Corona Virus – Employer Bodies submit proposals to Government

During an MCESD meeting held today at the OPM, MEA, MCOCEI, MHRA and The Chamber of SMEs submitted the following position paper to address the threat of the Corona Virus.

A Position Paper by the Constituted Bodies

The COVID-19 Corona Virus

The spread of the COVID-19 Corona Virus is already affecting many countries, and measures are necessary to protect public health to prevent the disease from reaching Malta and, should that occur, to keep it from spreading among our population. It is understandable that the primary concern of all stakeholders should be that of public health, and that public health should come before all other considerations. Public health authorities need to determine the necessary measures and educate the public, including employers, on the best way to mitigate the impact of this disease.

The threat of the virus, however, also has other implications that need to be addressed by the social partners – government, employers, unions and civil society.

The main objective of this paper which is being submitted by the Malta Employers’ Association;
the Malta Chamber of Commerce Enterprise and Industry; the Malta Chamber of SMEs and the Malta Hotels and Restaurants Association is to propose measures that will minimise the risk of contagion and to allow workplaces to function with minimum disruption as far as humanly possible. Workplace disruption can lead to long term negative impact on business performance, jobs and income.

1. Overseas travel

Much of the concern about the spread of the virus is related to overseas travel. Employer bodies are recommending the following measures to safeguard workplaces and employees from the virus:

- Companies shall inform employees of destinations which are affected by the virus. The list of destinations shall be kept updated as per information disseminated by the health authorities.
- Employees will be duty bound to inform their employer if they are travelling to areas declared as high risk zones by the authorities.
- Upon return from such destinations, employees will be obliged to spend 14 days under quarantine, at home or in a suitable designated place selected by the employee. There will be no opt out even if the employee requests it.
- Employers will likewise be obliged to force quarantine leave on employees who travel to areas declared as high risk zones. If this condition is breached, co-workers will have a right not to work with employees who may carry the risk of contamination, unless such employees operate in a quarantined environment.
- Companies may assign, at its discretion and where possible, teleworking duties to such employees. In this eventuality the employee will be paid at full pay or pro rata depending on the amount of work expected relative to the normal output.
- Employees will have to abide by the terms of the quarantine, and may not leave the premises in which they are quarantined for any reason. Breach of such conditions for any reason will result in disciplinary action, which may include dismissal.
- If the travel is work related, employees have the right to refuse to visit areas which have been declared as high risk zones.
- Should quarantined employees display any symptoms related to the virus, and are certified as such by a company and/or private doctor, they will benefit from their sick leave entitlement.

2. Workplace

- Companies shall distribute a policy with guidelines issued by the health authorities to prevent the virus from infecting the workplace.
- Employees will be obliged to strictly abide by the guidelines.
- Employers may conduct random checking as a preventive measure. Companies will be encouraged to perform a risk assessment to mitigate against the virus.
- Employees who have been in contact with an infected person – even if it is outside the workplace – may be asked to go into quarantine. Companies will act on the advice of medical professionals to decide on the best course of action.
- Companies may introduce measures to limit interaction with third parties without disrupting normal operations: e.g. teleconferencing instead of meetings.
- All employees on quarantine will need a doctor’s certificate even in the absence of symptoms.

3. Public Education

- There will be an intensive public education campaign to prevent panic and to counter fake news. Such campaigns
will seek to communicate in a factual and clear manner preventive actions which should be taken by all citizens.

4. Funding

- Government will set up a fund which will refund companies all employment costs related to employees who are on quarantine, both in the public and the private sector. Payment will be made against certificates submitted by employers.
- Employees who knowingly and voluntarily travel to declared high risk zones will not be eligible to payment during quarantine.
- Employers will not be compensated for quarantine costs if the affected employees are on teleworking.
- Government shall set up an emergency fund for companies affected by the virus especially in the tourism segments such as hospitality, ELT and others.

5. MCESD/ERB

- Under MCESD/ERB auspices, a committee will be set up to monitor developments and, if necessary, to review agreed measures to reflect emerging circumstances.

6. Conclusion

This paper is based on the understanding that the possibility that the Corona Virus will affect the Maltese population is a national issue and all social partners have their share of the responsibility to deal with it in the national interest. This is a crisis not of our own making, and as happened in the past, Malta could set an example of how social dialogue can be an effective tool which tackles national issues in a frank and non-confrontational manner.