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HR News

Covid-19 emergency - Presidential Decree dated 26 April 2020

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Focus on...

The latest provisions introduced by Ministerial Decree dated 26 April, published in the Official Gazette on 27 April 2020 and in force – save for some exceptions – from 4 May 2020 to 17 May 2020.

Through the above decree, which fully replaces previous Presidential Decree dated 10 April 2020, so-called PHASE 2 starts, which will imply the progressive restart of working activities in Italy, provided that businesses which can restart their activities ***adopt all those security measures to limit the spread of Covid-19 indicated by the memorandum of intent signed by the Government and social partners on 24 March.***

Further measures were also introduced through further security protocols, e.g. those provided for yards and transport-logistics sectors, which are also attached to Presidential Decree dated 26 April 2020 (which is annexed to this letter).

Failure to implement security measures, which do not ensure a proper protection of employees will imply – as expressly provided by the Decree the suspension of the business activities until safety conditions are restored.

As a general rule, the Decree confirms, for retail businesses (Annex 1 of the Decree) and professional firms, ***the same restrictions provided under previous Presidential Decree dated 10 April 2020***, while wholesale activities can restart from 4 May 2020. Also real estate services as well as advertising and market research services can restart.

As concerns manufacturing activities, ***the range of businesses that can restart their activity has been considerably extended***, provided that security measures are implemented.

For example, some ATECO-activity codes that were previously prohibited are now partially allowed, such as in the metallurgy industry, in the production of motor vehicles and the production of furniture, while some ATECO-activity codes that were previously partially allowed (i.e. only with reference to some sub-codes) have now full green light.

For example, all businesses in the textile, computers and electronic products manufacturing, repair, maintenance and equipment installation industries can restart their activities.

For a complete list, please refer to Annex 3 of the Presidential Decree.



The Government evaluations on the restart of working activities were carried out taking into account the “risk category” assigned to each activity, with reference to technical documents drawn up in collaboration with INAIL. Businesses falling within these categories were authorized, on 27 April, to implement all those measures necessary to comply with the identified standards to prevent and limit the epidemic. These measures integrate and complete those suggested by the Protocol on the regulation of measures to fight and limit the spread of Covid-19 in work environment dated 14 March, later integrated on 24 April, which are the fundamental requirement to continue or restart production activities. ***Should such measures not be fulfilled, working activities will be suspended until security conditions will be restored.***

Employers who can restart their business activities on 4 May 2020, therefore, will need to implement all those measures aimed at complying with all required standards, so that employees can carry out their working activities in total safety.

As concerns other business sectors, such as restaurants, from 4 May 2020 there is the possibility to provide takeaway food, besides food delivery services, without the possibility to access the premises and without creating any crowds outside.

The restart programme provided for PHASE 2 should then continue, according to some anticipations by the Government, in two further steps: starting from 18 May 2020, retail business activities should restart, while personal service activities, such as hairdressers, beauty centres, etc. will restart from 1st June 2020. Should the epidemic curve exceed the parameters established by the Ministry of Health, or due to further reasons provided by the Ministerial Decree, each Region could propose the adoption of more restrictive measures than those provided at a national level. Therefore, the range of allowed business activities could change, even only at a regional level, also due to the fact that some regional institutions have issued, or are going to issue, also more permissive measures than those provided at a national level.

We are available to provide any further information and suggest our Clients to refer to their consultants for safety and security and their company doctor in charge to plan the implementation of all security measures provided by the protocols, in order to put into effect a precise action and information plan aimed at safeguarding employees' health.



For any further information or query you may have, please contact:

studioleonipartners@bgt.it.gt.com

Office

Milan

Via Statuto, 4

20121, Milan

T +39 02 36 57 35 00



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bgt-grantthornton.it

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