

Green pass and working places

Belgium

Status for Belgium – 31 August 2021

1. Does a general compulsory vaccination exist? Or does a compulsory vaccination exist only for particular categories or sectors? In this case, which are they?

There is no compulsory vaccination in the professional field. There are discussions on an obligation for people that work in the care sector (hospitals, homes, care organizations) but no decisions yet.

2. Is the Green Pass necessary for working? At the moment, in Italy, it is required in order to enter into those company canteens, that are comparable to restaurants.

The Green Pass is the EU Covid passport?

It not necessary for working. Legally the employer cannot ask the worker for information on his health status.

3. Is a recent negative swab necessary for working? Or does the swab have only a tracing function?

It is not necessary. Legally an employer cannot oblige employees to undergo a test.

4. If a swab is necessary in order to work, who pays the cost, the company or the individual worker?

5. If a swab is required, must it be done in a pharmacy, or can a DIY (do it yourself) be sufficient?

6. Regarding the quarantine regulation, how long does it last and who bears the cost?

After a high risk contact the individual has to get tested (PCR-test) twice. The first test on day 1 after the high risk contact. The second test on day 7 after the high risk contact. If the first test is positive: quarantine. If the first test is negative: quarantine, unless one is fully vaccinated or immune because of recent contamination (<6 months) = attested in covid passport.

The cost of an obligatory quarantine preventing the worker to work (when telework is not possible) is borne by the employer – or by the government (specific unemployment benefit) if certain conditions are fulfilled.

Bulgaria

1. Does a general compulsory vaccination exist? Or does a compulsory vaccination exist only for particular categories or sectors? In this case, which are they?

There is currently no compulsory vaccination, it is voluntary. Efforts are currently being made to vaccinate those working in the health and education systems.

2. Is the Green Pass necessary for working? At the moment, in Italy, it is required in order to enter into those company canteens, that are comparable to restaurants.

It is not necessary.

3. Is a recent negative swab necessary for working? Or does the swab have only a tracing function?

There are separate enterprises in machine-building in which there are workers with coronavirus. In addition to complying with sanitary and hygienic requirements, some company executives have purchased swab tests to check employees before they start working to see if they are ill.

4. If a swab is necessary in order to work, who pays the cost, the company or the individual worker?

If the swab test is necessary for work, it is purchased by the employer.

5. If a swab is required, must it be done in a pharmacy, or can a DIY (do it yourself) be sufficient?

Tests are only valid, if performed by authorized medical laboratories.

6. Regarding the quarantine regulation, how long does it last and who bears the cost?

The quarantine lasts 10 days (until a few months ago it was 14 days). The costs are borne by the state.

At the moment, it is envisaged that the State will provide free medicines to those patients who do not need to be in a medical institution.

Denmark

1. Does a general compulsory vaccination exist? Or does a compulsory vaccination exist only for particular categories or sectors? In this case, which are they?

There is no compulsory vaccination in Denmark. The general vaccination program is completely voluntary.

2. Is the Green Pass necessary for working? At the moment, in Italy, it is required in order to enter into those company canteens, that are comparable to restaurants.

The Green Pass is not necessary to work.

The Danish health authority recommends that all employees who physically go to work should either be vaccinated or tested twice a week, unless they are fully vaccinated. However, this was purely advisory.

3. Is a recent negative swab necessary for working? Or does the swab have only a tracing function?

As stated in the previous answer, negative COVID-19 tests are not required for working. Tests in Denmark are, as of September 10, solely used to confirm and trace cases.

4. If a swab is necessary in order to work, who pays the cost, the company or the individual worker?

Not relevant.

5. If a swab is required, must it be done in a pharmacy, or can a DIY (do it yourself) be sufficient?

Not relevant.

6. Regarding the quarantine regulation, how long does it last and who bears the cost?

Employees who have received a positive test result have to isolate for until 14 days after the test date, if non-symptomatic. If symptomatic they are advised to self-isolate for 48 hours after the symptoms have ceased.

If the employee is sick due to a COVID-19 infection then the employee has the right to sick pay, if they have obtained the right to sick pay through law, collective agreement, or contract.

Near contacts are no longer advised to self-isolate due to being near contacts to an infected person if the near contact is fully vaccinated. They are however still advised to seek a PCR-test.

Regarding quarantine in relation to travel restrictions

EU citizens travelling to Denmark must still be tested before arrival, and in some cases after arrival (depending on the incidence rate of confirmed cases in the country of departure). However, there is currently no requirement to self-isolate after arrival in Denmark from any EU member state.

Finland

1. Does a general compulsory vaccination exist? Or does a compulsory vaccination exist only for particular categories or sectors? In this case, which are they?

There is no compulsory vaccination in Finland. All citizens and I guess also permanent residents from age 12 may have vaccination but it is voluntary.

2. Is the Green Pass necessary for working? At the moment, in Italy, it is required in order to enter into those company canteens, that are comparable to restaurants.

We do not even have Green Pass in Finland at the moment.

3. Is a recent negative swab necessary for working? Or does the swab have only a tracing function?

It has only a tracking function.

4. If a swab is necessary in order to work, who pays the cost, the company or the individual worker?

In some case it is necessary. Test is available through public healthcare or occupational health care.

5. If a swab is required, must it be done in a pharmacy, or can a DIY (do it yourself) be sufficient?

See answer to 4. DYI might be sufficient if company say so.

6. Regarding the quarantine regulation, how long does it last and who bears the cost?

Quarantine is now 10 days. If there is official quarantine employer receives compensation from public funds.

France

1. Does a general compulsory vaccination exist? Or does a compulsory vaccination exist only for particular categories or sectors? In this case, which are they?

Yes, there is a compulsory vaccination for some professions listed by law, mainly health professionals. There is no compulsory vaccination for employees working in metal industry companies (except for occupational physicians).

2. Is the Green Pass necessary for working? At the moment, in Italy, it is required in order to enter into those company canteens, that are comparable to restaurants.

In France the Green Pass is called "Passe sanitaire". This pass consists of the obligation to present:

- the result of a negative virological test (RT-PCR, antigen test – this can be done in a pharmacy- or self-test under the supervision of a health professional, of no more than 72 hours), or;
- a proof of vaccination status concerning covid-19 (one or two doses depending on the vaccine), or;
- a certificate of recovery from a covid-19 contamination.

As an exception, a certificate of medical contraindication to vaccination issued by a doctor may also be presented.

It is compulsory to present such a document to enter certain places such as restaurants, hospitals, fairs, seminars and trade shows, interregional public transports, leisure activities, some department stores and shopping centers. Company canteens are explicitly excluded from this list. Consequently a "passe sanitaire" cannot be required to have lunch in the company canteen.

Even in places where a "passe sanitaire" is required, there are exceptions. The Passe will not be required:

- if the activity takes place in a space that is not accessible to the public (for example, a technical room, an office, etc.);
- if the activity takes place at times that are not accessible to the public (for example, during closing days and hours, at night, at weekends, etc.);
- for delivery activities;
- for "emergency" interventions (For example, repair work following an accident or a technical failure of equipment or an installation is, according to us, emergency work).

Consequently, metal industry companies are not directly concerned by the obligation of "passe sanitaire". However, if an employee has to intervene in one of the listed places and if no exceptions are applicable, he will have to present his "Passe sanitaire".

The "passe sanitaire" can also be required to enter or leave France (different rules apply according to countries).

3. Is a recent negative swab necessary for working? Or does the swab have only a tracing function?

see above

4. If a swab is necessary in order to work, who pays the cost, the company or the individual worker

For the moment, tests are paid by the Social security. However the government announced that tests would no longer be free of charge as of mid-October. A medical prescription should be necessary. But we do not have further details. It's just an announcement and it could change.

5. If a swab is required, must it be done in a pharmacy, or can a DIY (do it yourself) be sufficient?

See above

6. Regarding the quarantine regulation, how long does it last and who bears the cost?

The duration of the quarantine depends on the situation. It lasts between 7 and 10 days. The employee is entitled to the statutory sickness allowance (90 % of his gross salary). The social security pays an allowance corresponding to approximately 50% of the salary and the employer pays the remainder to reach 90% of the gross salary. The conditions to benefit from this statutory sickness allowance have been relaxed due to Covid-19 (e.g. removal of the seniority condition and of the 7 days waiting period).

Germany

1. Does a general compulsory vaccination exist? Or does a compulsory vaccination exist only for particular categories or sectors? In this case, which are they?

No, vaccination in Germany is only possible on a voluntary basis. Neither a general compulsory vaccination, nor an obligation for certain sectors exists.

2. Is the Green Pass necessary for working? At the moment, in Italy, it is required in order to enter into those company canteens, that are comparable to restaurants.

No, in Germany a "Green pass" is not necessary for working. The so-called "3G rule" is set to be enforced in some federal states in Germany - related to infection figures. Anyone who wants to enter certain public spaces must be vaccinated, recovered or tested. It applies to visits to: restaurants, bars, pubs, nightclubs, discos, cinemas, theatres, opera houses, gyms, swimming pools, sports halls etc.

3. Is a recent, negative swab necessary? Or does the swab have only as a contact - tracing function?

See, above ... were the "3G rule" applies, a negative swab is only one official possibility to enter public spaces ... also proof of vaccination or recovering is possible ...

4. If a swab is necessary in order to work, who pays the cost, the company or the individual worker?

The German Corona Occupational Safety and Health Ordinance does not stipulate any obligation for employers or employees to be tested. The Ordinance stipulates that the

employer is obliged to offer two tests per calendar week for every employee. For the tests, the employer pays the costs. But it is an offer that employees can also decline.

5. If a swab is required, must it be done in a pharmacy, or can a DIY one be sufficient?

DIY would be sufficient, but it has to be an official test listed from BfArM (<https://www.bfarm.de/DE/Medizinprodukte/Aufgaben/Spezialthemen/Antigentests/artikel.html>)

6. Regarding the quarantine regulation, how long does it last and who bears the cost?

Holidays:

Quarantine regulations are slightly different in the Federal States. In principle, anyone entering from a high-risk area/country who can only submit a corona test, but not a complete vaccination and also no proof of recovery, must be quarantined immediately after entry and isolate themselves for a period of 10 days. A premature end of the quarantine due to a negative test is possible on the fifth day after entry at the earliest. Example: If the entry into Germany takes place on September 1st, the free day is possible from September 6th.

Other cases:

A quarantine (domestic isolation) could be ordered if there is a high risk of being infected and the spread of the SARS-CoV-2 coronavirus may result. The health department (Gesundheitsamt) is responsible for assessing the risk of infection and thus ordering and lifting the quarantine. The Robert Koch Institute (RKI) recommends domestic isolation (quarantine) for 14 days for close contacts. An antigen test should be carried out on the 14th day before the end of the quarantine. The quarantine should only be lifted in the event of a negative test result and if there are no symptoms of the disease.

Who bears the costs?

In the past:

Employees who are no longer allowed to work or are quarantined because they may be spreading the coronavirus receive compensation for the loss of earnings. It is paid for six weeks and corresponds to the regular salary. If the official measure lasts longer than six weeks, the employees receive compensation in the amount of the sickness benefit that the statutory health insurance would also pay. That is 70 percent of the gross salary, but not more than 90 percent of the net salary. The employer pays the compensation, but can have it reimbursed by the public authorities.

Recent development:

At the moment some Federal States and public authorities change their position and intend, in the event of quarantine for unvaccinated workers, no longer to grant reimbursements for the advance payments made by the employer in accordance with Section 56 (5) IfSG. The authorities refer here to the reason for exclusion of § 56 Abs. 1 Clause 4 IfSG, according to which no compensation will be given to "who by using a vaccination .. which is legally required or was recommended publicly in the area of the habitual residence of the person concerned. .. a prohibition in the exercise of his previous activity or isolation could have avoided. "

Italy

1. Does a general compulsory vaccination exist? Or does a compulsory vaccination exist only for particular categories or sectors? In this case, which are they?

No. There is no general compulsory vaccination. It is compulsory only for the health sector.

2. Is the UE Covid Certificate necessary for working?

Yes, a Decree was approved by the Italian Government on September 16th 2021. This Decree provides for a necessary “Green Pass” in order to work everywhere, both in the public and private workplaces. The employer will take the responsibility for controlling that the employees are in possession of the Green Pass. Penalties and the suspension of business relationships will take place in the event of the lack of such a Green Pass. In those companies with less than 15 employees, employers will be able to replace temporarily an employee without Green Pass. This new regulation will enter into force on October 15th 2021 and be effective at least up to December 31st 2021 (emergency end date). The Decree will be now examined by Parliament.

3. Is a recent negative swab necessary for working? Or does the swab have only a tracing function?

4. If a swab is necessary in order to work, who pays the cost, the company or the individual worker?

5. If a swab is required, must it be done in a pharmacy, or can a DIY (do it yourself) be sufficient?

(3-4-5) In case of no vaccination or recovery, a negative swab test is the only necessary requirement in order to enter into any workplace. The swab, on the basis of the new regulation, will be free for those workers exempt from vaccination and it will be paid by workers in the other cases, but under controlled prices. The swab lasts 72 hours instead of 48.

6. Regarding the quarantine regulation, how long does it last and who bears the cost?

In general, the quarantine lasts from 7 to 14 days. Instead, in the event of a long-term positive Covid case, the period of isolation finishes after 21 days. In 2020, the quarantine was considered an “illness” and subjected to the same economic treatment. For the current year, we are waiting for the refinancing of funds with the same purpose.

Portugal

1. Does a general compulsory vaccination exist? Or does a compulsory vaccination exist only for particular categories or sectors? In this case, which are they?

There is no compulsory vaccination in Portugal.

2. Is the Green Pass necessary for working? At the moment, in Italy, it is required in order to enter into those company canteens, that are comparable to restaurants.

The vaccination is not mandatory; thus the certificate is not necessary.

3. Is a recent negative swab necessary for working? Or does the swab have only a tracing function?

It is not necessary but companies test their workers, namely to assure they can do presential work.

4. If a swab is necessary in order to work, who pays the cost, the company or the individual worker?

Companies support the costs when they test their workers.

5. If a swab is required, must it be done in a pharmacy, or can a DIY (do it yourself) be sufficient?

Companies test their workers in their premises.

6. Regarding the quarantine regulation, how long does it last and who bears the cost?

In case of a mandatory quarantine that prevents the work, it lasts 14 days and the worker receives a compensation paid by social security.

Spain

1. Does a general compulsory vaccination exist? Or does a compulsory vaccination exist only for particular categories or sectors? In this case, which are they?

No, vaccination is completely voluntary in Spain, although for travel to certain places (mainly the islands), the vaccination certificate exempts from the obligation to present a negative diagnostic test.

2. Is the Green Pass necessary for working? At the moment, in Italy, it is required in order to enter into those company canteens, that are comparable to restaurants.

Current legislation in Spain does not allow employers to require employees to present a vaccination certificate in order to have access to the workplace. Likewise, it cannot be required for access to company canteens. Companies can impose whatever measures they deem appropriate to avoid contagion in common areas (restricting capacity, disinfectant gels or reinforcing cleaning tasks), but in no case can they require the vaccination certificate for access.

3. Is a recent negative swab necessary for working? Or does the swab have only a tracing function?

Companies may carry out diagnostic tests on employees within the framework of the Prevention of Occupational Risks Act. In all cases, these tests must comply with data protection regulations. However, they may not require a negative diagnostic test paid for by the employee in order to gain access to the workplace.

4. If a swab is necessary in order to work, who pays the cost, the company or the individual worker

In any case, the swab must be paid for by the employer, if the employer requires it to be carried out

5. If a swab is required, must it be done in a pharmacy, or can a DIY (do it yourself) be sufficient?

If the employer requires a negative diagnostic test, it is up to the employer to determine the type of swab.

6. Regarding the quarantine regulation, how long does it last and who bears the cost?

Two situations are to be distinguished in this area:

Cases not requiring hospital admission: isolation will be maintained until three days after resolution of fever and clinical picture with a minimum of 10 days from the onset of symptoms. PCR will not be necessary to lift isolation or to return to work. In asymptomatic cases, isolation shall be maintained for at least 10 days from the date of diagnostic sampling. Follow-up will be supervised until epidemiological discharge in the manner established in each autonomous community.

Cases requiring hospital admission: these persons may be discharged from hospital if their clinical condition permits, even if their CRP remains positive, but home isolation with monitoring of their clinical condition should not be maintained for at least 14 days from the onset of symptoms. In case of severe disease or immunosuppression, this period will be extended by 21 days. After this period, always under clinical criteria, isolation may be terminated if three days have elapsed since the resolution of fever and clinical picture. In the event that the worker requests medical leave because he/she is unwilling or unable to telework, he/she will receive 75% of his/her basic salary, which will be paid by the Social Security or collaborating entity.

Switzerland

1. Does a general compulsory vaccination exist? Or does a compulsory vaccination exist only for particular categories or sectors? In this case, which are they?

There is no general compulsory vaccination existing. There are a few court decisions, which have stated the right of the employer to introduce an obligation for people that work in the care sector (hospitals, homes, care organizations) to be vaccinated. However, this is discussed actually very controversially. Swiss Airlines will introduce a compulsory vaccination for all flight personal by January 2022.

2. Is the Green Pass necessary for working? At the moment, in Italy, it is required in order to enter into those company canteens, that are comparable to restaurants.

In Switzerland the "green Pass" is called "Covid certificate". Since 13 September, a COVID certificate will be required to access indoor areas of restaurants, cultural and leisure facilities, and events held indoors. The measure expires on 24 January 2022. The certificate may also be used by employers as part of a company's protection plan. The employer is not entitled to make access to the company dependent on a Covid certificate. But it is allowed that Company limit the access to their premises to people which have a Covid certificate.

3. Is a recent negative swab necessary for working? Or does the swab have only a tracing function?

Legally an employer cannot oblige employees to undergo a test. Principally the "3G rule" applies, a negative swab is only one possibility to enter spaces with restricted access. It's also possible to access by proof of vaccination or recovering.

4. If a swab is necessary in order to work, who pays the cost, the company or the individual worker?

There is no obligation by law for employers or employees to be tested. Since 15 March, the government has assumed the costs of rapid tests in all previously approved testing institutions, even for people without symptoms. From 1 October 2021, the following will apply:

- Rapid antigen tests for asymptomatic persons for a test certificate will no longer be reimbursed by the government. Exceptions apply for:
 - o Children and adolescents under 16 years of age
 - o Persons who cannot be vaccinated for medical reasons (certificate required)
 - o Visitors to health care facilities (8-UNG: no issuance of a Covid test certificate).

However, government will continue to cover all costs for rapid tests carried out in a test center, by a doctor, in hospitals or pharmacies. Thus, even those who do not have any symptoms of the coronavirus can be tested free of charge with these tests, but no certificate will be issued. Companies and schools can also carry out pooled tests free of charge. If pooled saliva PCR tests are used, the government covers the entire costs of the analysis in the laboratory (up to a cost cap per test).

5. If a swab is required, must it be done in a pharmacy, or can a DIY (do it yourself) be sufficient?

Self-tests available in retail stores cannot be used for an exemption for the contact quarantine. Free distribution of self-tests is only possible in pharmacies and is limited to persons who have not yet been vaccinated or recovered.

6. Regarding the quarantine regulation, how long does it last and who bears the cost?

Quarantine period

- **Contact quarantine:**

Quarantine lasts for 10 days from the time the person last had contact with the person who was tested positive.

- **Travel quarantine:**

Quarantine lasts for 10 days and begins at the time of the arrival in Switzerland. If a person has travelled to Switzerland via a country or area without variants of concern, the responsible cantonal authority can include the duration of the stay in this country or area as part of the quarantine period.

- Barring a few **exceptions**, this period can be reduced by taking a test on day 7 of quarantine at the earliest (PCR test or rapid antigen test for SARS-CoV-2).

If the result of the test is negative the person may be released from the obligation to quarantine. However, until the original quarantine period has ended (in other words until day 10) the person must wear a face mask outside their home or accommodation and maintain a distance of 1.5 meter from other people. The negative result must be forwarded to the responsible cantonal authorities. If the test result is positive, the instructions on isolation apply.

If a person has to go into isolation because of the coronavirus disease and has been signed off work by a doctor, this person is entitled to continued payment of their salary or to daily sickness benefits. The continued payment of salary is governed by the Swiss Code of Obligations. If a person has to go into quarantine because it has been in close contact with a

person who has tested positive, this person is entitled to compensation for loss of earnings. This entitlement is due if quarantine was ordered by a cantonal office or a doctor. The person can submit their claim for compensation to the compensation office to which it's employer is affiliated.

The amount of compensation is calculated on the basis of the income subject to AHV contributions before the start of the pandemic. The compensation amounts to 80% of the income, but not more than CHF 196 per day.
