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New Italy Labor Law Requires Workers' Vaccination and Presentation of COVID-19 Green Certification

Italy issued a decree last 21 September 2021 requiring all workers in the public and private sector to present an EU Green Pass, a digital or paper certificate showing that people have been vaccinated, tested negative or recovered from COVID-19.

The decree which took effect on 15 October 2021 states that employees who have no Green Pass shall be prohibited to enter work. After five (5) days of absence, the absence shall be considered as "unjustified leave" without pay, until the worker can present the required Green Pass. The law, however, prohibits the employer from terminating employment of workers due to this.

Companies and establishments employing less than 15 workers may get replacements for the suspended workers for a maximum of 10 days, subject to one renewal. Workers who violate this restriction shall face a fine of 600-1,500 EUR.

The COVID-19 Green Certification is a Certification in digital and printable (paper) format, issued in Italy through the DGC National Platform of the Ministry of Health, which contains a QR Code and a qualified electronic seal, to verify its authenticity and validity. The Green Certification COVID-19 - EU digital COVID certificate was born on a proposal from the European Commission to facilitate the free and safe movement of citizens in the European Union during the COVID-19 pandemic.

The Philippine Overseas Labor Office (POLO) in Rome, Italy notes that the decree may affect OFWs who will refuse to get vaccinated. It added that currently the vaccination program is open and accessible to everyone.

For the information and guidance of all concerned.

BERNARD P. OLALIA
Administrator

18 October 2021

Sources:

- 1) POLO-ROME, Report: Italian Labor Law Policy Updates, 11 October 2021
- 2) <https://www.salute.gov.it/portale/nuovocoronavirus/dettaglioContenutiNuovoCoronavirus.jsp?lingua=ingles&id=5412&area=nuovoCoronavirus&menu=vuoto&tab=11>
- 3) <https://www.dgc.gov.it/web/>
- 4) <https://www.dgc.gov.it/web/checose.html>

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