

ABU-Corona safety protocol for migrant workers

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What are the purpose and focus of the protocol?

The ABU is committed to ensuring that migrant workers can continue to live, work and travel safely and have access to care during the various phases of the corona crisis in the Netherlands. This is important for the migrant workers themselves, for the safety of everyone and for keeping the essential sectors running. The aim of this protocol is to provide tools for this. This protocol is based on the current advice and measures of the RIVM and the Dutch Central Government.

In addition to the subjects discussed in the protocol, naturally the general RIVM advice and advice from the Dutch government also apply to migrant workers.

Who is the protocol for?

The protocol aims to provide workable tools to private employment agencies, migrant workers, and other parties in the chain, such as hirers, housing providers and local authorities. An additional and sector-transcending protocol for migrant workers is desirable because of specific topics that are relevant for migrant workers: joint housing, commuting, often working at work locations where many people work together, and travelling to and from the home country. In addition, not all migrant workers speak the Dutch language and it is important that they are well informed about the applicable advice.

How did the protocol come about?

The substantive foundation of this protocol is formed by applicable measures and guidelines from the national government and the RIVM. Where necessary and desirable, we use additional guidelines that offer extra safety assurances and security. The content of the protocol has been tested for essential safety aspects by the RIVM.

In the interest of the safety of migrant workers, the tools that employers and migrant workers require to guarantee safety and social recognition for the often vital work that migrant workers perform in the Netherlands, the ABU, based on our own sphere of responsibility, wants to offer clear rules on safe working, living, transport and care. The ABU calls on all parties involved to jointly guarantee the safety of migrant workers with the aid of the tested guidelines.

The present protocol is divided into four themes: safe work, safe living, safe transport, and safe care. This protocol can be adjusted in response to practical experience and new insights or decisions from the national government.

Safe work

Employers and migrant workers have a joint responsibility for operating in a safe work situation. This is based on good employment practices and being good employees. Migrant workers performing a crucial profession or those working in an essential sector, such as the food industry, are working in the most important trades we currently need to keep society functioning.

Guideline	Responsible
The work location must comply with the RIVM and occupational health and safety guidelines for every worker ¹ . The migrant worker will be provided with a healthy and safe working environment. In addition, the sector-specific protocol applies in full to migrant workers.	Hirer, employer
Every migrant worker has one clear corona point of contact for questions, information, and notifications.	Hirer, employer
Employers play an active role in drawing attention to the applicable Dutch measures. Rules are displayed at the entrance of the company and are repeated inside. Employees who do not speak Dutch are considered. Regular checks are carried out to make sure that all migrant workers are aware of the rules. Migrant workers will notify their corona contact person if there is any uncertainty about the guidelines.	Hirer, employer, employee
Extra attention is paid to groups of migrant workers who enter or re-enter the country. Close attention is paid to their health and any quarantine measures that relate to their country of origin. Employers, landlords and migrant workers follow the applicable advice and rules on quarantine ² at home. Travellers from very high-risk areas who are not fully vaccinated can have themselves tested at the GGDs on day 5 after arrival. If they have a negative result on day 5, they can come out of quarantine.	Hirer, employer, employee
Migrant workers who work in high-contact professions are expected to comply with the additional regulations regarding high-contact professions ³ .	Employee
Migrant workers must look after their own health and safety and that of their colleagues to the best of their ability.	Employee
Migrant workers must observe the following guidelines: If you are infected with the coronavirus, it can take two to ten days before you develop symptoms, such as a cough or breathlessness. It is therefore also possible to spread the coronavirus without having symptoms that are consistent with COVID-19. To avoid this, you must stay at home in some situations and not receive visitors. In the following situations, you must quarantine at home because of corona: <ul style="list-style-type: none"> • you have symptoms that are consistent with corona⁴; • You have corona⁵; • your housemate has serious complaints that are consistent with corona (fever, shortness of breath or both); • Your housemate has corona; • You are a close contact of someone with corona. This means that you have been close to someone with corona (minimum 15 minutes within 1.5 metres); • You have received a notification via the CoronaReport app. 	Employee

¹ <https://www.rivm.nl/> and <https://www.arboportaal.nl/>

² <https://www.rijksoverheid.nl/onderwerpen/coronavirus-covid-19/reizen-en-vakantie/in-thuisquarantaine-bij-aankomst-in-nederland/quarantaineplicht>

³ <https://www.rivm.nl/coronavirus-covid-19/werk/contactberoepen>

⁴ <https://www.rijksoverheid.nl/onderwerpen/coronavirus-covid-19/openbaar-en-dagelijks-leven/gezondheid>

⁵ <https://www.rijksoverheid.nl/onderwerpen/coronavirus-covid-19/nederlandse-maatregelen-tegen-het-coronavirus/gezondheidsadviezen>

Safe living

Many migrant workers are housed by the employer, often together with other migrant workers. The lack of good quality housing is a major problem in this respect. That is why it is important that holiday parks remain open to migrant workers. If a migrant worker works in the Netherlands but lives outside the Netherlands, the guidelines in the country of housing are leading for the living situation.

Guideline	Responsible
Limit the number of occupants per house and ensure, as far as possible, that the composition of residents per house does not change.	Landlord, employer
The landlord and occupants jointly ensure there is optimal hygiene. In many cases, the landlord is responsible for cleaning and the occupants contribute to this as best they can by observing the RIVM guidelines. Door handles, banisters and other handles in communal living areas are cleaned regularly. Particular attention is paid to the shared areas such as shower, toilet, kitchen and living room.	Landlord, employer, occupant
Employers and landlords do not evict sick migrant workers from their accommodation. It is the joint responsibility of landlords, employers and governments to prevent migrant workers who fall ill or whose work ends in the current situation becoming homeless. Persons without housing are eligible for emergency shelter at the central municipality. They must report to the access desk for emergency accommodation of the central municipality. The access desk of the central municipality assesses whether the conditions to qualify for a place in the shelter are met.	Landlord, employer, authorities
Migrant workers share a bedroom with maximum one other person. Where possible and desired, every migrant worker has their own bedroom.	Landlord, employer
If the employer facilitates housing for the migrant worker, the employer will inform the migrant worker about the applicable RIVM guidelines and measures of the national government in their own national language. The applicable measures are available in the accommodation itself. ⁶	Landlord, employer
If the migrant worker arranges housing himself, then the migrant worker and the landlord are jointly responsible for applying the RIVM guidelines and measures from the national government.	Landlord, occupant
Extra attention is paid to groups of migrant workers who enter or re-enter the country. Close attention is paid to their health and any quarantine measures that relate to their country of origin. Employers, landlords and migrant workers follow the applicable advice and rules on quarantine at home ⁷ . See the guidelines under 'Safe transport' to this end. Migrant workers who go into quarantine must remain strictly separated from migrant workers for whom no quarantine obligation or advice applies.	Landlord, employer, occupant
Migrant workers must observe the following guidelines in their accommodation: If you are infected with the coronavirus, it can take two to ten days before you develop symptoms, such as a cough or breathlessness. It is therefore also possible to spread the coronavirus without having symptoms that are consistent with COVID-19. To avoid this, you must stay at home in some situations and not receive visitors. In the following situations, you must quarantine at home because of corona: <ul style="list-style-type: none"> • you have symptoms that are consistent with corona⁸; • you have corona⁹; • your housemate has serious complaints that are consistent with corona 	Occupant

⁶ See the multilingual information material from the national government: <https://www.rijksoverheid.nl/documenten/publicaties/2020/03/14/coronavirus-communicatiemiddelen-preventie-en-publieksvragen-anderstalg>

⁷ <https://www.rijksoverheid.nl/onderwerpen/coronavirus-covid-19/reizen-en-vakantie/in-thuisquarantaine-bij-aankomst-in-nederland/quarantaineplicht>

⁸ <https://www.rijksoverheid.nl/onderwerpen/coronavirus-covid-19/openbaar-en-dagelijks-leven/gezondheid>

⁹ <https://www.rijksoverheid.nl/onderwerpen/coronavirus-covid-19/nederlandse-maatregelen-tegen-het-coronavirus/gezondheidsadviezen>

<p>(fever, shortness of breath or both);</p> <ul style="list-style-type: none"> • Your housemate has corona; • You are a close contact of someone with corona. This means that you have been close to someone with corona (minimum 15 minutes within 1.5 metres); • You have received a notification via the CoronaReport app. 	
<p>In the event of premature loss of work, landlords and employers offer migrant workers the option of renting the accommodation for a minimum of five more nights if they so wish. It is possible to deviate positively from this by allowing migrant workers to rent for longer if housing is available.</p>	<p>Landlord, employer</p>
<p>In the event of local and regional shortages of housing for migrant workers, hirers, employers and landlords request municipalities and/or provinces to jointly safeguard the safety of migrant workers and to designate (new) locations for the accelerated realisation of housing for this group.</p>	<p>Hirer, employer, landlord</p>
<p>The employer and landlord keep a day and night record of the migrant worker's name, telephone number, email address, residence address and hirer. In the event of a track and trace investigation by the GGD (Municipal Health Service), they can, in accordance with the GDPR, share this data with the GGD.</p>	<p>Employer, landlord</p>
<p>In the event of a corona outbreak in households, the GGD is informed for advice or testing. It is ensured that communication between the migrant workers and GGD employees is possible, via the corona contact point for example.</p>	<p>Landlord, employer</p>

Safe transport

As many migrant workers depend on group transport provided by the employer for commuting, it is important that employers, migrant workers and enforcement know what the rules are. The general guidelines provide this clarity. They also ensure equal treatment of migrant workers and Dutch people, including vulnerable groups. Supplementary to these general guidelines, additional measures are formulated below.

Guideline	Responsible
<p>The following rules apply to transport in coaches:</p> <ul style="list-style-type: none"> • you will receive a health check before the journey; • All passengers must wear a face mask; • a face mask is not required if there is only one passenger. • There is no maximum number of passengers in company vans and coaches¹⁰. 	Employer, employee
<p>For travel within the European Union you normally need a vaccination certificate or a negative test result. Or proof that you have recovered from corona¹¹.</p> <p>Travellers from very high-risk areas who are not fully vaccinated must quarantine for 10 days on arrival in the Netherlands. With a corona test on day 5 after arrival, the duration of the quarantine can be shortened.</p> <p>As a fully vaccinated person, do a self-test when you return home to be sure.</p> <p>For travel from very high-risk countries, in addition to a mandatory negative PCR test, persons who are not fully vaccinated are also required to complete and take along a quarantine declaration.¹²</p>	Employer, employee
<p>When transporting to the Netherlands: determine the regulations regarding EU mobility in the sending, transit and receiving countries. Ensure safe travel conditions, in accordance with the RIVM guidelines and measures from the national government, from the sending country to the Netherlands, and vice versa. Ensure good communication about border crossings for migrant workers who have to cross a border for commuting.</p>	Organiser of transport to the Netherlands
<p>Provide extra ventilation in the vehicle, by opening the window in good weather or otherwise using the ventilation system, for example.</p>	Employer, employee
<p>Ensure optimal hygiene through extra cleaning the controls (steering wheel, gear lever, door handles, touch screen, etc.) and by cleaning them regularly.</p>	Employer, employee
<p>If a migrant worker falls ill in the workplace, he may not be taken home by group transport. If the employer is responsible for the transport, this also applies to replacement transport.</p>	Employer
<p>Make sure that groups of migrant workers do not all arrive at the work location at the same time. It may be possible to work with different starting times or it can be agreed that bus transport does not arrive too shortly after each other. On arrival at the work location it is recommended to maintain sufficient distance. 1.5 metres remains a safe distance.</p>	Hirer, employer, employee

¹⁰ <https://www.rijksoverheid.nl/onderwerpen/coronavirus-covid-19/verkeer-en-openbaar-vervoer/vervoer-met-auto-taxi-personenbusje-of-touringcar>

¹¹ <https://www.rijksoverheid.nl/onderwerpen/coronavirus-covid-19/reizen-en-vakantie/coronabewijs/coronacheck-binnen-europa>

¹² <https://www.rijksoverheid.nl/onderwerpen/coronavirus-covid-19/reizen-en-vakantie/in-thuisquarantaine-bij-aankomst-in-nederland/quarantaineplicht>

Safe care

Migrant workers need to know how to access care if they fall ill. It follows from the CLA (Collective Labour Agreement) that the employer informs the migrant worker about the obligation of health insurance. In addition, the employer makes the migrant worker an offer of health insurance. The migrant worker is not obliged to accept this offer. If the migrant worker accepts the offer of health insurance, he can authorise the private employment agency to pay the nominal premium to the health insurer on his behalf¹³.

Guideline	Responsible
The migrant worker can apply for the European Health Insurance Card (EHIC) in his own country. The migrant worker must always take this health insurance card with him when traveling to another Member State.	Employee
Every migrant worker must be insured and is primarily responsible for this. If the employer is responsible for applying for health insurance, the employer is responsible for providing the policy number, the policy conditions and the (digital) health insurance cards ¹⁴ immediately as soon as they are available.	Employee, employer
The party that facilitates the housing of migrant workers is in contact with GP practices in the region to ensure that migrant workers can go to a nearby practice.	Landlord, employer
Employers must inform migrant workers in their mother tongue about the contact details of the general practitioner and the insurance, the GGD details and the RIVM instructions.	Employer
In the event of a corona outbreak in households, the GGD is informed for advice or testing. It is ensured that communication between the migrant workers and GGD employees is possible, via the corona contact point for example.	Landlord, employer

¹³ *Collective Labour Agreement for Temporary Agency Workers 2019 - 2021* article 36, paragraphs 11 and 12.

¹⁴ **The policy number is generally available no later than three days after registration. As a rule, physical health cards are provided by the health insurer no later than three weeks after registration. Some health insurers will or have now switched to a digital health insurance card, which is linked to registration with the health insurer. The health insurance card and the policy can serve as proof of insurance. However, it is not necessary to have a health insurance card in order to receive medical care in a hospital. Every hospital in the Netherlands checks online via the 'Insurance Details Check' application [Controle op Verzekeringsgegevens (COV)] whether someone has taken out health insurance. In many cases, migrant workers have direct access to the insurer's portal, which gives them quick access to the necessary data.**