

WORKPLACES MANUAL: COVID-19

JUNE, 2020



QIL+4
ABOGADOS



GENERAL PREVENTIVE MEASURES

- Governmental Agreement 79-2020
- Ministerial Agreement 146-2020
- Presidential provisions in force
- Provisions of the Ministry of Public Health and Social Assistance
- Guide to the identification of occupational hazards by Covid-19 and preventive measures in the workplace - IGSS
- Regulation of Occupational Health and Safety

THE FOLLOWING MUST BE MET:

1 SOCIAL DISTANCING

5 Feet between workers and between them and consumers or users. Verify compliance in common areas: dining room, hallways, bathrooms, dressing rooms, parking, etc.

If physical distance is not possible, have physical barriers that minimize contagion.



2

USE OF FACE MASK

Periodically, the employer must provide employees with cloth masks free of charge and determine appropriate garbage cans for their eventual disposal.

Prevent entry to the workplaces of those who do not wear masks. Employees should always wear masks and wear them appropriately.

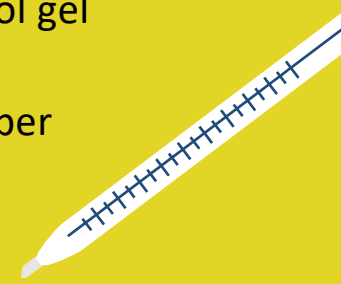


3

SANITIZING STATIONS

Set up hand sanitizing stations (sinks with soap or alcohol gel – 60% or more- dispensers)

Ensure the availability of soap, water and disposable paper towels in every sanitary service.



4

CUSTOMER SERVICE

Put on screens (glass, acrylic, or thick plastic - not soft plastic) or provide shields to workers, in addition to the use of a cloth mask.



5

SCREENING SYSTEM

Implement checkpoints at the working facility entrance, attended by the company's health system.

Take the temperature of ALL employees and visitors and provide them with hand sanitizer.

(Pending MSPAS's corresponding guide)



6

CLEANING AND DESINFECTION

Clean and disinfect the workplace daily.

Constantly clean and disinfect frequently used tools, materials and surfaces.

If biometric marking is used, a hand sanitizer dispenser should be placed for immediate hand disinfection after each admission.

7

EMPLOYEES CLASIFICATION

Classify workers by level of risk of exposure, to provide PPE * (quality of materials verified by an expert in SSO * registered with the MINTRAB)

Identify and protect high-risk workers (over 60 years, with chronic or degenerative diseases, etc.)



8

ABSENCE POLICY

Record of sickness absence. Dates, causes and period of absence

9

INFORMATION AND TRAINING

Information and training campaigns to avoid the spread of the virus.



APPLICABLE MEASURES IN COMMON AREAS



SIGNALING

Signpost the work center on: physical distance, use of a mask, location of hand sanitizer dispensers, etc.

At the facilities' entrances, a label must be placed determining the maximum capacity of people allowed inside the workplace.



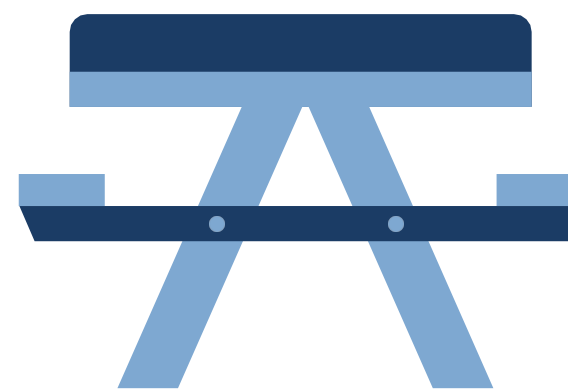
ELEVATORS

Those spaces that can be used respecting the social distancing must be marked. Prioritize people with disability or reduced mobility.



DINING ROOMS

Set specific schedules for usage of dining rooms in order to respect social distancing. Install hand sanitizer dispensers



WORKING SPACES

Schedule work shifts to avoid confinement of employees. Provide an adequate system of ventilation to ensure air renewal.

MEASURES APPLICABLE TO PERSONAL TRANSPORTATION

It is the employer's obligation to provide workers with free transportation while public transportation is not working



- Coordinate entry lines to the vehicle, respecting social distancing.
- Wear a mask during the journey.



- Hand sanitizing before boarding the vehicle.



- Vehicle occupancy must be 50% of its capacity.
- No standing people on vehicle.



- Drivers must use cloth masks and facial shields at all times.
- The vehicle must be disinfected after each shift.

OHS MONITORS OBLIGATIONS

(Duly Trained)

1

Periodically train employees on preventive measures implemented in workplaces

2

Implement screening systems and temperature intake at the beginning of every working day (Checkpoint)

3

Comply with governmental regulations related to COVID-19

4

Settle and internal policy for handling suspicious COVID-19 cases

5

Establish an internal policy for the 24 hrs. closure of areas used or visited by individuals suspected to be COVID-19 positive.

6

Train employees on the use, reuse and disposal of masks and any other PPE supplies.

7

Control and verify the use of PPE supplies by employees.

8

Inform the employee about the compliance or non-compliance of the preventive measures and polices settled to prevent contagion.

9

Be part of the drafting of the Plan to Prevent Working Risk or Health and Occupational Security which must include a training schedule, the epidemiological surveillance system and the workers' health surveillance system

10

Work jointly with the bipartite committee on occupational health and safety in the corresponding cases

11

Answer questions related to COVID-19 to employees.



CHECKING POINT
GLOVES
MASK
INFRARED THERMOMETER

To every employee:
-temperature intake
- Hand sanitizer
-Verify correct use of mask
-Ask for symptoms: cough, difficulty to breath, sore throat

Has suspicious symptoms

Isolate person
Workplace must have isolation designated area

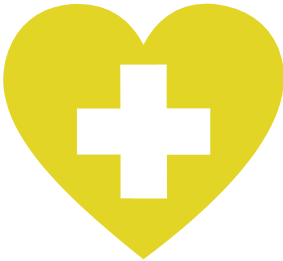
Has NO suspicious symptoms

Enter the working facility and continues with his-her work

Report any suspicious cases to health authorities

Verify epidem

If the stable system a quality monitoring evolution symptoms



CHECKPOINT PROTOCOL

IMPORTANT

- The employer must establish an internal policy for the transportation of people suspected to be COVID-19 positive.
 - Reference: <https://www.mspas.gob.gt/index.php/component/jdownloads/send/485-anexos/3446>
- Close areas used or visit by the person suspected to be COVID -19 positive, for a period of 24 hours.
- If at the entrance checkpoint an employee presents symptoms, the facilities' health system (OHS Mo) must record the incident in the corresponding minute book in order to keep an epidemiologic record.
- It is the employee's obligation to immediately inform to the employer any symptoms related to COVID-19 (fever, cough, difficulty to breath or gastrointestinal symptoms)
- SUSPICIOUS CASES – Must be reported to the Public Health District
- POSITIVE CASE– Must be reported to Direccion General de Prevision Social at the Ministry of Labor and Social Security platform <https://dgps-ssso.mintrabajo.gob.gt>
 - Employees who tested COVID -19 Positive, symptomatic or asymptomatic, should not return to work until they have fulfilled the established criteria to discontinue the isolation and must present proof of recovery.

Employer, take into account that:

<p>Registration of the Work Center in the Public Health District</p> <p>When confinement de-escalation phases begin, in accordance with Ministerial Agreement 146-2020, the company must complete the corresponding registration in the Public Health District, through an electronic platform developed for the compilation of protocol information and health activities at the workplace, which will be implemented by the Ministry of Public Health and Social Assistance.</p> <p>While the platform is being implemented, the employer can start by collecting basic information from the workers, to determine if they are high risk individuals. Employers could be asked to fill out a medical record or survey with precise data that will allow to determine if they are in a high or a low risk category.</p>	<p>People with disabilities</p> <p>Employers who hire people with disabilities, in addition to the Occupational Health and Safety obligations, they must take into consideration what is regulated in:</p> <ul style="list-style-type: none"> -Guide for the Protection of the Rights of Persons with Disabilities in Guatemala -Protocol for people with disabilities in the humanitarian health emergency <ul style="list-style-type: none"> • •
<p>Mandatory Plans</p> <p>The outbreak prevention and control strategy of COVID-19 in workplaces, must be incorporated into the Occupational Risk Prevention Plan or Occupational Health and Safety Plan, as appropriate.</p> <p>The plan can be uploaded through this platform:</p> <p>https://dgps-ssso.mintrabajo.gob.gt</p>	<p>In addition, the classification of exposure risk levels and the applicable measures in the common areas of the workplace (elevators, dining rooms, corridors, etc.) must be included.</p> <p>The plan must be authorized by the Department of Occupational Health and Safety of the Ministry of Labor and Social Welfare or the Safety and Hygiene Section of the Guatemalan Institute of Social Security</p>

PROHIBITIONS FOR EMPLOYERS:

- Acts of preference, distinction or exclusion in access or permanence in employment, based on COVID-19
- Forcing employees to provide services without adequate protective gear and preventive measures
- Conduct meetings without meeting social distancing rules
- Suspend workers, asymptomatic or symptomatic, without following the established sanitary measures.

PROHIBITIONS FOR EMPLOYEES:

- Acts to prevent compliance with Occupational Health and Safety measures in the workplace
- Damage or destroy PPE or refuse to use it.
- Damage, destroy, hide or remove posters and visual media that promote the prevention and control of COVID-19 contagion
- Perform work without proper PPE supplies provided by the employer
- Acts of libel, slander or de facto actions among workers due to COVID-19 that could alter discipline

CONSEQUENCES OF NON-COMPLIANCE:

Failure to comply with SSO standards is considered a lack of work punishable by a fine of between eight and sixteen monthly minimum wages in force for non-agricultural activities *

(Q.22, 600.80 to Q.45, 201.60).

When the severity or imminence of danger warrants, activities in the workplace could be suspended and the use of certain equipment could be prohibited, until the necessary safety measures are taken to avoid the danger.

* For the year 2020 the monthly minimum wage for non-agricultural activities is Q. 2,825.10.

Failure to comply with these measures by the **employee** constitutes a breach of labor obligations, without prejudice to be considered **a just cause for dismissal**, the corresponding disciplinary process must be followed and non-waivable work benefits paid.

Failure to comply with the measures by the **employer** constitutes a breach of labor obligations, without prejudice to the fact that the worker may feel **indirectly dismissed** and that as a consequence the corresponding labor benefits must be paid.

Active search of cases in companies affiliated to the IGSS

Employers who require a visit from the IGSS Immediate Reaction Team - ERI- to perform diagnostic tests for COVID-19 must send a request to the Business Clinic System. If they have not registered for said program, attaching the following information:

- Name, address and employer number
- Name and telephone number of the person in charge with whom the visit will be coordinated
- Complete list of people to be tested (ID (DPI), age, gender, residence address, affiliation number, position, telephone number and email)

Send requests to the following email address:

clincasdempresas@igssgt.org



HELP LINES



QIL+4
ABOG

Main contacts:



**Public Health
District**

1517 y 1540



**Social Security
General
Department of the
Ministry of Labor**

2422-2585

<https://dgps-ssso.mintrabajo.gob.gt>



**Social Security
General
Department of the
Ministry of Labor**

2415-1800



**Guatemalan Social
Security Institute -
COVID-19**



**Health Centers
Directory**

<https://www.mspas.gob.gt/index.php/component/downloads/category/5-numeral-2-direccion-y-telefonos?Itemid=-1>

Ministerial Agreement 146-2020

<https://www.mspas.gob.gt/index.php/component/jdownloads/send/652-idioma-espanol/4341-acuerdo-ministerial-no-146-2020>

Governmental Agreement 79-2020

<https://drive.google.com/file/d/1fIFDh7-CzvtDXRWI4CspKFN5RA0W2fLk/view>

Personal Protection Equipment based on levels of protection

<https://www.igssgt.org/wp-content/uploads/2020/05/Equipo-de-Proteccion-Personal-segun-niveles-de-proteccion-IGSS.pdf>

Guide to Identification of Occupational Risks by COVID-19 and Preventive Measures in Workplaces

<https://www.igssgt.org/wp-content/uploads/2020/04/Guia-de-Idenficacion-de-riesgos-laborales-por-COVID-19-IGSS.pdf>

Guide for the protection of Rights of Persons with Disabilities of

Guatemala <https://drive.google.com/file/d/1YCd-HVSXMZMvhhuWVYR6ydxfguj5Edad/view>

Protocol for people with Disabilities in the humanitarian health emergency

<https://drive.google.com/file/d/18TP2B5Yz0LE1OnJqNWq0a2rAU0QVEkZ7/view>

Virtual room of the Guatemalan Social Security Institute

<https://www.igssgt.org/covid-19-sala-virtual/>