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LEGAL • TAX • ACCOUNTING

## Health & safety requirements in the workplace

The outbreak of Coronavirus COVID-19 has wide-ranging implications for businesses, governments and institutions across markets and industries. This newsletter prepared by our Legal Team contains information on the potential impact this pandemic may have on your businesses.

BOGA & ASSOCIATES has established a dedicated *directline* service, available to our clients and business partners. You can contact our dedicated COVID-19 Legal Team at our *directline* by clicking [here](#).

### How to manage health and safety requirements in the workplace in the context of COVID-19?

In the workplace, health and safety regulations are paramount to the well-being of the employees and the employer. Employees are the most valuable resource and protecting their health shall be top priority.

Albanian legislation emphasizes the importance of safety and protection of health at workplace, designating the employer responsible for taking the required measures. The measures are necessary for the improvement of work conditions, protection of life, integrity and health as well as physical and mental protection of the employees. The legal measures that employers should provide are the care for hygiene in the workplaces necessary for the prevention of any disease and accident, informing and continuously training the employees about the possible risks associated with work as well as collective and individual measures for the protection of the employees.

Because of the recent developments that have taken place in Albania due to the situation created by

COVID-19, after a period of suspension of most of commercial activities, starting from April 27, 2020 some businesses may conduct their economic activity. Nevertheless, these businesses should implement the measures and safety protocols set by Instruction no. 395 of Ministry of Health and Social Protection "*General Recommendations to Business Entities Permitted to Conduct Activity in the Conditions for Facilitating the Measures Taken to Restrict COVID-19 Spread*".

Now more important than ever health and safety measures are crucial to protect the health and lives of employees and to limit the spread of COVID-19 in order to reduce the transmission of infection among employees and to maintain business continuity as well as to create a safe and healthy working environment.

The measures that each business should take depends on the type of the activity conducted and the number of employees.

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Depending on the number of the employees, the measures are categorized in three levels:

1. Green Protocol (0-25 employees)
2. Yellow Protocol (26-50 employees)
3. Red Protocol (more than 51 employees)

General measures that each employer should take are as follows:

Regarding *hygiene*, the employer should continuously provide hygiene products such as hand soap, alcohol-based disinfectants (at least 60% alcohol), hand cleaning paper and surface disinfectant and closed trash bins that need to be cleaned every day. Moreover, continuous cleaning should be conducted in the workplace, such as disinfection of telephones, desks, keyboards and other work tools.



With regard to *protective measures*, the employer is responsible for the continual provision of medical masks and gloves and should ensure that employees are using them.

In connection with the *information*, the employer should display posters with visual signs that encourage hand hygiene, encourage respect for respiratory ethics practices, visual signs not to use each other's work tools and to maintain distance as well as signs that indicate to avoid greetings.

Regarding *social distancing*, the distance of 2m should be respected and where possible to work in shifts, the physical space between employees and customers should be increased and the provision of distance/online services should be enabled. Also,

where possible, the employer should implement work from home office or flexible hours.

Other *measures* recommended are the installation of *surveillance cameras*, when there are more than 5 employees in order to observe whether the hygiene and safety measures are strictly followed. Furthermore, natural ventilation should be provided, by taking appropriate measures to intervene in the ventilation system.

The *employees* have some obligations as well. Apart from complying with the above measures, the most important obligation is declaration in case of contact with a person positive to COVID-19. In this case, the employee should stay on *self-quarantine* and notify the business doctor and the administrator, and the latter notifies the respective Local Health Care Unit. Employees who have clinical symptoms should stay at home on self-quarantine, monitor the symptoms and report any concerns to free emergency line 127, the family doctor as well as the business doctor and administrator.

In the event an employee has symptoms or declares that has had contact with a person positive to COVID-19, the administrator should urge the employee to stay at home and must notify the Local Health Care Unit and Public Health Institution. Also, every business should have a specific place to isolate a person who shows symptoms of COVID-19.

It should be noted that the *Public Health Institution* conducts systematic inspections to assess the implementation of the measures and impose penalties if such measures have not been duly implemented.



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If you wish to know more on issues highlighted in this edition, you may approach your usual contact at our firm or the following:

[info@bogalaw.com](mailto:info@bogalaw.com)

## **Tirana Office**

40/3 Ibrahim Rugova Str.  
1019 Tirana  
Albania

Tel +355 4 225 1050

Fax +355 4 225 1055

[www.bogalaw.com](http://www.bogalaw.com)

## **Pristina Office**

50/3 Sylejman Vokshi Str.  
10000 Pristina  
Kosovo

Tel +383 38 223 152

Fax +383 38 223 153

[www.bogalaw.com](http://www.bogalaw.com)

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## **BOGA & ASSOCIATES TOP TIER ACHIEVEMENTS 2020**

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**IFLR1000 2020:** Ranked in Tier 1 in Financial and Corporate and Project Development

**Chambers Global 2020:** Ranked in Band 1 in General Business Law

**Chambers Europe 2020:** Top Ranked in 3 practice areas

**The Legal 500 2020:** Top Ranked in Legal Market Overview

**Benchmark Litigation Europe 2020:** Top Ranked in Dispute Resolution

**WTR1000 2020:** Top Ranked in Trademarks

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## Boga & Associates

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The firm’s particularity is linked to the multidisciplinary services it provides to its clients, through an uncompromising commitment to excellence. Apart from the widely consolidated legal practice, the firm offers the highest standards of expertise in tax and accounting services, with keen sensitivity to the rapid changes in the Albanian and Kosovo business environment. The firm delivers services to leading clients in major industries, banks and financial institutions, as well as to companies engaged in insurance, construction, energy and utilities, entertainment and media, mining, oil and gas, professional services, real estate, technology, telecommunications, tourism, transport, infrastructure and consumer goods.