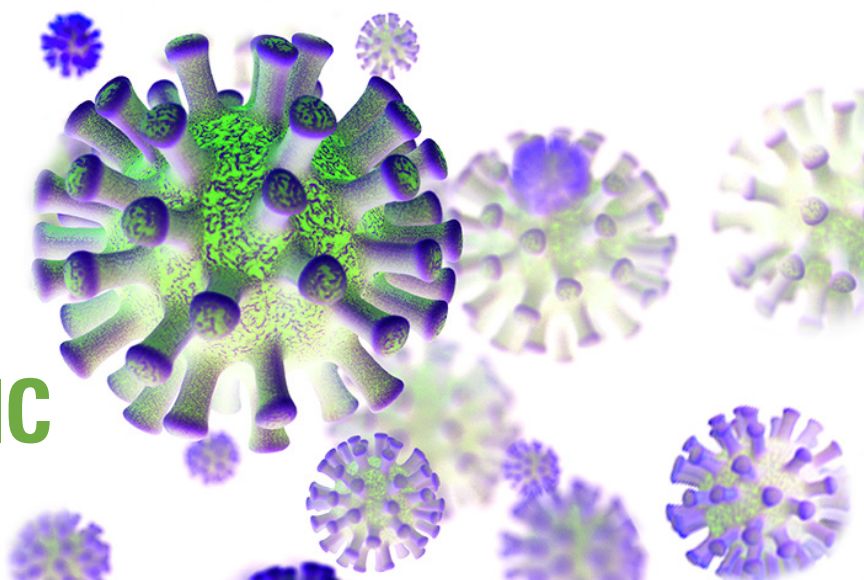


AN EMPLOYER'S GUIDE IN FACE OF COVID-19 PANDEMIC



On March 11, 2020, the World Health Organization (WHO) declared Covid-19 as a Pandemic, which implies that it not only represents a problem for the countries affected by the epidemic, but that all the countries that make up the WHO must start applying preventive and responsive measures in case of increase in cases of this virus. Dominican Republic is no exception.

In order to guide the employers on the measures they must take into account to respond to the various scenarios that could arise and mitigate risks, we briefly indicate the actions that the Law and other regulations make available to us in the face of these events:

Preventive Measures:

- Guarantee adequate safety, health, hygiene and working environment conditions (for example, access to alcohol-based gel, soap, sinks, disposable towels, water, etc.).
- Adopt control and protection measures putting collective protection before individual protection (for example, instruct employees not to attend the workplace in case of fever of 37.3 centigrade or higher and a slight cough).
- Place posters promoting hand washing and respiratory hygiene according to the indications established by the Ministry of Public Health.
- Give updated information on the evolution of the disease and necessary instructions to workers on the measures to be taken in terms of protection.
- Take into consideration the condition of pregnant employees for the preservation of their health and that of their child, as well as of high-risk personnel according to the indications established by the Ministry of Public Health.

(Dominican Constitution, Labour Code, Regulation No. 522-06 on Occupational Health, Circular No. 000419 of the Ministry of Public Health on Indications to Prevent COVID- 19 in the Workplace)

Responsive Measures

- **Employee(s) with positive result:**
 - If there is a suspicious case, an isolated space must be set up to keep the employee while the public health authorities arrive, taking care at all times that the identity of the person is protected in compliance with the Law on Protection of Personal Data.
 - In the event of a positive result, that employee's employment contract will be suspended due to a contagious disease that will prevent him from attending the workplace (medical leave); and consequently the employee would be entitled to the sickness subsidy established in the Social Security Law.
 - As a result of the obligation of occupational safety and health, the employer must guarantee a workplace in optimal health conditions in order to resume operations with other employees in a safe environment.
- **Employee(s) under observation (quarantine):**
 - Evaluate the possibility of suspending employment contracts, in which case the employer is released from the payment of wages, and the employee exempt from providing their services; the employee(s) will not be entitled to sickness subsidy until they have a positive diagnosis.
 - Alternatively, mutually agree that employees take pending vacations.
 - Another option may be to agree with the employee on the conditions for working from home temporarily through technological tools, and assuring to take into account the provisions related to cybersecurity; this only in those cases where the functions performed by the worker allow it.
- **Closing by government order (mandatory regional or general quarantine):**
 - Suspension of employment contracts, with the implications mentioned in the previous scenario;
 - Alternatively, agree with the employee the conditions for working from home temporarily through technological tools, and taking the provisions related to cybersecurity; this only in those cases where the functions performed by the worker allow it.

(Dominican Constitution, Labour Code, Law 172-13 on Protection of Personal Data, General Health Law 42-01, General Social Security Law No. 87-01, Circular No. 000419 of the Ministry of Public Health on Indications to Prevent COVID-19 in the Workplace.)



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