

Update on Coronavirus

Health & Safety Considerations of Returning to Work Safely

Taoiseach Leo Varadkar has already announced the commencement of Phase One of lifting Covid-19 restrictions which started on Monday, May 18, 2020. While restrictions remain in place, a number of sectors returned to work last week where social distancing could take place. The sectors impacted by easing of restrictions included those working in construction, gardening/ outdoor workers as well as certain retailers.

The significance of commencing Phase One of the Roadmap for Reopening Society & Business cannot be underestimated and acts as a signal to the Community and Voluntary Sector to commence plans under the return to work safely protocols. The Protocol itself, seeks to support Employers and workers in putting measures in place that will mitigate against the spread of Covid-19 in the workplace and will act as a conduit for all Employers in this sector to carry out mandatory actions in the preparation of a return to work.

Covid-19 Response Plan

Health and safety play a pivotal role in the Protocol and has left many Employers in the Community and Voluntary Sector seeking clarity on what to do to ensure its proper implementation. The first step for any Employer is the development of a Covid-19 Response Plan which will in the first instance define Covid-19 outlining the symptoms and how it is spread as well as offering guidance and instruction on hand hygiene, respiratory etiquette, physical distancing and the necessary public health advice from the HSE and other sources as appropriate. The response plan must also contain information on the appointment of the Lead Worker Representative (LWR) and the duties associated with the role and the training that will be provided to the appointed person(s). Part of the ambit of the response plan is to establish and issue pre-return to work forms for workers to complete at least three days in advance of return to work. This form should seek confirmation that the worker has no Covid-19 symptoms, is not self-isolating or awaiting the results of a Covid-19 test. Paramount to the success of the response plan is the implementation of preventative and control measures to minimise risk to workers through the assessment of risks and development of essential checklists.

Suspected Case Response Plan

The development of a suspected case response plan is mandatory and all Employers in the Community and Voluntary Sector must ensure that contained within that plan there is a defined

response structure that identifies the team responsible for responding to the suspected case as well as providing details on a designated isolation areas and additional areas as required. Information pertaining to ventilation and the availability of tissues, hand sanitiser, disinfectant, wipes, PPE, gloves, masks, clinical waste bags should also be provided. It is essential that the suspected case response plan takes account of the possibility of one or more persons displaying the signs of COVID19 in order to have additional isolation areas available or another contingency plan for dealing with same and procedures detailing how a suspected case or cases will be dealt with. As every Employer engages in measures to counteract the spread of the virus there must also be procedures in place in mitigating the spread of the virus, should there arise a suspected case, and an assessment of the incident to determine what follow up actions are necessary.

Safety Statement amended to address Covid-19, compile appropriate Covid-19 risk assessment

As indicated in the Protocol document, the Safety Statement of each Employer in the Community and Voluntary Sector must be updated in line with the guidance set out. Which means, that amongst other things, the statement should be reflective of the meaningful engagement obligation between the Employer, the Lead Worker Representative and other parties as well as the specific training to be provided and other measures taken as indicated in the Protocol. Risk assessments must be undertaken in order to identify any risk of exposure to Covid—19 and detail the measures and controls necessary to mitigate this risk. Where the control of infection measures implemented requires changes to work activities, the Employer is required to review and update their occupational health and safety risk assessments and safety statement in order to take account of any work changes which may arise following implementation. As Employers implement the measures in the workplace to reduce the risk of exposure to Covid-19 for workers, specific occupational health and safety measures may also need to be considered. One such example is the provision of updated First Aid Responder (FAR) training in the context of Covid-19 and in respect of CPR. Also included in the FAR training is the use of PPE when dealing with suspected Covid-19 cases, as well as any other measures implemented that take account of official public health advice and guidance from appropriate government sources.

Training for Lead Worker

The training to be provided to the Lead Worker Representative (LWR) will include reference to a structured framework that will be followed by the LWR within the organisation to be effective in preventing the spread of the virus. It should also detail the collaborative nature of the role in working with the Employer and the Response Management team as appointed, to assist in the implementation of measures and monitor adherence to the measures to prevent the spread of COVID -19 as contained within the Response Plan. Finally, a requirement under the Protocol is to ensure that the Lead Worker Representative is clearly identifiable in the Response Plan as well as within the workplace so it is essential that the provision of training in this respect outlines the role of the LWR in the communication of health advice around COVID-19 in the workplace as well as being referenced in the Safety Statement.

Covid-19 Induction course for all staff prior to returning

Crucial to the success of implementation of measures to limit the spread of Covid-19 is the provision of induction training to all workers prior to their return to work. The induction training should include up-to-date public health guidance as well as information of what workers should do if they develop symptoms. Contained within the training should be details of how the workplace is organised to address Covid-19 risks and what is outlined in the Covid-19 response plan. Finally, it is important that points of contact are clearly identified within the induction training and details of

any other sector specific advice is given to enable all Employees to be aware of what is expected of them and what that can expect from the Organisation.

Health and Safety Authority

Central to the realisation of the Protocols are non-exhaustive actionable items that must be consistently reviewed and applied, and it is certainly evident that there exists a litany of measures to be taken by all Employers in the Community and Voluntary Sector from a health and safety perspective in planning for a safe return to work. It is also important to note that the Health and Safety Authority (HSA) will have oversight and enforcement authority over the return-to-work protocols. HSA inspectors will be able to visit the workplace and advise on any shortcomings through an inspection report, which can include timelines and the follow-ups needed. There will unfortunately be little room for error even though resources are restricted in the in the Community and Voluntary Sector. The inspectors will also have the power to serve an Improvement Notice or a Prohibition Notice. It is therefore essential that expert advice is taken when reviewing and seeking to implement your health and safety obligations as an Employer under the Protocols.

Disclaimer - The information in this section is provided to assist Employers on the implementation of government guidelines and must be read in that context and should not be interpreted as a legal definition of any of the information provided. The information is changing constantly, and any information relating to the government guidelines or protocols should be reviewed on the appropriate website.

For further information or advice, please contact the designated HR & Employment Helpdesk at thewheelhrhelpdesk@adarehrm.ie or via telephone on (01) 5394661 Monday – Friday 9.00am- 5.00pm