Shared Protocol for the regulation of measures to contrast and contain the spread of the Covid-19 virus in workplaces

Today, Saturday, March 14, 2020, the "Shared Protocol for the regulation of measures to contrast and contain the spread of the Covid-19 virus in workplaces" was signed.

The Protocol was signed upon invitation by the President of the Council of Ministers, the Minister of Economy, the Minister of Labor and Social Policies, the Minister of Economic Development and the Minister of Health, who promoted the meeting between the social partners, in implementation of the measure, stated in Article 1, first paragraph, number 9), of the Prime Minister's Decree of 11 March 2020, which - in relation to professional activities and production activities - recommends agreements between employers' organizations and trade unions.

The Government favors, to the extent of its competence, the full implementation of the hereby Regulatory Protocol.

Premise

The document, taking into account what has been issued by the Ministry of Health, contains guidelines shared by the Parties to facilitate companies in the adoption of anti-contagion safety protocols, namely Regulatory Protocol for the fight against and containment of the spread of the COVID 19 virus in the workplace.

In fact, the continuation of production activities can only take place in the presence of conditions that ensure adequate levels of protection for working people.

Therefore the Parties now agree on the possible use of social safety nets, with the consequent reduction or suspension of work, in order to allow companies in all sectors to apply these measures and consequent safety of the workplace.

Together with the possibility for the company to resort to agile working and social safety nets, extraordinary organizational solutions, the parties intend to favor the contrast and containment of the spread of the virus.

It is a primary objective to combine the continuation of production activities with the guarantee of conditions of health and safety both in the working methods and in the workplace.

As part of this objective, the temporary reduction or suspension of activities may also be envisaged.

In this perspective, the urgent measures that the Government intends to adopt, in particular with regard to social safety nets for the whole national territory, may be useful for the reduced presence in the workplace.
Without prejudice to the need to rapidly adopt a regulatory Protocol for contrasting and limiting the spread of the virus that provides for procedures and rules of conduct, prior comparison with the Trade Union representatives present in the workplaces, and for small business local representations as required by interconfederal agreements, so that every measure adopted can be shared and made more effective by the contribution of experience of the people who work, in particular of the RLS (Workers Safety Representative) and the RLST (Territorial Representation of Workers), taking into account the specificity of each individual production reality and the local territorial situation.

**SHARED REGULATORY PROTOCOL FOR THE CONTAINMENT OF THE SPREAD OF COVID-19**

The objective of this shared regulatory Protocol is to provide operational guidelines aimed at increasing, in non-healthcare workplaces, the effectiveness of the precautionary containment measures adopted to combat the COVID-19 epidemic.

COVID-19 represents a generic biological risk, for which equal measures must be taken for the whole population. This protocol therefore contains measures that follow the precautionary logic and follow and implement the prescriptions of the legislator and the indications of the Health Authority.

Without prejudice to all obligations under the provisions issued for the containment of the spread of COVID-19

*and Given that*

the Prime Ministerial Decree of 11 March 2020 provides for the observance until 25 March 2020 of restrictive measures throughout the national territory, for the containment of the spread of COVID-19 and recommends the following measures in place for production activities:

- maximum use by companies of agile working methods for activities that can be carried out from home or remotely;
- holiday leave and paid leave for employees as well as other instruments provided for are encouraged;
- the activities of company departments not indispensable for production are suspended;
- adoption of anti-contagion safety protocols and, where it is not possible to respect the interpersonal distance of one meter as the main containment measure, with the adoption of individual protection tools;
- sanitization operations in the workplace are encouraged, also using forms of social safety nets for this purpose;
- for production activities only, it is also recommended that movements within the sites are limited and access to common areas limited;
- favor agreements (limited to production activities) between employers' and trade union organizations;
- for all non-suspended activities, maximum use of agile working methods is requested

*it is established that*
• companies adopt this regulatory Protocol within their workplaces, in addition to the provisions of the aforementioned Decree, apply the additional precautionary measures listed below - to be integrated with other equivalent or more incisive ones according to the peculiarities of their organization, after consulting the company union representatives - to protect the health of persons inside the company and ensure the health of the work environment.

The company, through the most suitable and effective methods, informs all workers and anyone who enters the company about the provisions established by the Authorities, by delivering and / or posting information brochures at the entrance and in the most visible places of the company premises.

• In particular, the information concerns either the obligation to stay at home in the presence of fever (over 37.5 °) or other flu symptoms and to call your family doctor and the health authority with the awareness and acceptance of the fact of not being able to enter or to remain in the company and to have to declare it promptly where, even after entry, the hazardous conditions exist (symptoms of flu, temperature, origin from areas at risk or contact with people positive to the virus in the 14 previous days, etc.) in which the Authority's provisions require the family doctor or General Practitioner and the Health Authority to be informed and to remain at home or the commitment to comply with all the provisions of the Authorities and the employer in making access or entering in the company (in particular, keeping a safe distance, observing hand hygiene rules and behaving correctly in terms of hygiene) or the commitment to promptly and responsibly inform the employer of the presence of any flu symptoms during the work performance, ensuring to remain at adequate distance from any person or colleague present in the work premises.

2-METHOD OF ENTRY IN THE COMPANY
• Before entering the workplace, staff may be subjected to body temperature checks1

* If such body temperature is higher than 37.5 °, access to the workplace will not be allowed. People in this condition - in compliance with the indications provided in the note - will be temporarily isolated and provided with masks and must not go to hospital Emergency rooms and / or the Infirmary of the office, but are reqie to contact their doctor (GP) as soon as possible and follow the instructions indicated

• The employer informs his/her staff/personnel in advance, or those who intend entering the company, of the ban of access to those who, in the last 14 days, have had contacts with subjects that tested positive for COVID-19 or come from risk areas according to the indications set out by WHO 2

• As per these cases, refer to Law Decree no. 6 of 23/02/2020, art. 1, lett. h) and i)

3-METHOD OF ACCESS OF EXTERNAL SUPPLIERS
• For the access of external suppliers, identify entry, transit and exit procedures, using predefined methods, paths and timelines, in order to reduce the opportunities for contact with the staff in force in the departments / offices involved

• If possible, drivers of supply transport means must remain on board their vehicles: access to the offices is not allowed for any reason. For the necessary preparation of loading and unloading activities, the transporter must abide by the strict distance of one meter
• For suppliers / transporters and / or other external personnel, identify / install services dedicated toilets, provide for a ban on the use of those of employees and ensure adequate daily sanitizing and cleaning

• Access to visitors should be reduced as far as possible; if the entry of external visitors is necessary (cleaning company, maintenance ...), they must comply with all company rules, including those for access to company premises referred to in paragraph 2 above

• Where there is a transport service organized by the company, the safety of workers must be guaranteed and respected during each transfer.

• the rules of this Protocol extend to contracted companies that can organize permanent and temporary offices and construction sites within the sites and production areas

4-CLEANING AND SANITIZATION IN THE COMPANY

the company ensures daily cleaning and periodic sanitization of the premises, environments, workstations and common and leisure areas

• in the case of a person with COVID-19 inside the company premises, the aforementioned areas are cleaned and sanitized according to the provisions of circular no. 5443 of 22 February 2020 of the Ministry of Health and their ventilation

• cleaning at the end of the shift and periodic sanitization of keyboards, touch screens, with suitable detergents must be guaranteed, both in the offices and in the production departments

• the company, in compliance with the indications of the Ministry of Health according to the methods deemed most appropriate, can organize particular / periodic cleaning interventions using social safety nets (also by way of derogation)

5-PERSONAL HYGIENE PRECAUTIONS

• it is mandatory that the people present in the company take all hygienic precautions, especially for the hands

• the company provides suitable hand cleaning means

• frequent hand cleaning with soap and water is recommended

6-INDIVIDUAL PROTECTION DEVICES

• the adoption of the hygiene measures and individual protection devices indicated in this Regulatory Protocol is fundamental and, given the current emergency situation, is clearly linked to availability on the market. For these reasons:

a. the masks must be used in accordance with the provisions of the indications of the World Health Organization.

b. given the emergency situation, in the event of supply difficulties and for the sole purpose of avoiding the spread of the virus, masks may be used whose type corresponds to the indications from the health authority
c. the preparation by the company of the cleaning liquid according to WHO indications is favored (Https://www.who.int/gpsc/5may/Guide_to_Local_Production.pdf)

- if the work requires working at an interpersonal distance of less than one meter and other organizational solutions are not possible, the use of masks and other protective devices (gloves, goggles, overalls, headphones, gowns, etc.) are still required to the provisions of the scientific and health authorities.

7. COMMON SPACE MANAGEMENT (CANTEENS, CHANGING ROOMS, SMOKING AREAS, BEVERAGE AND / OR SNACK DISPENSERS)

- access to common areas, including company canteens, smoking areas and changing rooms is contingent, with the provision of continuous ventilation of the premises, a reduced stationary time within these spaces abiding by safety distance of 1 meter between the people who occupy them.

- the organization of spaces and the sanitation of the changing rooms must be provided in order to leave places for the storage of work clothes available to the workers and guarantee them suitable sanitary hygiene conditions.

- periodic sanitization and daily cleaning must be guaranteed, with special detergents in the canteen, on the keyboards of the vending machines for drinks and snacks.

8-COMPANY ORGANIZATION (SHIFTS, TRANSFERS AND SMART WORKING/REMOTE WORKING, REMODULATION OF PRODUCTION LEVELS)

With reference to the Prime Ministerial Decree of March 11, 2020, point 7, limited to the period of the emergency due to COVID-19, companies will be able, having as reference the provisions of the CCNL and thus favoring agreements with company union representatives:

- order the closure of all departments other than production or, in any case, those whose operation is possible through the use of agile working or in any case remote working modality

- It is possible to proceed with a re-adjustment of production levels

- ensure a shift plan for employees dedicated to production with the aim of minimizing contacts and creating autonomous, distinct and recognizable groups

- use of smart working for all those activities that can be carried out at home or remotely if social safety nets are used, even by way of derogation, always evaluate the possibility of ensuring that they concern the entire company structure, if necessary also with appropriate rotations and use as a priority of the social safety nets available in compliance of contractual institutions (paid leave time,paid working hours ) generally aimed at allowing absence from work without loss of salary

- if the use of the provisions referred to in point c) is not sufficient, the periods of vacation /paid leave will be used

- all national and international business trips are suspended and canceled, even if already agreed or organized

9- EMPLOYEE ENTRY AND EXIT MANAGEMENT
• Staggered entry / exit times are encouraged in order to avoid contacts in the common areas as much as possible (entrances, changing rooms, canteen)

• where possible, it is necessary to dedicate an entry door and an exit door from these rooms and ensure the presence of detergents indicated by specific indications

10-INTERNAL MOVEMENTS, MEETINGS, INTERNAL EVENTS AND TRAINING

• Movements within the company site must be limited to the minimum necessary and in compliance with company instructions

• face-to-face meetings are not allowed. Where these are characterized by the need and urgency, in the impossibility of remote connection, the necessary participation must be minimized and, in any case, interpersonal distancing and adequate cleaning / ventilation of the premises must be guaranteed

• all internal events and all classroom training activities, even mandatory, even if already organized, are suspended and canceled; it is however possible, if the company organization allows it, to carry out remote training, even for workers in agile working / home working mode

• Failure to complete the updating of professional and / or qualifying training within the deadlines set for all company roles / functions regarding health and safety in the workplace, due to the emergency in progress and therefore due to force majeure, does not imply the impossibility to continue the development of the specific role / function (by way of example: the emergency worker, both fire fighters and first aid operators, can continue to intervene in case of need; the forklift driver can continue to operate as a forklift driver)

11-MANAGEMENT OF A SYMPTOMATIC PERSON IN THE COMPANY

in the event that a person present in the company develops fever and respiratory infection symptoms such as cough, he must immediately declare it to the personnel office, and proceed with self-isolation according to the provisions of the health authority and that of others present in those premises, the company immediately proceeds to notify the competent health authorities and the emergency numbers for COVID-19 provided by the Region or by the Ministry of Health

• the company collaborates with the Health Authorities for the definition of any "close contacts" of a person present in the company who has tested positive to the COVID-19 swab. This is to allow authorities to apply the necessary and appropriate quarantine measures. During the investigation period, the company can request all the possible close contacts of the positive subject to leave the establishment as a precaution, according to the indications of the Health Authority

12-HEALTH SURVEILLANCE / COMPETENT DOCTOR / RLS (Representative for Workers Safety)

*Health surveillance must continue respecting the hygiene measures provided for in the indications of the Ministry of Health (so-called decalogue)

• during this period, preventive visits, visits on request and visits to return from illness are recommended

*periodic health checks must not be interrupted, because they represent a further general preventive measure: both because such checks can intercept possible suspected cases and symptoms of infection, and
because of the information that the competent doctor or GP can provide to avoid the spread of the infection

• in integrating and proposing all the regulatory measures related to COVID-19, the competent doctor collaborates with the employer and the RLS / RLST.

• The competent doctor notifies the company of situations of particular fragility and current or past underlying pathologies and the company provides for their protection in respect of privacy in compliance with the indications of the Health Authorities.

3-UPDATE OF THE REGULATORY PROTOCOL

• A Committee for the application and verification of the measures provided for in the regulatory Protocol is established in the company with the participation of the company's Union representatives and the RLS (Representative for the Worker’s Safety)

Notes

1 The real-time detection of body temperature constitutes a processing of personal data and, therefore, must take place in accordance with the current privacy regulations. To this end, it is suggested to: 1) detect the temperature and not record the acquired data. It is possible to identify the interested party and record the exceeding of the temperature threshold only if it is necessary to document the reasons that prevented access to company premises; 2) provide information on the processing of personal data. Remember that the information may omit the information of which the interested party is already in possession and can also be provided verbally. As for the contents of the information, with reference to the purpose of the treatment, the prevention of contagion from COVID-19 may be indicated and with reference to the legal basis, the implementation of the anti-contagion safety protocols may be indicated in accordance with art. art. 1, no. 7, lett. d) of the Prime Ministerial Decree of 11 March 2020 and with reference to the duration of any data retention, refer to the end of the state of emergency; 3) define security measures and organizational measures to protect data. In particular, from an organizational point of view, it is necessary to identify the persons in charge to the treatment and provide them with the necessary instructions. To this end, please note that the data can only be processed for purposes of prevention from contagion from COVID-19 and must not be disclosed or communicated to third parties outside the specifications of the regulatory provisions (e.g. in the event of a request by the Health Authority for the reconstruction of any supply chain “Close contacts of a worker tested positive for COVID-19); 4) in the event of temporary isolation due to exceeded temperature threshold, ensuring methods that guarantee the confidentiality and dignity of the worker. These guarantees must also be insured in the event that the worker notifies the personnel department office of having had it the company context, contacts with subjects who have tested positive for COVID-19 and in the case of removal of the worker who during work developed fever and symptoms of respiratory infection and possible colleagues (see below).
2 If a declaration is requested to certify that a person does not come from epidemiological risk areas and absence of contacts, in the last 14 days, with subjects tested positive for COVID-19, please remember to pay attention to the discipline on the processing of personal data, since the acquisition of the declaration constitutes data processing. To this end, apply the indications referred to in the previous note no. 1 and, specifically, it is suggested to collect only the necessary data, adequate and relevant with respect to the prevention of COVID-19 infection. For example, if you request a declaration on contacts with people tested positive for COVID-19, it is necessary to refrain from requesting additional information regarding the person tested positive. Or, if a declaration is requested on the origin from areas at epidemiological risk, it is necessary to refrain from requesting additional information regarding the specificities of the places.