

Muja Law brings you the latest issue of the *Legal Update*, regarding the measures taken in Albania to control and prevent further spread of COVID-19 virus.

The Ministry of Health and Social Protection in Albania (hereinafter referred to as “*MHSP*”) has recently issued Order No. 266, dated 21.4.2020 “*On determining the categories of businesses, according to the risk levels and the approval of the protocols of hygienic-sanitary measures and social distancing measures to prevent the spread of COVID-19*” (hereinafter referred to as the “*Order*”). The Order has been published in the Official Journal No.80, dated 05.05.2020.

The Order provides the *categorization* of businesses, according to their risk levels:

- a) **Low risk category-green code;**
- b) **Medium risk-yellow code;**
- c) **High risk-red code.**

The Order also provides special *protocols* to be implemented for each of these business categories during their day-to-day activity.

Furthermore, the Order provides the approval of the “*Instruction on general recommendations for businesses that are allowed to exercise their activity while the measures taken to limit the spread of covid-19 are being eased*”, (hereinafter referred to as the “*Instruction*”).

The purpose of the Instruction is to guide and recommend employers on proper practices of limiting the spread of COVID-19, reducing the transmission of infection among employees in order to maintain business continuity and create a healthy work environment.

Each subject must respect the measures recommended by the Public Health Institute (“*PHI*”) through an individual action plan, respecting each element for limiting the transmission of COVID-19 to employees, within the business premises.

The implementation of the Instruction ensures:

1. The reduce of the virus’s transmission among employees;
2. A healthy work environment;
3. Normal continuity of business activity.

The Instruction provides the following:

- The employer is responsible for the continued provision of hygiene items, including: hand soap, alcohol-based disinfectants containing at least 60% alcohol, disposable paper towels or towels, paper and disinfectants for cleaning surfaces, and providing closed bins for waste disposal;
- The employer is responsible for the continuous provision of personal protective equipment, such as: masks and gloves (*masks can also be made of cloth and changed daily*). Employers should ensure the use of masks and gloves as a physical barrier to minimize the transmission of COVID-19 infection;
- Employers should design internal policies, such as the possibility of working from home or flexible hours, which allows the increase of physical distance from one employee to another and/or create the possibility of these employees to be at a distance of 2 meters from each-other;
- Employees are required to apply hand washing or the use of disinfectants when they are contaminated or after removing the mask and gloves (*based on the MHSP guideline on the steps and manner of hand washing*);
- Employers should not allow their employees to use each other's tools and each-other's work positions;



- The employer must install posters that encourage hand hygiene to help stop the virus' spread at the entry to the workplace and other areas of the workplace where they are visible;
- Employers shall recommend not to use handshakes and hugs between employees and encourages the use of other non-contact greeting methods;
- Employers should encourage their employees to adhere to the practices of respiratory ethics, coughing and sneezing, putting the elbow hole in front of the mouth and nose;
- Employees must respect the social distancing measures, which will be carried out according to a plan of the businesses drafted by themselves. It shall be emphasized whether the capacity of workers exceeds the area in m², respecting the distance 2 m. Businesses shall work in two shifts according to the allowed schedule;
- Employers should encourage: implementation of flexible workplaces (e.g., *remote work*); implementation of flexible working hours (e.g., *change of working hours*); increasing the physical space between employees in the workplace; increasing the physical space between employees and customers (e.g., *through partitions*); implementing flexible

meeting and travel options (e.g., *postponing meetings or non-essential events*); reduction of some services or products; provision of remote services (e.g. *telephone, video or web*); delivery of products, according to a plan and providing the appropriate distances;

- Businesses should practice continuous cleaning of surfaces and other elements of the workplace, such as: workstations, keyboards, telephones, handrails and gloves. It is necessary that disinfectant products have the correct percentage, method of application and contact time, as well as their use should be done using personal protective equipment. (*Based on the MHSP guideline for environmental cleaning in facilities (not health care) exposed to COVID-19*);
- If surfaces are contaminated, they should be cleaned using a cleaner or soap and water before disinfection;
- For disinfection, the most common household disinfectants can be used, as well as others, according to the instructions of MHSP. The manufacturer's instructions shall be followed for all cleaning and disinfection products (e.g., *concentration, method of application and contact time, etc.*);
- Employers should advise workers not to use the phones, desks, offices or tools and equipment of other employees when possible. If necessary, they must be cleaned and disinfected before and after use. Also, potential cleaners should be provided so that commonly used surfaces (*for example, remote controls, keyboards, tools and other work equipment, etc.*) can be wiped off by employees before each use;



- If in a subject, one of the employees is in or has had close contact with a person positive with COVID-19, he must stay in self-quarantine and immediately notify the business doctor and administrator, who then notifies the relevant local health care unit (“LHCU”);
- Employees who have clinical signs shall stay at home, self-isolate and monitor clinical signs and report any concerns to 127 and the family doctor, as well as to the business doctor and administrator;
- The administrator of the subject must dismiss the employee to stay at home, if he shows clinical signs and must immediately notify the LHCU and the Public Health Institute (“PHI”) within 24 hours;
- If there is a suspected case of COVID-19 by the business doctor or enterprise, the LHCU and PHI should be notified immediately;
- Contact between customers and employees shall be minimized by replacing physical meetings with online communications;

- Business administrators should place physical distance elements with visible visual cues on the floor surface, and the regulation on the totality of COVID-19 transmission minimization measures should be displayed as clearly as possible;
- Every business should have a certain environment to isolate an employee, who may show clinical signs of the disease and then notify 127 and the respective LHCU;



- Any business that has more than 5 people is recommended to install surveillance cameras to observe whether the specified hygiene and care measures are strictly enforced;
- Social distancing will be carried out according to a plan of the businesses drafted by themselves for fason, tailoring, call center, etc., and if the capacity of the employees exceeds the allowable surface area in m², respecting the distance of 2 m, businesses shall work in two shifts, according to the allowed schedule, ensuring all the conditions to carry out disinfection and the use of masks and gloves is obligatory;

- Businesses must consider improving engineering controls, using the ventilation system of buildings. This may include some or all of the following activities: increase of ventilation levels; or increase of the percentage of outdoor air circulating in the system;
- Based on the risk levels from the green level to the red level for the transmission of COVID-19 virus, all subjects that are at the green level should use gloves and protective masks. Subjects must adhere to a distance of 2 m, shall place waiting signs in the queue, post the possibility of online shopping, and/or booking online or through telephone, place a protective glass for clients, disinfect the environment, wash before opening and after closing, especially tables, counters, telephones and any space where there has been contact with hands, ventilate if possible at least 3 times a day;
- At the yellow and red level, there must be an increased frequency of ventilation, while on the other hand disinfection with tunnel spray at the entrance and exit of the business will be required for all employees. *(Based on the MHSP guideline for cleaning the environment in facilities (not health care) exposed to Covid-19);*
- The State Health Inspectorate (“SHI”) must conduct systematic inspection to assess the implementation of measures against penalties in force;
- Businesses should be prepared that a systematic assessment of the epidemiological situation (*increase in positive cases, increase in hospitalized cases, etc.*) will result in a reversal of permitted measures.

The approved special protocols and their provisions are as follows:

Green Protocol

1. The subject initially verifies the object of its activity by self-determining the level of risk, according to the activity codes. In the case of activities of a mixed nature where a subject exercises certain activities, self-determination will be performed according to the secondary addresses and the type of each activity.
2. The person appointed by the administrator/natural commercial person performs daily self-assessment of the employed persons if they have symptoms of COVID-19, according to the approved checklist. In case of symptoms, the continuation of the activity by the respective person should not be allowed in any case and should be reported immediately as a case in the number 127.
3. The subject is allowed to exercise its activity only on the allowed time period.
4. Employees/administrators/natural commercial person must wear a protective mask covering their nose and mouth.
5. Employees/administrators/natural commercial person must use protective gloves as advised.
6. At the entrance, the subject must provide the hygienic product of the hands to the clients and take care of their replenishment. The percentage of active substance should be at least 60%.

7. The client disinfects the hands at the entrance and exit of the subject. The client wears gloves and a protective mask according to the tips.



8. The distance of 2 m between the client and the employed staff must be guaranteed and respected at all times.
9. The cashier washes his hands and disinfects them before and after taking the gloves off.
10. The subject serves only one client in the environment, while the others wait outside in a row 2 meters apart. In spaces with a space of more than 30 square meters, an additional customer can be allowed in proportion to every 10 square meters of additional space, orienting the customers in maintaining the distance.
11. The subject must display in a visible place on the facade the possibility of online shopping, the possibility of booking online or through telephone.
12. The subject must place protective glass (or plexiglass) between the seller and

customer and distance tape on the cash register counter.

13. In no case is physical contact between the seller and the customer allowed.
14. The subject must disinfect the environment and wash before opening and closing, especially tables, counters, telephones and any space where there has been touch contact.
15. The subject must provide ventilation, if possible, at least 3 times a day. This obligation for subjects such as perfumery or during which gases are produced must be performed 6 times a day.
16. The subject must display the COVID-19 symptom list, according to the approved checklist.
17. In any case, the administrator/natural commercial person immediately notifies the relevant structures, especially the LHCU and the SHI.
18. The subject must display the obligation for self-assessment of symptoms by clients and employed staff/administrator/natural commercial person, according to the approved format where administrative or criminal liability is mentioned for the person who does not take measures, according to legal obligations and the green number for denunciation.

Yellow protocol

1. The subject initially verifies the object of its activity by self-determining the level of risk, according to the activity codes. In the case of activities of a mixed nature where a subject exercises certain activities,

self-determination will be performed according to the secondary addresses and the type of each activity. This protocol also includes activities that have 25-50 employees working in a closed joint environment.

2. The person appointed by the administrator/natural person performs daily self-assessment of the employed persons if they have symptoms of COVID-19, according to the approved checklist. In case of symptoms, the continuation of the activity by the respective person should not be allowed in any case and should be reported immediately as a case in the number 127. If the person shows symptoms while working or after work, this person should be quarantined in a separate environment of the facility, until appropriate measures are taken by the health services.



3. In any case, the administrator/natural commercial person immediately notifies the relevant structures, especially the LHCU and the SHI.
4. The person appointed by the administrator/natural commercial person measures the temperature of the employees and any other customer at the

entrance and exit with an infrared thermometer and immediately notifies the relevant structures for temperatures higher than 37.5 degrees in cases where there are other symptoms of COVID-19.

5. Notwithstanding the above, employees perform daily self-assessment if they have symptoms of COVID-19 according to the approved checklist. In case of symptoms, the person should immediately notify 127 and the administrator/ natural commercial person. In any case, the administrator/natural commercial person immediately notifies the relevant structures, especially the LHCU and the SHI. In no case should the activity of the respective person be allowed to continue and, as the case may be, should be quarantined in the predetermined environment.



6. Every employee is obliged to declare to the administrator/natural commercial person if he has had contact with persons who result or have tested positive for COVID-19.
7. Any employee who notices clinical signs during the stay in their home should not show up at work and should immediately notify the administrator/ natural commercial person. The employee

must call 127 and the family doctor.

8. The subject is allowed to act only on the time period provided by the legal provisions.
9. Going to and out of work on foot is done by maintaining a distance of 2 meters and not by creating groupings. In the event of a return to work by bus service, employees sit on the side windows of the bus and leave a blank space behind them. Masks and gloves must be worn on the bus or vehicle and surface touches must be avoided. The bus is disinfected and ventilated every day. For the movement with the vehicle, the measures published by the State Police should be applied.
10. The subject must constantly and with his own means provide protective gloves, masks and hand sanitizers with over 60% alcohol.
11. The subject must provide constantly and with his tools at any time soap, hand cleaning paper, surface disinfectants, as well as closed garbage bins which must be cleaned daily.
12. Employees and other clients should use protective gloves as advised.
13. Employees and other clients must wear protective masks covering their noses and mouths.
14. Coughing and sneezing are performed using the elbow or nasal paper. The paper is immediately thrown into the bin.
15. At the entrance and exit, the subject must provide the hygienic product of the hands for the staff and anyone who enters and exits the interior and must take care of

their replenishment. The percentage of active substance should be at least 60% alcohol.

16. The subject must guarantee and respect at any time the distance of 2 meters between the employees and between the latter and the clients. The subject reorganizes its work with shifts, according to an individual plan, in order to comply with the above obligation.
17. The subject serves as many customers as there are cash registers or customer service counters, while others wait outside in a row.
18. It is recommended to avoid cash and provide credit card payment services.
19. The subject places plexiglass between the employee and the client.
20. In any case, it should be provided natural ventilation (*aeration*) at least 5 times a day. Subjects are to take appropriate measures to intervene in ventilation systems and switch to natural air mode or add additional windows.
21. In no case is physical contact allowed between employees or between third parties including greetings.
22. During the break or meal schedule, it should be avoided the gathering of people in the premises, such as kitchens, dining rooms or outdoor areas, whether the subject's or public.
23. The subject must disinfect the environment and wash before opening and after closing and at least 3 times a day. Each employee performs disinfection, with the hygiene products, of tables, counters, telephones, computers,

headphones and any space or object where there has been touch contact at the beginning and end of the shift. The products are used in accordance with the relevant instructions from the manufacturer/seller or the Ministry of Health.



24. Employees at work should not use the tools or workplace of colleagues without performing disinfection.
25. The subject must display the COVID-19 symptom list, according to the approved checklist.
26. The entity must display the informative poster on COVID-19 risk reduction, according to the approved format.
27. The subject must submit the declaration for the implementation of the yellow protocol, according to the approved format, which includes the obligation for self-assessment of symptoms by the employed staff/administrator/any other third party entering and leaving the internal premises, according to the approved format, where administrative or criminal liability is mentioned for the person who does not take measures

according to legal obligations and the green number for denunciation.

28. Subject must display the complete yellow protocol according to the approved text.
29. The above materials are displayed at the entrance of the subject, as well as in visible places inside the subject.



Red protocol

1. The subject initially verifies the object of its activity by self-determining the level of risk, according to the activity codes. In the case of activities of a mixed nature where a subject exercises certain activities, self-determination will be performed according to the secondary addresses and the type of each activity.
2. This protocol also includes activities that more than 50 employees working in a closed joint environment.
3. The subject must have a company doctor employed full-time. It is not allowed for the company doctor to provide his service in more than one subject. The doctor of the company and/or the

administrator are responsible for the implementation of the measures, according to this protocol, according to the obligations of each of them.

4. The company doctor performs daily assessment of the presence of COVID-19 symptoms in employees and anyone entering and leaving the workplace, including administrator, carrier, distributor, third parties who are part of the supply chain, distribution, sales etc. In case of symptoms, it should not be allowed in any case to continue the activity by the relevant person and it should be reported immediately as a case number at 127. If the person shows symptoms while working or after work, this person should be quarantined in a separate environment of the company, until appropriate measures are taken by the health services.
5. In any case, the company doctor and the administrator immediately notify the relevant structures, especially the LHCU and the SHI.
6. The company doctor measures the temperature of the employees/administrator or any other person at the entrance and exit with an infrared thermometer and keeps the relevant book with notes every day for temperatures higher than 37.5 degrees or the appearance of other symptoms. The doctor administers the medical data, in accordance with the law on the protection of sensitive personal data and has the obligation to maintain confidentiality.
7. Notwithstanding the above, employees perform daily self-assessment if they have symptoms of COVID-19, according to the approved checklist. In case of symptoms, the person should

immediately notify 127 and the company doctor about the health at work. In no case should the activity of the respective person be allowed to continue and, as the case may be, should be quarantined in the predetermined environment.

8. Every employee is obliged to declare to the administrator and the company doctor, if there has been contact with persons who result or have tested positive with COVID-19.
9. Any employee who notices clinical signs during the stay in the apartment should not show up for work and should immediately notify the administrator and the company doctor. The employee must call 127 and the family doctor.
10. The subject is allowed to act only on the schedule set by the legal provisions.
11. Going to and out of work on foot is done by maintaining a distance of 2 meters and not by creating groupings. In the event of a return to work by bus service, employees sit on the side windows of the bus and leave a blank space behind them. Masks and gloves must be worn on the bus or vehicle and surface touches must be avoided. The bus is disinfected and ventilated every day. For the movement with the vehicle, the measures published by the State Police should be applied.
12. The subject must constantly and with his own means provide protective gloves, masks and hand sanitizers with over 60% alcohol.
13. The subject must provide constantly and with his tools at any time soap, hand cleaning paper, surface disinfectants, as well as closed garbage bins which must be cleaned daily.

14. Employees and other clients should use protective gloves as advised.
15. Employees and other clients must wear protective masks covering their noses and mouths.
16. Coughing and sneezing are performed using the elbow or nasal paper. The paper is immediately thrown into the bin.



17. At the entrance and exit, the subject must provide the hygienic product of the hands for the staff and anyone who enters and exits the interior and must take care of their replenishment. The percentage of active substance should be at least 60% alcohol.
18. The subject must guarantee and respect at any time the distance of 2 meters between the employees and between the latter and the clients. The subject reorganizes its work with shifts, according to an individual plan, in order to comply with the above obligation.
19. In any case, it should be provided natural ventilation (*aeration*) at least 5 times a day. Subjects are to take appropriate

measures to intervene in ventilation systems and switch to natural air mode or add additional windows.

20. In no case is physical contact allowed between employees or third parties such as carriers, distributors, etc., including greetings.



21. During the break or meal schedule, it should be avoided the gathering of people in the premises, such as kitchens, dining rooms or outdoor areas, whether the subject's or public.
22. The subject must disinfect the environment and wash before opening and after closing and at least 5 times a day. Each employee performs disinfection, with the hygiene products, of tables, counters, telephones, computers, headphones and any space or object where there has been touch contact at the

beginning and end of the shift. The products are used in accordance with the relevant instructions from the manufacturer/seller or the Ministry of Health.

23. Employees at work should not use the tools or workplace of colleagues.
24. The subject must display the COVID-19 symptom list, according to the approved checklist.
25. The subject must display the informative poster on COVID-19 risk reduction, according to the approved format.
26. The subject must submit the declaration for the implementation of the red protocol, according to the approved format which includes the obligation for self-assessment of symptoms by the employed staff/administrator/any other third party entering and leaving the company, according to the approved format where administrative or criminal responsibility is mentioned for a person who does not take measures, according to legal obligations and green number for denunciation.
27. The subject must fully display the red protocol, according to the approved text.
28. The above materials are displayed at the entrance of the subject, as well as in visible places inside the company.



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Muja Law is a family-run law office where we work hard for the success of our clients and to provide excellence in legal service. Our roots go back to 2001 when our Managing Partner, Krenare Muja (Sheqeraku), opened her law practice office in Tirana, Albania. Krenare’s son Eno joined her in 2014, and the other son Adi entered the practice in 2019. What started in Tirana as a small, family-run law office has grown and flourished in the community for the last 20 years. The office consists of various respected and talented lawyers who possess outstanding educational and community service backgrounds and have a wealth of experience in representing a diverse client base in various areas of the law.

The office is full-service and advises clients on all areas of civil, commercial and administrative law. With significant industry expertise, we strive to provide our clients with practical business driven advice that is clear and straight to the point, constantly up to date, not only with the frequent legislative changes in Albania, but also the developments of international legal practice and domestic case law. The office delivers services to clients in major industries, banks and financial institutions, as well as to companies engaged in insurance, construction, energy and utilities, entertainment and media, mining, oil and gas, professional services, real estate, technology, telecommunications, tourism, transport, infrastructure and consumer goods. In our law office, we also like to help our clients with mediation services, as an alternative dispute resolution method to their problems.

While we have grown over the past 20 years and become recognized as one of Albania’s leading law offices, we are grounded in the essence of “who” we are and “where” we started. We understand the importance of family, hard-work, and dedication.

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