

PANDEMIC - LOCKDOWN 3.0

WHAT EMPLOYERS IN ITALY NEED TO KNOW

The situation is moving very quickly in Italy and it is a challenge for Employers to keep up with the changes which seem to be happening almost every 48 hours. What we do know is that the restrictions on movement in Italy have slowly been tightened more and more over the past week in order to halt the spread COVID-19 which has now been officially recognised as a pandemic.

The most recent change happened overnight with the introduction of the Decree of the President of the Council of Ministers (DPCM - *Decreto del Presidente del Consiglio dei Ministri*) of March 11th, 2020. This Decree has, so far, put Italy in its most severe 'lockdown' for the next 15 days – starting today March 12th, 2020 and concluding on March 25th, 2020.

Here below for your reference please find a brief summary of some of the points in this most recent Decree which may impact Employers in Italy:

- **Retail & Commercial Activities:**
 - Commercial activities across the board are suspended. This includes small local businesses, medium and large-scale distribution, and shopping centers.
 - With the exception of commercial activities for the provision of foodstuffs and basic necessities activities. In more detail the exceptions include: Supermarkets, Discount Supermarkets, Minimarkets, Newsagent, Pet Food Shops, Hardware Stores, Petrol Stations, Lighting Shops, Pharmacies and Para-pharmacies, Computer Stores, Medical Supply & Sanitary Equipment Stores (including Orthopedic suppliers), and Domestic Fuel Suppliers among others. Shopping centers should continue to allow for access to these types of activities within their premises even if the other retail activities are shuttered for the time being.
 - Local markets are also to be closed with the exception of activities selling foodstuffs.
 - In all cases where an activity is not suspended employees and the public must adhere to the interpersonal safety distance of one meter (3.2 feet).

- **Catering Service Activities:**
 - Catering Services such as bars, pubs, restaurants, ice cream shops, and patisserie shops are suspended.
 - Canteens and continuous catering on a contractual basis, in addition to home delivery catering (in compliance with hygiene and health standards for both packaging and transportation), are permitted to continue to operate.
 - The food and beverage establishments located in the service areas and petrol stations located along roads and motorways – as well as the food and beverage establishments in railway stations, airports, and hospital may also continue to operate.
 - In all cases where activities in this category remain open employees and the public must adhere to the interpersonal safety distance of one meter (3.2 feet).

- **Personal Services:**
 - Activities relating to personal services including hairdressers, barbers, and beauticians are suspended.
 - The following activities may continue to operate as normal: Dry Cleaners, Industrial Laundry Activities, Laundry and Cleaning of Textiles and Fur, other Laundries - in addition to Funeral Services and related activities.

- **Factories**
 - Factories, and their supply chains, will continue to operate as normal as long as they respect the current health and safety rules procedures – including ensuring that all employees and visitors adhere to the interpersonal safety distance of one meter (3.2 feet) and reduce all the unnecessary activities.
- **Agriculture**
 - Agricultural, livestock and agro-food processing activities are guaranteed in compliance with hygiene and health and safety standards.
 - This also includes related supply chains that supply and produce goods and services in these areas.
- **Banking, Financial and Insurance Institutions**
 - Banking, financial and insurance services are guaranteed.
 - Where agile working / smart working is not possible compliance with the interpersonal safety distance of one meter (3.2 feet) is required.
- **Transportation**
 - The Italian Minister of Infrastructure and Transport is likely to arrange for the reduction and suppression of inter-regional automotive services. This is in addition to the reduction and suppression of rail, air and maritime transport services for the sole purpose of ensuring the minimum essential services are available.
- **Public Offices**
 - In the Public Sector it is encourages the maximum use of agile working / smart working if possible with regard to the services delivered.
 - The Post Office's services are guaranteed but the public must adhere to the interpersonal safety distance of one meter (3.2 feet).

In addition, with this new Decree, the Italian government recommends that for both production and professional activities that:

- Companies make maximum use of agile working methods for activities that can be carried out at home or remotely;
- Leave and paid leave for employees as well as other instruments provided for in the Law and in the Italian National Collective Bargaining Agreements are encouraged;
- The activities of any departments within a company which are not indispensable for production are suspended;
- Companies adopt anti-contagion safety protocols and, where it is not possible to respect the interpersonal distance of one meter (3.2 feet) as the main containment measure, that there is the adoption of individual protection tools;
- Sanitation of the workplace is encouraged, also by using forms of social safety nets for this purpose;
- For production activities only, it is also recommended that movements within the sites are limited in addition to also limiting access to common areas;
- For all of the activities which have not been suspended the Italian government encourages the maximum use of agile working / smart working.

The impact of this most recent Decree is applied to all of the Regions in Italy - including the autonomous Provinces of Trento and Bolzano.

Employers should also remember that with the Decree of the President of the Council of Ministers (DPCM - *Decreto del Presidente del Consiglio dei Ministri*) of March 9th, 2020 anyone who is travelling outside of their residence must carry a signed Auto-Certification (a downloadable copy of which one can find [here](#)).

If one's work does falls into one of the currently 'suspended' categories of work – and one leaves their residence / dwelling in order to travel to work, then one is at risk of a fine (and also potentially jail time in case of false declaration). Hence, Employers are recommended to remind their employees that are not eligible to travel to / for work purposes, during this period of pandemic controls, to adhere to the current regulations which strictly prohibits the population from leaving their homes unless it is for a trip to the supermarket (or similar establishment) for the acquisition of foodstuffs or to the pharmacy.

COVID-19 is turning out to be an opera with many acts still to be seen. This is just a brief summary of the latest initiatives by the Italian government to quell the pandemic which is creeping across the peninsula.

LABLAW will continue to provide you with updates as the situation unfolds in order to ensure you can manage your workforce, and hence

Please do not hesitate to contact us on + 39 02 30 31 11 or at info@lablaw.com if you have any questions.



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