

► ILO Sectoral Brief

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COVID-19 and public emergency services

The coronavirus pandemic, also known as SARS-CoV-2 or COVID-19, is unprecedented in recent memory, as its transmission is faster and it has reached more countries than the SARS or Ebola outbreaks.

Each country has the responsibility first and foremost to take care of the victims of disasters and emergencies occurring on its territory.¹ Governments assign the necessary emergency response responsibilities to various entities, such as central administration agencies, state-owned corporations, local administrations and, as appropriate, other public or private organizations. Public emergency services (PES) play a large role in protecting the population against coronavirus and allowing the economy to resume activities as soon as possible, but for that they need to be adequately protected against inherent risks and participate in the elaboration of prevention measures and work design.

This policy brief addresses issues relating to public sector workers who perform frontline duties in confronting the COVID-19 crisis in the name of the State, often described in statutes as essential services. The brief discusses their role in dealing with the crisis, the measures that governments have taken to support their work and the ILO principles and tools, including international labour standards, that protect them.

As defined in paragraph 10 of the ILO Guidelines on decent work in public emergency services (2018), these services “include police, firefighting, emergency medical services, search, rescue and evacuation services, and other services regularly called upon to respond in emergencies, such as health and social services, armed forces, security and surveillance services, bomb disposal units, local governments,



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It is essential to provide personal protective equipment to all workers involved in pandemics response

mortuary and body-handling services, immediately necessary measures which are critical to allow rescue and stabilization, services responsible for the restoration of water and electricity supply, and related professions, such as social workers, according to need and national context.”² Some of these workers only perform emergency services when the need arises, such as in the present situation.

¹ United Nations (1991). General Assembly Resolution 46/182, Annex, para. 4 (A/RES/46/182).

² ILO (2018). Guidelines on decent work in public emergency services, para. 10, Geneva.

► 1. The impact of COVID-19

In the context of the present pandemic, the role of public emergency service (PES) workers is framed by the measures that member States have adopted to address the rapid spread of COVID-19, including:

- Ordering businesses to close; requesting the population to remain at home and maintain social distancing when using essential services; placing physical barriers to enforce social distancing requirements in government offices; and making hand sanitizers available for public employees and clients.
- Closing non-essential services, postponing most personnel actions and ordering most public employees to work from home, using the available technology, and informing the public that government services will not be offered in person, but by telephone and online.

Measures for such emergency situations have usually been under preparation for several years, but the present situation is making it necessary to use of all the available “e-government” tools at once. The measures adopted pose several challenges for PES workers:

- As frontline providers of public services and public emergency services, PES workers are bound to come into close physical contact with carriers of the virus, and are therefore exposed to a high risk of infection. For example, police officers are sometimes required to physically impose restrictions of movement, many of which are unprecedented and may be required to confront members of the public who resist, with the risk of violent confrontations.
- Similarly, emergency teams may be exposed to contamination from hazardous materials, especially in view of the scarcity of personal protective equipment (PPE) in many countries and the current absence of prophylaxis against the virus.
- As indicated in the ILO Encyclopaedia of Occupational Safety and Health, “[u]nlike a member of the general public, a worker in one of these occupations cannot simply walk away or leave the scene.”³
- Following the 2008-09 financial crisis, governments adopted severe austerity-driven employment

and funding measures that affected PES, and the present crisis has exposed the negative impact of such measures on emergency preparedness.⁴

- When providing assistance to patients and their families, PES must observe strict protocols that require actions to isolate them from contagion.
- The equipment that these workers need to perform their duties is complex, expensive and time-consuming to produce, which makes it difficult to acquire for some member States, and it may take time to reach workers if it was ordered after the onset of the crisis.
- PES workers may also be victims of the virus, and consequently of discrimination, such as exclusion from access to other essential services.
- There is also a high risk of mental health problems, including psychogenic illnesses, in emergency and security services.

³ ILO. ILO Encyclopaedia of Occupational Safety and Health, online, “Emergency and security services”, Guidotti, T.L., 2011.

⁴ See, for example, McCann, L., Wankhade, P., and Murphy, P. (2019). “Conclusion: Understanding emergency services in austerity conditions”, in *Critical perspectives on the management and organization of emergency services*, Routledge, New York.

► 2. Responses by constituents and partners

Member States have announced several measures on leave, child care and financial support to allow PES workers to carry out their jobs. Many European Union (EU) Member States, the United States and other countries, such as Fiji,⁵ Nigeria, Panama⁶ and Indonesia⁷, and some regional governments in Australia and Canada, have raised health service budgets substantially.

For example, the EU has suspended limits on deficit spending and created a EUR 37 billion Coronavirus Response Investment Initiative. In Latin America and Africa, the response has varied widely: dedicated COVID funds have been created in some countries by reducing the wages of the highest-paid public servants (for example, in Costa Rica, Honduras, Paraguay and Uruguay)⁸, while attempts have been made in other countries through preventive measures to avoid the need to increase health expenditures. Local governments are in a more difficult position due to their limited and more vulnerable sources of revenue, and their lack of recourse to central banks.

The following work-related measures, which impact PES workers, have been adopted in certain countries:

► Stay-home orders

- Ordering workers who visit high-risk countries, show symptoms or have been certified as ill with COVID-19, as well as those who have been in close contact with them, to take exceptional leave of 14 days and remain at home (province of Córdoba, Argentina).⁹
- Ordering all workers over 60 or 68 years of age, or in a vulnerable health condition, to remain at home,

sometimes including pregnant women (Dominican Republic, local and regional governments in Mexico).¹⁰

► Work-related measures

- Efforts to digitalize services have intensified to increase response capacity.
- Temporary staff increases¹¹ and the transfer of non-essential public employees to PES departments, voluntarily or under orders¹² (Australia, Ireland).
- The rehiring of retired workers without reducing their pensions (Norway).
- The prohibition of dismissing public employees during the emergency, except for violations of emergency rules (Dominican Republic).
- Provision of free child care for the duration of the crisis (public health workers in France; workers in essential services in Belgium and United Kingdom).
- Keeping schools open for the first to third grade children of PES workers (Italy).

► Leave arrangements

- Considering COVID-19 as a workplace accident for purposes of leave¹³ (Spain); allowing agencies to grant weather and safety leave to employees who are unable to access their offices, but cannot telework (United States).
- Allowing public employers to modify holiday schedules and working hours (France, proposed amendment to the public service statute).

5 Narajan, V. (2020). "[COVID-19 Response Budget: Health and COVID-19 Response](#)", fijiivillage, 26 March

6 El capital financiero.com (2020). "[Presupuesto 2020 se reorientará para atender emergencia sanitaria causada por el COVID-19](#)", 30 March.

7 Bisara, D. (2020). "[Indonesia drops 3% budget deficit cap for \\$25b Covid-19 stimulus](#)", Jakarta Globe, 31 March.

8 Office of the President of Costa Rica (2020). "[Gobierno propone presupuesto extraordinario para ayudar a 375 mil familias afectadas económicamente por COVID-19](#)", 27 March; Hondunews (2020). "[A reducción sueldos de funcionarios públicos](#)", 26 March; Office of the President of Paraguay (2020). "[Ejecutivo anuncia reducción de salarios públicos y reforma estructural del Estado](#)", 30 March; Office of the President of Uruguay (2020). "[Medidas del Gobierno para atender la emergencia sanitaria por coronavirus \(COVID-19\)](#)", 24 March.

9 Province of Cordoba, Argentina, Resolution No. 83/2020 of the Protocol Registry of the Secretary General.

10 Office of the President of the Dominican Republic (2020). "[Danilo Medina solicitará declaratoria emergencia nacional, dispone cierre fronteras y suspensión docencia y concentraciones de toda índole](#)", video, 17 March; Government of Mexico City (2020). "[Acuerdo para prevenir COVID-19 en servidores públicos](#)", 20 March; Expansión Política (2020). "[Estados optan por cerrar negocios y otras medidas contra el COVID-19](#)", 23 March.

11 Jenkins, S. (2020). "Services Australia to receive extra 5000 workers", The Mandarin, 23 March.

12 Miley, I. (2020). "Public servants to be temporarily redeployed to support Covid-19 efforts", RTE, 18 March.

13 Spain, Royal Legislative Decree No. 6/2020 of 10 March 2020 adopting certain urgent economic measures and for the protection of public health.

► **Financial measures**

- Advancing the payment of wages to all government workers (Dominican Republic, Honduras).
- Awarding cash incentives to first responders (Puerto Rico, Dominican Republic, Singapore).
- Granting hazard pay to frontline employees who have unavoidable contact with persons who are homeless or are at risk of becoming so (United States).¹⁴

These measures have been taken at different times and at varying levels.¹⁵ It is currently feared that the pandemic may recur after a temporary lull, and that the effectiveness of these measures will be tested.

Several shortcomings can be identified in policy responses in relation to public PES and other frontline workers:

- Many governments lack the necessary resources, such as PPE, to protect their workers from infection on-site.
- In some countries, PES have increased the number of volunteers, contract and part-time workers, who are less likely to receive paid sick leave, and are therefore vulnerable to income loss and/or compelled to work while sick.
- In other countries, public employees are among the lowest-paid workers and/or do not receive their wages for several months at a time, which makes them more vulnerable to crises.¹⁶ Volunteer public emergency service workers generate little or no income from the public service.

Occupational Safety and Health

In view of the inherent risks outlined above, PES workers require safe and healthy working environments. The keys to this are taking coherent measures for emergency preparedness and disaster prevention, access to the full range of social protection and a comprehensive monitoring of the risks. The *ILO Guidelines on decent work in public emergency services* recommend that “Governments and PES employers should provide sufficient financial and human resources to effectively identify and prevent occupational hazards and implement existing instruments and guides prepared by the ILO, other United Nations

institutions and regional bodies.” In addition, PES workers have the duty to comply with prescribed safety and health measures that have been adopted in accordance with Article 19 of the Occupational Safety and Health Convention, 1981 (No. 155).

Although PES workers assume risks as part of their duties, PES workers must never be forced to take excessive risks. PES workers should have the right to remove themselves from situations involving imminent and serious danger to life or health without fear of reprisals.

Efforts to improve occupational safety and health (OSH) in PES may include:

- designing and implementing OSH measures that are adjusted to the particular functions of PES workers and employers, to be achieved through the participation of both groups in social dialogue;
- enhancing the legal system and administrative regime for safety;
- building the capacities of those responsible for safety and health supervision and inspection;
- providing OSH training before PES workers enter into service and continuously after their recruitment;
- launching special safety and health awareness and enforcement campaigns;
- enabling labour inspectorates to monitor OSH and create mechanisms for data coordination with national employment injury insurance schemes.

In consultation with workers and their representatives, PES employers should establish OSH management systems to identify hazards and assess risks to safety and health, in line with the *ILO Guidelines on occupational safety and health management systems, ILO-OSH 2001*. The following control measures should be applied in order of priority:

- (a) eliminate risks of contagion;
- (b) control the sources of contagion at source through engineering controls or organizational measures;
- (c) minimize the risks of contagion through safe work systems that include administrative control measures; and
- (d) if these risks cannot be controlled by collective measures, providing appropriate PPE, including clothing,

¹⁴ United States, *Coronavirus Aid, Relief, and Economic Security Act*, H. R. 748. The United States Department of Labor defines “Hazard pay” as “additional pay for performing hazardous duty or work involving physical hardship.”

¹⁵ For example, on 23 March the Lagos State government ordered junior and mid-level civil servants to stay at home for two weeks, although the measure only covers 70 per cent of them. BBC (2020). “Coronavirus lockdown: Lagos order junior, mid-level civil servants to stay for house sake of Covid-19 pandemic”, News Pidgin, 22 March.

¹⁶ For example, in 2019 the Committee of Experts on the Application of Conventions and Recommendations made observations and/or direct requests concerning wage arrears in the public sector regarding Benin, Cameroon, Comoros, Côte d’Ivoire, Gabon, Guatemala, Libya, Mali, Mauritania, Republic of Moldova, Poland, Tajikistan, Uganda and Zambia.

at no cost to the worker, and implement measures to ensure its use and maintenance.

The *Guidelines* also call for coherent national policies on the safety and health of PES workers, monitoring:

- the mapping, mitigation, prevention and limitation of occupational risks;
- the impact of measures taken and whether the risk of contagion has been reduced;
- the manner in which communication and cooperation at all the appropriate levels is ensured in practice; and
- the availability of specialist groups of labour inspectors to oversee the work of PES.

Social Dialogue

Most measures have been imposed unilaterally by governments, supposedly on a temporary basis, and governments and public sector unions have met in several central and local governments to discuss arrangements to protect staff.

At the level of the European Union, the Social Dialogue Committee for Central Government Administrations signed an agreement in 2015 setting out a general framework of common minimum standards on the information and consultation rights of workers and civil servants in central government on matters of direct concern to them. Although the European Commission decided not to adopt a Directive to implement the agreement, it indicated that it would be given effect at the national level. The social partners have encouraged EU Member States to spend and invest “to reinforce staff, equipment and means for national health services, social protection systems and other services of general interest.”¹⁷

Many collective agreements in the public service include clauses on extended leave arrangements and personal protective equipment for ordinary work, but some governments have reached agreement with public employees’ organizations to add COVID-related measures:

- In Spain, several branch agreements have been concluded to protect PES workers during the COVID-19 crisis and regional agreements are being negotiated.
- In Italy and Spain, the Governments and public worker unions have negotiated protocols establishing workplace protection measures.¹⁸

- In Norway, the parties have concluded an agreement on working time, covering the municipal and health sectors allowing employers to expand the framework for overtime work.
- The social partners have also concluded agreements in Denmark that allows some employees to be moved to a different job.
- In several countries, the ministers responsible for the public service have met the public sector unions to exchange views.

Some public employees’ organizations have demanded urgent measures to supplement existing agreements. In South Africa, where government agencies only closed on 24 March, the unions have demanded the initiation of consultations and have abandoned plans to go on strike against the demand made by the Government to renegotiate the wage increases agreed in 2018. In Canada, several unions covering federal public servants have asked the Treasury Board to clarify the definitions of the terms “critical services” and “critical staff.”¹⁹ In Italy, several strikes have been called to demand more safety protection. Public Services International (PSI) has launched a global campaign on its PeopleOverProfit platform, “Safe Workers Save Lives”, demanding:

- Adequately staffed and well-resourced public health systems, equipped in the long-term to respond to this and similar crises.
- Enough and appropriate PPE and training for all workers in its use.
- Adequate and specific measures to support health workers who will be working very long hours, including appropriate care for their children and other dependants.
- Provision for homeworking, paid sick leave, emergency unemployment benefit and, above all, free health care.

The European Public Service Union (EPSU) reports that unions in several European countries have called on their respective governments to provide protective equipment and flexible leave arrangements, not only for health workers, but also for those in social, residential and home care.²⁰ It has also called for priority to be given to the health and safety of prison staff and inmates through the provision of personal protective equipment, the continuity of the wages of prison staff, including sick pay, and regular dialogue between trade unions and prison and health authorities. In Australia, public service organizations have called on the Government to provide protection for its 23,000 contractual workers if they are affected.²¹

17 Joint Statement of the European Social Partners ETUC, BusinessEurope, CEEP, SMEUnited on the COVID-19 emergency, 16 March 2020.

18 Pardo, J. (2020) “Gobierno y sindicatos fijan un protocolo para la prevención de riesgos laborales frente al Covid-19”, El Plural, 3 March; Italy, Ministry of Health (2020). “Covid-19, siglato il Protocollo per la sicurezza nelle aziende” 14 March.

19 The Professional Institute of the Public Service of Canada, web page.

20 EPSU (2020). “The safety and staffing challenges facing health and social services”, 19 March.

21 Jenkins (2020), op. cit.

► 3. ILO tools and responses

In the event of pandemics, good *information sharing* on current conditions, which change constantly, remains key. The Labour Relations (Public Service) Convention, 1978 (No. 151), provides guidance on the respective mechanisms. Member States should address many of the issues that arise through social dialogue, which consists not only of the *exchange of information*, but also *consultation* on the measures to be taken and *negotiation* of the impact of any measures relating to working conditions. The ILO Code of practice on ambient factors in the workplace (2001), which covers airborne contaminants, holds employers responsible for the safety and health of workers and calls for the participation of workers in decisions on occupational safety and health. Information technology can facilitate means for addressing health concerns, as well as social dialogue.

Hand washing is an important mechanism to prevent contagion. The Occupational Health Services Convention, 1985 (No. 161); the Occupational Safety and Health Recommendation, 1981 (No. 164); and the Workers' Housing Recommendation, 1961 (No. 115), provide relevant guidance. The self-training handbook on access to water and sanitation in the workplace, entitled WASH@Work (2016) also provides advice and checklists for the implementation of ILO occupational safety and health principles and methodology as applied to the specific needs of water supply, sanitation and hygiene in the workplace.

Besides OSH measures, the ILO Guidelines on decent work in public emergency services call for social dialogue, training and coordination between services and cover the broad array of PES workers.²²

International labour standards and other ILO principles and tools relevant to public emergency service workers can help constituents and other United Nations agencies shape policy in an integrated and holistic manner in support of the critical services that are central to combating the pandemic. This ILO standards and principles highlight the need for governments to recognize the role played by public employees' organizations in a disaster setting and the ways in which they can be involved effectively in disaster management and emergency responses, placing social dialogue at the centre of crisis response.

²² See above, note 5.

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