



PENINSULA

HEALTH & SAFETY ADVICE

Guidance Notes and Frequently asked Questions

INTRODUCTION

The outbreak of Coronavirus Disease 2019 (COVID-19) has evolved rapidly. Exposure to COVID-19 may present a health risk to workers and other persons at a workplace. Employers are advised to follow the latest public health advice and identify and implement suitable control measures to mitigate the risk of COVID-19 infection in the workplace. These public health measures should be communicated to all relevant employees and others at the place of work.

In workplaces where the nature of the work poses an occupational exposure health risk to COVID-19 such as healthcare and laboratory settings, employers are required to ensure that detailed biological agents risk assessments are carried out. These will need regular review and updating and will be based on current best practice in relation to infection prevention and control. Control measures must be communicated to all relevant employees and others at the workplace.

For other workplaces where there is no occupational exposure health risk to COVID-19, employers should take into account the most up to date official advice and guidance from the Department of Health and the Health Protection Surveillance Centre on how to mitigate the health risk to employees and others at the place of work.

This should also include measures advised by the Department of Foreign Affairs and Trade for work related travel.

Employees should follow the public health official advice and guidance including ensuring good hygiene practices, such as frequent hand washing and respiratory etiquette, to protect against infections and should seek professional healthcare advice if unwell. The following video clip provides some useful advice:

<https://www.youtube.com/watch?v=ztj7JhMt3Wc>

Should my employer provide me with facemasks, for example, a surgical mask or respirator?

The HSE advises that there is no evidence that using facemasks is of any benefit to people who are not sick. Facemasks are only recommended to be worn by symptomatic individuals (advised by a healthcare worker) to reduce the risk of transmitting the infection to other people.

As a result, facemasks are not recommended for people working with the general public who are feeling well and do not have respiratory symptoms associated with Covid-19 (for example, cough, fever, shortness of breath).

The most important action workers can take to protect themselves from COVID-19 is regular hand-washing, good respiratory hygiene and follow social distancing guidelines. The HSE provides a step-by-step guideline on how to properly wash your hands and avoid infection on its website and information on social distancing.

What are the requirements for the regulation of hand sanitising gels?

Hand sanitising gels are biocides and fall under the Biocidal Products Regulation (BPR) – Regulation (EU) 528/2012. Applicants are required to register such products with the Department of Agriculture, Food and Marine (DAFM) Biocides unit in their Product Registration and Control Division before making them available for sale and use in Ireland.

Do I need to notify the Health and Safety Authority if an employee contracts COVID 19?

No. There is no requirement for an Employer to notify the Authority if an employee contracts COVID-19. Diseases are not reportable under the Safety, Health and Welfare at Work (Reporting of Accidents and Dangerous



Occurrences) Regulations 2016 (S.I. No. 370 of 2016).

COVID-19 is reportable under the INFECTIOUS DISEASES (AMENDMENT) REGULATIONS 2020 by a medical practitioner who becomes aware or suspects an instance of such disease.

Are specific groups of employers required to undertake a risk assessment with regard to COVID-19 and potential workplace exposure?

Yes, where the nature of the work poses an occupational exposure health risk to COVID-19 such as in healthcare and laboratory settings, employers are required to ensure that an appropriate Biological Agents risk assessment is carried out. Suitable control measures should be identified and implemented to mitigate the risk of COVID-19 infection. These measures should be communicated to all relevant employees and others at the place of work.

Risk assessments may need regular review and updating and will be based on current best practice in relation to infection prevention and control.

What actions should other employers take?

For other workplaces where there is no occupational exposure health risk to Covid-19 such as retail, offices, hospitality, transport etc., employers should take into account the most up to date official public health advice and guidance from the Department of Health and the Health Protection Surveillance Centre on how to mitigate the health risk. These public health measures should be communicated to employees and others at the workplace.

As an employer do I have to provide sanitary and washing facilities for visiting workers e.g. drivers delivering goods?

Although there is no specific Safety, Health and Welfare at Work Act 2005 requirement to provide sanitary and washing facilities for visiting workers, there is a duty for employers to

cooperate. It is not unreasonable for workers who visit a work premises, for example, drivers making collections or deliveries, to request and be given access to toilet or hand-washing facilities. In the present public health crisis and with the need to keep critical supply chains operating, companies who are relying on workers such as drivers to deliver/take goods from their sites should make adequate and appropriate arrangements for drivers to avail of hand washing and toilet facilities at their premises. Workers who are visiting workplaces where there are restriction arising from the risk of COVID 19 should comply with site rules and also take into account public health advice around preventing the spread of COVID-19.

Advice for employers in respect to statutory examinations and testing

Several pieces of legislation enforced by the Health and Safety Authority contain provisions that require examinations and testing to be undertaken by competent persons at predefined statutory intervals. Such legislation includes the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007) in respect to lifts and lifting equipment and the Safety, Health and Welfare at Work (General Application) (Amendment) Regulations 2012 (S.I. No. 445 of 2012), in respect to pressure systems.

The continued safe operation of such equipment depends, in a large part, on the continued safety of the equipment and accessories involved. Failures in this type of equipment can have significant or even fatal consequences for workers and members of the public. Duty-holders have a legal responsibility to maintain work equipment in a condition that is safe and to ensure that any required statutory inspections, examinations or testing is undertaken as required.

There is currently no derogation in respect of the provisions of the Safety, Health & Welfare at Work Act 2005 or its associated statutory provisions at the present time. However, the Authority recognises that employers, as a result of national measures to prevent the spread of COVID 19, may in certain circumstances, find it challenging to source the necessary competence to undertake such examinations.



Notwithstanding any such difficulties, employers are reminded of their general duty to ensure, so far as reasonably practicable, the safety health and welfare at work of their employees and that of others who may be present at the place of work.

Additionally, employers must continue to ensure, so far as reasonably practicable, the design, provision and maintenance of plant and machinery so that it is safe and without risk to health. Should duty-holders have any concern about the continued safe operation or use of such plant or equipment, it should be removed from service until such concerns have been appropriately addressed.

In the event that engineering companies are suffering shortages in their resources, which may inhibit their ability to undertake such statutory examinations, consideration should be given to focusing available resources on equipment present at essential locations or which is critical to the operation of infrastructure and supply chains essential to the national interest at this critical time.

Employers are advised to follow the latest public health advice and to identify and implement suitable control measures to mitigate the risk of COVID-19 infection in the workplace. These measures should be communicated to all relevant employees and others at the place of work. Competent persons who are working on site where there are restrictions arising from the risk of COVID-19 should comply with site rules and also take into account public health advice around preventing the spread of COVID-19. Public health advice is available on the Department of Health, HSE and Health Protection Surveillance Centre websites.

During inspections, the Authority will take into consideration all matters of fact when deciding the appropriate level of action to take where any contravention of the relevant statutory provisions are observed.

As mentioned above, there is currently no exemption for or relaxation of the legislative requirements in respect to the undertaking of statutory examinations or testing. However, the Health and Safety Authority recognises this is a fluid situation, and we are keeping matters under review.

First Aid Re-certification

PHECC is responsible for the provision of First Aid Certification and has confirmed that that if a Responders certification has lapsed and they are unable to complete recertification, it is acceptable for the Registered Institutions to continue to extend this period until such time that the situation is rescinded.

This departure from normal standards shall be limited to the duration of the current COVID-19 crisis.

Please see following [link](#) to PHECC website where further information regarding extensions to current licences and certification is outlined.

The First Aid Regulations require employers, based on a risk assessment, to have sufficient first aid equipment and trained first aiders in the workplace. They regulations do not specify the training standard, duration of training and retraining and recertification periods but the Authority will continue to recognise first aid responders existing certification during the Covid 19 pandemic. Those first aiders can continue to administer first aid in the workplace

Need Further Advice?

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