



EMPLOYMENT, PENSIONS AND EMPLOYEE BENEFITS

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# Return to Work National Safety Protocol Published

by **Aoife Bradley**

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In a move that many will see as the first steps to reopening the economy, the Department of Business, Enterprise and Innovation published the Return to Work Safety Protocol on 9 May 2020.

A statement published on the DBEI website said:

“The Return to Work Safety Protocol is designed to support employers and workers to put measures in place that will prevent the spread of COVID-19 in the workplace, when the economy begins to slowly open up, following the temporary closure of most businesses during the worst phase of the current pandemic.

The Protocol should be used by all workplaces to adapt their workplace procedures and practices to comply fully with the COVID-19 related public health protection measures identified as necessary by the HSE. It sets out in very clear terms for employers and workers the steps that they must take before a workplace reopens, and while it continues to operate.”

The Return to Work Safety Protocol (“the Protocol”) stipulates a number of requirements and raises a number of practical issues which must be considered by all employers. We have briefly outlined some of these considerations below –

1. Employers are required to put a COVID-19 Response Plan in place which assesses the particular risks in the workplace and identifies appropriate measures to deal with same.
2. Employers are required to appoint at least one employee representative whose role is to work collaboratively with the employer to “assist in the implementation of measures and monitor adherence to the measures to prevent the spread of COVID -19”
3. The Protocol places new obligations upon employers in terms of record-keeping in that it requires employers to develop a return to work form. It also obliges employers to keep a log of contact/group work so that, if necessary, contact tracing can be facilitated.
4. The Protocol sets out specific requirements relating to hygiene and in respect of physical distancing.
5. Employers are required to provide induction training to all employees returning to the workplace. The Protocol gives specific guidance on what such training should include.

To download a copy from the DBEI website, [click here](#).

For further details please contact a member of the [Employment Team](#) at LK Shields.

The cross-disciplinary business crisis advisory team at LK Shields are available to provide practical advice and legal insights to employers, business owners, directors, insurance providers, compliance officers, HR professionals and decision-makers faced with a crisis.

If you would like to discuss this further, please contact [crisis-advisory@lkshields.ie](mailto:crisis-advisory@lkshields.ie) or any member of our business crisis advisory team. To subscribe to our crisis advisory news and insight please [click here](#).

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