc.

5.2 Develop or amend policies and procedures for prompt identification and isolation of workers who may have symptoms of COVID-19, as appropriate.

The prompt identification and isolation of potentially infectious individuals is a crucial step in protecting the worker involved, their colleagues, customers or others at the workplace. Amongst a range of measures, employers are to keep a log of contact/group work to facilitate contact tracing and inform workers and others of the purpose of the log.

5.3 Develop, Consult, Communicate and Implement Workplace Changes or Policies.

Employers are to review and revise existing sick leave policies and amend as appropriate and in line with normal procedures. It is also stated that employers are to agree through “negotiation” with workers/Trade Unions any temporary restructuring of work patterns that may be required to implement the COVID-19 prevention measures in the workplace.

5.4 Implementing the COVID-19 Prevention and Control Measures to Minimise risk to Workers.

Before returning to work, a number of pre-return to work steps should be put in place and completed by both employers and workers. A key measure is that the employer must establish and issue a pre-return to work form for workers to complete at least 3 days in advance of the return to work. This form should seek confirmation that the worker, to the best of their knowledge, has no symptoms of COVID-19 and also confirm that the worker is not self-isolating or awaiting the results of a COVID-19 test. Workers must complete and return the pre-return to work form *before* they return to work. The questions to be included are:

- *Do you have symptoms of cough, fever, high temperature, sore throat, runny nose, breathlessness or flu like symptoms now or in the past 14 days? Yes/No.*
- *Have you been diagnosed with confirmed or suspected COVID-19 infection in the last 14 days? Yes/No.*
- *Are you a close contact of a person who is a confirmed or suspected case of COVID-19 in the past 14 days (i.e. less than 2m for more than 15 minutes accumulative in 1 day)? Yes/No.*
- *Have you been advised by a doctor to self-isolate at this time? Yes/No.*
- *Have you been advised by a doctor to cocoon at this time? Yes/No.*

The employer must also provide induction training for all workers. This should at a minimum include the latest up to-date advice and guidance on public health: what a worker should do if they develop symptoms of COVID-19; details of how the workplace is organised to address the risk from COVID-19; an outline of the COVID-19 response plan; identification of points of contact from the employer and the workers; and any other sector specific advice that is relevant.

The employer must implement **temperature testing** in line with Public Health advice.

In dealing with a suspected case of COVID-19 in the workplace, while a worker should not attend work if displaying any symptoms of COVID-19, the employer as part of a response plan must include a defined response structure that identifies the team(s) responsible for responding to a suspected case in the COVID-19 response plan. The employer must appoint an appropriate manager(s) for dealing with suspected cases and identify a designated isolation area in advance. The protocol also sets out the steps to be followed if a worker displays symptoms of COVID-19 during work.

The Protocol stipulates a range of measures to encourage good [hand hygiene practice along with respiratory hygiene and etiquette](#). Workers should not share objects that touch their mouth, for example, bottles or cups.

[Employers must provide for physical distancing](#) across all work activities and several ways to achieve this are outlined. Employers must implement a no hand shaking policy and organise workers into small teams who consistently work and take breaks together. Breaks must be organised in a way to facilitate maintenance of physical distancing during breaks and working and break areas should be reorganised and rearranged. There may be a need to consider closing canteen facilities if public health measures including social distancing cannot be facilitated. Otherwise there will be a need to stagger canteen use and extend serving times.

Meetings must be conducted as much as possible using online remote means. There is a need to provide one way systems for access/egress routes in the workplace where practicable, and to adapt existing sign-in/sign-out measures and systems, to ensure that physical distancing can be maintained. Gatherings of workers in the workplace at the beginning and end of working hours are to be prevented.

In settings where 2 metre worker separation cannot be ensured by organisational means, alternative protective measures should be put in place, for example by installing physical barriers, such as clear plastic sneeze guards between workers.

[If an at risk or vulnerable worker cannot work from home and must be in the workplace](#), employers must make sure that they are preferentially supported to maintain a physical distance of 2 metres. However, employers should enable vulnerable workers to work from home where possible.

[Office work](#) should continue to be carried out at home, where practicable and for non-essential work.

[Business trips and face-to-face interactions](#) should be reduced to the absolute minimum and, as far as is reasonably practicable, technological alternatives should be made available (e.g., telephone or video conferencing). Workers should be encouraged to travel alone if using their personal cars for work or at a maximum be accompanied by one passenger who shall be seated in adherence with physical distancing guidance. Workers should be provided with hand sanitisers and cleaning equipment for their work vehicle.

[Induction training](#) is to be provided for contractors and visitors to the workplace.

[Cleaning of work areas must be conducted at regular intervals](#). If disinfection of an area is required it must be performed in addition to cleaning, never as a substitute for cleaning. There is a need to ensure contact/touch surfaces such as tabletops, work equipment, door handles, and handrails are visibly clean at all times and are cleaned at least twice daily. Workers should be provided with essential cleaning materials to keep their own workspace clean.

Employers must provide [PPE and protective clothing](#) to workers in accordance with identified COVID-19 exposure risks and in line with Public Health Advice. The use of PPE can help prevent some exposures, but it should not take the place of other preventative measures set out under the Protocol.

6.0 Worker Role

Workers should follow the public health advice and guidance, as well as any specific direction from the employer. They should also adopt good hygiene practices, such as frequent hand washing, respiratory etiquette and physical distancing to protect themselves and their work colleagues against infection and should seek professional healthcare advice if unwell. If a worker has any symptoms of COVID-19, they should not attend work. Workers should also avoid making contact with their face and in particular their eyes, nose and mouth.

7.0 Customer Facing Roles

Employer must eliminate physical interaction between workers and customers as much as is reasonably practicable through revised working arrangements. Hand sanitisers are to be provided at entry/exit points and physical barriers installed and clear markings to ensure that contact between workers and customers is kept to a minimum and to ensure that queues do not form between customers as they wait to be served. Employers must implement a cleaning regime to ensure that contact points for workers and customers are kept visibly cleaned at all times.

8.0 Heating, Ventilation Air Conditioning (HVAC)

Switching off air conditioning is not required to manage the risk of COVID-19. For organisations without air conditioning adequate ventilation is encouraged, for example, by opening windows where feasible etc.

9.0 Mental Health & Wellbeing

Employers should put in place support for workers who may be suffering from anxiety or stress. They should ensure workers are made aware of and have access to any business provided Employee Assistance Programmes or Occupational Health service.

Stratis Is here to help you navigate this period of uncertainty

We recognise that to meet the terms of the Protocol, it will be a challenge for many organisations and that it will give rise to additional costs both to implement and to maintain. For every business, the roadmap to reopening will be complex and challenging.

We also attach a summary of the five phases of lockdown easing announced by the Government on 01.05.20 in its 'Roadmap for Reopening Society & Business'.

We hope you find these summaries helpful and if you would like to talk to us about any of the above issues in preparing your business for this critical transition phase in dealing with C-19 or about engaging your people through the period ahead, please get in touch with me at brendan.mcginty@stratis.ie or any one of our Partners.

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The information in this article is for guidance only and does not constitute legal advice. The answers to specific situations will vary depending on the circumstances of each case. You should consult Stratis for information and advice relevant to individual circumstances facing your business.

ADDENDUM: Ireland – Roadmap for Reopening Society & Business (Summary of Measures 01.05.20)

From May 2020, the five phases of lockdown easing in Ireland are:

Phase 1 (18 May)

- Outdoor meetings of up to four people from different households will be allowed and childcare for healthcare workers will be opened.
- Outdoor work, such as construction and gardening, to resume.
- Some shops, such as those selling stationery and IT equipment and opticians can also reopen.
- Retail outlets that are primarily outdoors, such as garden centres, hardware stores and repair shops can reopen.
- Current rules restricting funerals up to 10 people still apply.
- Schools and college buildings will reopen to teachers only.

Phase 2 (8 June)

- Visits to a different household by groups of up to four people will be allowed, if they maintain a 2-metre distance from those they don't live with.
- Small retail outlets can open with physical distancing measures in place.
- Libraries can open again.

Phase 3 (29 June)

- Sporting events can resume behind closed doors.
- Cafes and restaurants can reopen with physical distancing measures and strict cleaning protocols.
- Playgrounds can reopen.
- Those with low levels of interaction in their jobs can return to work.
- Non-essential retail, such as clothes shops, can reopen, but this is limited to those with street-level entrances and does not include shops inside shopping centres.

Phase 4 (20 July)

- Movement beyond a 20km radius will be allowed.
- Small social gatherings by family and close friends, including small weddings and baptisms, will be allowed with a maximum number of attendees and physical distancing in place.
- Larger numbers can visit another household for a limited period of time, while maintaining physical distancing.
- Those who cannot work at home can return to work.
- Museums, galleries and churches can reopen.

Phase 5 (10 August)

- Some larger social gatherings will be allowed, with restrictions in place.
- On a phased basis, schools and universities can start to reopen.

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