

LABOR LAW ASPECTS IN THE CONTEXT OF COVID-19

GENERAL ASPECTS

In light of the new legislative changes, both public and private sector employees are required to comply with a set of rules and to implement certain measures to prevent the spread of SARS-CoV-2 coronavirus and to ensure that the business is in place. work in safety and health at work.

During the alert state, employers have certain obligations, including:

- To observe the instructions provided in the prevention and protection plan and the own instructions for safety and health at work drawn up by the employer;
- To wear protective masks covering the nose and mouth at work organized by employers and to accept the verification of body temperature at the entrance to the headquarters, at the beginning of the program and whenever they return to the headquarters;
- To disinfect the workspace and the objects necessary for their own activity, as well as to wash and disinfect their hands;
- To avoid parking in common areas and to ventilate frequently (at least once a day) the closed space in which they carry out their activity;
- To notify the employer immediately if he shows, at the beginning or during the working hours, symptoms of SARS-CoV-2 virus infection and to interrupt any contact between the employer / employee / other persons inside the institution and the symptomatic person;
- In the case of work from home or telework, employees carry out their activity under the coordination of the employer and in accordance with their training and instruction, as well as with the instructions received from the employer, so as not to expose to danger of injury or occupational disease or epidemiological contamination. with SARS-CoV-2 coronavirus, neither oneself nor others who may be affected by his or her actions or omissions during the work process

During the alert state, employers have the obligation to implement certain measures, including:

- To include, during the normal working hours of the workers and in a way adapted to the new risks represented by the infection with SARS-CoV-2, in the field of safety and health at work, all workers who stayed at home during the state of emergency, technical unemployment, telework, work from home or others;
- To establish the activities that can be continued and / or adapted, depending on their specifics and available resources, and implement the necessary measures for the resumption and / or maintenance of the activity, provided compliance with measures to prevent the spread of SARS-CoV-2, including for carrying out the activity in telework or work at home regime - which can remain a priority
- To display at the entrance and in the most visible places in the unit the rules of compulsory conduct for the employees and for all the persons who enter the space organized by the employer and ensure their observance
- The employee can individualize the work schedule of employees (especially employees in vulnerable groups) who work indoors, so as to reduce, as much as possible, depending on the nature and specifics of activities, direct contact between them, without affects the duration of the normal working hours;
- The employee can individualize the work schedule of the employees so that between them to ensure the existence of an interval of at least one hour at the beginning and end of the work schedule, during at least three hours, in tranches of at least 20% of the staff, without affecting the duration of the normal work schedule, in the case of employers with a number of more than 50 employees who carry out the activity in the same work space. The measure also includes work spaces with more than 50 employees, regardless of whether the employees belong to different employers, without affecting the duration of the normal work schedule;
- Ensures special color of access to the premises and traffic for employees, in order to avoid congestion at workplaces and limits access to common areas, ensuring compliance with the rules of social distance;
- Designates a person responsible for checking the temperature of all persons entering the unit / institution. Employees with a temperature above 37.3oC will be sent home, with the indication of consulting the family doctor;

- Place dispensers with disinfectant at the entrance to the unit, as well as in each sector of the workplace and have the offices ventilated at least once a day. At the same time, it disinfects the work surfaces at the beginning of the work program and, subsequently;
- Prohibit the access to the unit of persons who show symptoms of SARS-CoV-2 coronavirus infection and interrupt any contact between the employer / employee / other persons inside the unit with a symptomatic person;
- Apply marking strips of the recommended distance (1.5 meters) in the workplaces where they work with the public, for the people who are waiting in line to enter the premises;
- Ensures the granting of staggered lunch breaks, respecting the distance of at least 1.5 meters between workers;
- Avoid using the air conditioning system or, if necessary to use it, ensure nebulization and disinfection of the air conditioning system according to the manufacturer's instructions, once a week;
- Arrange the workspace so that the physical distance between employees can be maintained, by establishing a fixed number of people who can work in the same room. A minimum distance of 1.5 m will be ensured between employees working in front-to-back and back-to-back offices, and front-to-front offices will be separated by partitions that will be disinfected daily with alcohol-based solutions;
- Limits travel outside the workplace only to situations where they are strictly necessary for the activity;
- Ensures that the circulation of documents in the institution / company is mainly done by electronic means;

The legal basis for the above is represented by ***Order no. 1731/2020, issued by the Ministry of Economy, Energy and Business Environment and Order no. 3577/2020 issued by the Ministry of Labor and Social Protection.***

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