

PROTECTION OF EMPLOYEES BELONGING TO VULNERABLE GROUPS

Within the context of confronting the pandemic, special regulations have been provided to protect employees who belong to vulnerable groups. Such employees are distinguished according to their ailment in high-risk and medium-risk persons.

1. The first category, High Risk Persons, includes:

- 1.1. Persons with solid organ transplant who receive two or more immunosuppressant medicines.
- 1.2. Persons with bone marrow transplant within the last year or receiving two or more immunosuppressant medicines.
- 1.3. Persons diagnosed with neoplasia who receive chemotherapy, radiotherapy or immunotherapy.
- 1.4. Persons with blood malignancies (leukemia, lymphoma or myeloma) who receive chemotherapy, radiotherapy or immunotherapy.
- 1.5. Persons with serious lung condition (cystic fibrosis, serious asthma, serious chronic obstructive pulmonary disease -COPD, patients in permanent oxygen therapy for other respiratory diseases) with following symptoms or equivalent: asthmatic patients with 2 acute crises during the last year despite maximum treatment (with $\mu\epsilon$ b-stimulant and inhaled corticosteroid), COPD patients receiving oxygen therapy at home or suffering 2 acute crises during the last year and/or one hospitalization.
- 1.6. Persons with hereditary immune deficiencies or sickle cell anemia or receiving multiple transfusions (one or more transfusions per month).
- 1.7. Persons who receive high doses of corticosteroids or two or more immunosuppressive medications.
- 1.8. Pregnant women.
- 1.9. Persons with HIV infection and $CD4 \leq 200/\mu L$.
- 1.10. Persons with serious heart condition and/or chronic cardiovascular diseases with following symptoms: left ventricular ejection fraction: $<40\%$, active myocardial ischemia, above average degree stenosis or insufficiency of mitral or aortic valve, pulmonary hypertension, history of recent cardiac surgery operation (within three months), as well as $O \text{ I}$ myocardial diseases and/or equivalent serious symptoms of another cardiovascular disorder.

1.11. Persons with chronic kidney deficiency in terminal stage, who are subjected to extra-kidney catharsis.

2. The second category, Intermediate Risk Persons, includes:

- 2.1. Persons over 65 years of age.
- 2.2. Persons with unregulated diabetes mellitus, as evidenced by the following indicative readings: HbA1c of the last 3 months: $\geq 8.0\%$ or average readings of blood glucose ≥ 200 mg/dL the last 7 days, and patients with macro-/micro vascular complications and /or equivalent serious symptoms.
- 2.3. Persons with chronic pulmonary disease (asthma, COPD, emphysema) not included in the definition of serious pulmonary disease under par. 1.1.5.
- 2.4. Persons with serious neural / neuromuscular disorders (serious Parkinson disease, motor neuron disease, multiple sclerosis under treatment, cerebral paralysis).
- 2.5. Persons with serious liver deficiency (decompensated cirrhosis).
- 2.6. Persons with high body mass index (BMI >40).
- 2.7. Persons under persistent arterial hypertension despite maximum treatment.
- 2.8. Persons who chronically receive low doses of corticosteroids or immunosuppressive medication.
- 2.9. Persons with transplant or diagnosed neoplasia within the last five years not included in the categories of par. 1.1.1 - 1.1.4.

Explanatory Note: A person fulfilling more than one criteria of the intermediate risk category is automatically considered as belonging to the high-risk group.

Certification: The certification that an employee belongs to a high or intermediate risk group is affected by reasoned opinion: (a) by the treating physician of relevant specialization, or (b) by a physician of relevant specialization within a Medical Unit (public or private) for cases of special treatments such as chemotherapy, radiotherapy and immunotherapy. Such an opinion must precisely set out that the employee falls under one of the above cases of article 1.

PROTECTIVE MEASURES

Employees who belong to vulnerable groups of the high-risk persons category may after request to their employer, provide their services by the system of work from distance. Such

a request must be timely notified to the employer by any suitable means, such as telephone, electronic mail or written message by mobile telephone.

Within a reasonable time after submission of such a request, the employee must provide to the employer a relevant medical certificate proving their inclusion in the vulnerable groups of the category «high-risk persons».

The employer must accept such a request if the work can be performed from a distance.

If work from distance is not feasible, the employer takes measures so that the requesting employee who belongs to a vulnerable group will not perform work during which they come into contact with the public. In such a case the employer must examine, depending on business needs, the possibility of temporarily employing the requesting employee in a different work position so as to protect their health, and respecting the provisions of labour law.

The employee must accept the employer's relevant proposal, except if unable to do so for a serious and important reason, objectively appraised, which the employee must set out to their employer in writing.

The employer, after exhausting the possibilities successively set out in the foregoing, informs in writing the requesting vulnerable-group employee as to the reasons inhibiting their application and suspends their contract of employment as ultimate measure for the protection of their health.

In such a case the employees are entitled to special-purpose indemnity, calculated monthly in proportion to the days during which the employment contract is suspended, on a calculation basis of Euro 543.00 for 30 calendar days, and full insurance is provided on the basis of their nominal salary for the days during which the employment contract is suspended.

Employees who belong to the category of intermediate risk persons may be included in the foregoing measures except the case of suspending their employment.

INFRINGEMENT OF THE ABOVE OBLIGATIONS:

In cases where the employer, despite the employee's evidenced request does not apply the present provision, including the consecutive order of its several application steps, a fine in the amount of five thousand euros (5,000 €) shall be imposed for each infringement. The competent authorities and the procedure to ascertain the infringement as well as the imposition and collection of the said fine shall be specified by joint decision of the Ministers of Finance and Labour & Social Affairs.