



Federal Ministry  
of Labour and Social Affairs

**AVOCATUL POPORULUI**

REGISTRATURĂ GENERALĂ

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Federal Ministry of Labour and Social Affairs, D-11017 Berlin

**Ms. Renate Weber**

Ombudsperson

Romania Avocatul Poporului

E-mail: [avp@avp.ro](mailto:avp@avp.ro)

**Dr. Rolf Schmachtenberg**

State Secretary

Wilhelmstraße 49, 10117 Berlin

Postal Address: 11017 Berlin

Phone +49 30 18 527-2241 / 2242

Fax +49 30 18 527-2244

[buero.schmachtenberg@bmas.bund.de](mailto:buero.schmachtenberg@bmas.bund.de)

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Dear Ms. Weber,

Thank you for sharing your concerns regarding Romanian seasonal workers in Germany. Minister Heil asked me to provide you with information about the current living and working conditions due to the COVID-19 crisis. Let me assure you that the German federal government is alarmed about the partial violation of infection control measures, as reported by the media. In this matter, Minister Heil and I am in contact with the Romanian Minister of Labour and Social Protection Victoria Violeta Alexandru as well as the Romanian Ambassador Emil Hurezeanu.

The German federal government has taken action to ensure safety and health at work as well as protection against infection, particularly during the COVID-19 crisis. Together with social partners, the occupational safety and health administrations of the States and the accident insurance institutions, Minister Heil developed the "SARS-CoV-2 Occupational Safety and Health Standard" with special measures, that aim to protect the population by breaking infection chains and safeguard health of employees. I am enclosing an English language version of the standard to this letter. Please feel free to forward it to interested parties.

Regarding your questions, I put together the following information.

On April 2nd 2020, the Federal Ministry of the Interior, Building and Community and the Federal Ministry of Food and Agriculture presented a joint concept with the participation of the Robert Koch Institute that provides exemptions from the current entry restrictions for seasonal workers. The concept coordinated with the German Farmers' Association

provides specific measures to ensure safety and health at work in the company and in the accommodation as minimum standards.

For all seasonal workers arriving in Germany, a health check is carried out at the airport before the federal police check-in. If there is a suspicion of infection with the coronavirus, the local health authorities decide on the specific further measures for each individual case.

The States are responsible for monitoring compliance with occupational safety, health and infection protection measures. Cooperation between the federal government and the States is carried out intensively. Minister Heil has currently written to the labour ministers of the States with the request to strictly control occupational safety and health. In the short term, joint focus checks are planned by customs authorities, the occupational safety and health authorities of the States and the supervisory services of the accident insurance institutions in sectors in which employees are regularly accommodated in collective accommodation. In the medium term, my ministry is preparing a legislative initiative that will increase the number of visits to the company by the safety and health authorities of the States.

Where contact with other persons is unavoidable or safe distances cannot be maintained, mouth-and-nose covering and personal protective equipment must be provided and worn. Also skin-friendly liquid soap and towel dispensers must be made available.

The employer must provide adequate, spatially separated accommodation options for suspected and sick cases. If there is reason to suspect that a worker is infected with the coronavirus, he or she must be isolated immediately and a physician must be contacted so that the worker can be tested for the virus. In order not to leave the seasonal workers without protection in the event of illness, the employer usually takes out private group health insurance for the harvest workers. Such insurance offers health insurance coverage for all medically necessary services, such as outpatient treatment, hospital stays and prescribed medication.

In addition, the Federal Cabinet decided on May 20, 2020 - against the background of infection outbreaks in the meat industry - key points for an occupational health and safety program for the meat industry. I am enclosing the key points as an attachment to this letter. It was decided to expand the existing information channels on corona infections of workers employed in Germany from abroad, so that the Federal Government can promptly inform the embassies of the countries of origin about existing risks. The key points also

provide for a doubling of the fine in the event of employers violating the working time act from EUR 15,000 to EUR 30,000.

I hope this information gives you a good overview about the measures taken so far. Please be assured that my ministry monitors developments and regularly checks where adjustments appear to be necessary to ensure safety and health at work.

Kind regards

Rolf Schmittke