



Sérvulo & Associados | Sociedade de Advogados, SP, RL

# Update

## Employment Law



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## COVID-19: Alert Situation

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On 29 October, the **Resolution of the Council of Ministers no. 142-A/2021** was approved extending the situation of alert in the context of the Covid-19 pandemic disease until 11:59 pm of 30 November 2021, throughout continental Portugal.

The extension of the alert situation is made effective through the prorogation of the applicability of the **Resolution no. 135-A/2021, of 29 September 2021**, which declared the alert situation and defined its scope.

The adoption of exceptional measures is foreseen regarding the establishment of: (i) rules for the protection of individual and collective health of citizens; (ii) rules of operation of industrial, commercial and service establishments; and (iii) rules applicable to air traffic and airports.

The alert regime establishes exceptional and temporary measures:

- Mandatory isolation of: a) Covid-19 patients; b) those infected with SARS-CoV-2; and c) citizens who have been ordered by health authorities or other healthcare professionals to undergo active surveillance;
- Possibility of measuring body temperature by non-invasive means when controlling access to the workplace, public services or institutions, schools, educational and vocational training establishments, commercial, cultural or sports premises, means of transport, health facilities, prisons or educational centres, as well as residential structures;
- The possibility of subjecting the following persons to Covid-19 diagnostic tests:
  - a) Employees and users of healthcare establishments;
  - b) Employees, students and visitors to schools, educational and vocational training establishments and higher education institutions;
  - c) Employees, users and visitors of therapeutic communities and social integration communities, as well as of temporary shelters and emergency accommodation centres, residential structures for the elderly, integrated continuous care units of the National Network for Integrated Continuous Care and other structures and services for the elderly, children, young people and people with disabilities, as well as for applicants and beneficiaries of international protection and for the reception of victims of domestic violence and human trafficking;

d) Inmates, juvenile offenders, employees of the Prison Guard Corps and of the General Directorate for Reintegration and Prison Services, service providers and users of prison services and educational centres.

- Need to comply with specific guidelines and instructions defined by the Directorate General of Health for the respective sectors of activity. As such, ventilation of spaces and air conditioning of indoor areas should continue to be assured, and establishments should inform clients of the applicable rules of access, priority, service, hygiene and safety;
- Need to comply with the guidelines of the Directorate General of Health regarding the organisation of events;
- Need to present proof of a negative PCR or antigen test carried out within 72 or 48 hours prior to departure, respectively, in order to enter national territory. This obligation does not apply to holders of COVID Digital Certificate from the European Union, holders of full vaccination certificate with one of the vaccines approved by the European Union, for more than 14 days, and nationals, foreigners residing in continental Portugal, or diplomatic staff posted in Portugal, who perform PCR or antigen test upon arrival.

The alert situation until 30 November does not preclude the adoption of other exceptional and temporary measures if justified by the development of the epidemiological situation in Portugal.