
Key recommendations of Ireland's Return to Work Safely Protocol



CC Solicitors recently set out **Key Components of a Workplace Exit Strategy from Lockdown**. The Government has now issued an extensive Protocol, on returning to work, [click here](#). It is interesting to see the emphasis in the Protocol on *“Strong communication and a shared collaborative approach between employers and workers is key to protecting against the spread of COVID-19 in the workplace.”*

The Protocol is as a result of discussion and agreement at the Labour Economic Forum, which is the forum for high level dialogue between government, trade union and employer representative.

Many employers will have already developed some protocols in anticipation of a phased return to work. This Protocol is not intended to replace the existing measures, but organisations are recommended to review their existing measures to ensure they are in line with the recently issued Protocol on returning to work.

It is recommended that office work should continue to be carried out at home, where practicable. Business is also recommended to develop and consult on any working from home policy in conjunction with workers and/or Trade Unions. There is a detailed and useful advice on working from home from the Health and Safety Authority, [click here](#). However, where there is a return to the workplace, there are some very significant changes around the health and safety of the workforce and public, which organisations will be obliged to implement. The Protocol also imposes obligation on workers, who also have a responsibility to assist in implementing these health and safety measures.

Worker Lead Representative and COVID-19 Manager

We recommended in our article on **Key Components of a Workplace Exit Strategy from Lockdown** that organisations develop a COVID Policy and appoint a senior manager to carry out a risk assessment in preparations for the return of the workforce. The Protocol also recommends that in addition – organisations should appoint **one lead worker representative** to work collaboratively with the employer. The number of worker representatives will ideally be proportionate to the number of workers in the workplace, although there is no specific guidance on this. Such a person or persons should be clearly identifiable in the workplace and receive the relevant and necessary training, which at a minimum should include the latest up to-date advice and guidance on public health.

Develop a COVID-19 Response Plan for a Return to Work

We have set out below some of the key recommendations from the Protocol below;

- develop and/or update a business COVID-19 Response Plan
 - arrange for the putting in place of the necessary controls identified in the risk assessment to prevent the spread of COVID-19 in the workplace
 - update occupational health and safety risk assessments and safety statement
 - address the level(s) of risk associated with various workplaces and work how and to what sources of COVID-19 might workers be exposed, including the public, customers, co-workers etc. The Protocol sets out specific steps to take for workers exposed more frequently to the public e.g. retail workers
 - consider worker's individual risk factors (e.g. older workers, presence of underlying medical conditions, etc.)
 - include a defined response structure that identifies the team(s) responsible for responding to a suspected case in the COVID-19 response plan. The Protocol sets out a very useful and specific response to a suspected and actual case of COVID -19
 - keep a log of contact/group work to facilitate contact tracing
 - display information on signs and symptoms of COVID-19
 - provide instruction for workers to follow if they develop signs and symptoms of COVID-19
 - review and revise existing sick leave policies and amend as appropriate
 - agree through negotiation with workers/Trade Unions any temporary restructuring of work patterns that may be required to be implemented
 - prepare 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
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symptoms of COVID-19 etc. The Protocol sets out specific questions to be included on the form.

- implement temperature testing in line with Public Health advice
- ensure that appropriate hygiene facilities are in place to accommodate workers adhering to hand hygiene measures.
- increase hygiene in the workplace, provide tissues as well as bins/bags. Empty bins at regular intervals.
- promote good respiratory practice
- 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
- provide workers with essential cleaning materials to keep their own workspace clean (for example wipes/ disinfection products, paper towels and waste bins/ bags)
- the Protocol details a number of approaches to achieving physical distancing, such as a no hand shaking policy where office work is essential, free office capacity must be used as much as is reasonably practicable and work organised in such a way that multiple occupancy of office premises is avoided and/ or physical distances maintained
- organise breaks and canteens in such a way, if you can, as to facilitate maintenance of physical distancing during breaks
- conduct meetings as much as possible using online remote means. Where face to face meetings are necessary, the length of the meeting and the numbers attending should be kept to a minimum and participants must maintain physical distancing at all times
- in settings where 2 metre worker separation cannot be ensured by organisational means, alternative protective measures should be put in place, for example, install physical barriers, such as clear plastic sneeze guards between workers
- 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)
- employers must provide PPE and protective clothing to workers in accordance with identified COVID-19 exposure risks and in line with Public Health Advice
- workers who are returning to the workplace after a period of isolation are likely to have concerns about the risk of infection or changes to their job due to the implementation of measures to prevent the spread of COVID-19. Employers should put in place support for workers who may be suffering from anxiety or stress.

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If you would like a copy of our recent article and podcast on ***The Key Components of a Workplace Exit Strategy from Lockdown*** and/or assistance in putting together or reviewing a COVID-19 Policy to ensure compliance with best practice and/or the Protocol, please visit our website at www.ccsolicitors.ie and/or contact one of the specialist employment and partnership law team at CC Solicitors.

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