

Rules about the use of the Green Pass certification from 15 October 2021



1. How to verify the validity of the Green Pass certification for workers in the public and private sectors?

Checks are organised autonomously by each administration/company, in compliance with the privacy regulations and the guidelines issued with the Prime Ministerial Decree of 12 October 2021. Employers define the procedures for the checks, even on a sample basis. Checks are carried out at the entrance to the workplace, if possible. Employers designate formally the persons in charge of ascertaining the violations of the obligations referred to in paragraphs 1 and 2. It is preferable to use methods of verification that do not cause delays or queues at the entrance. In public administrations, checks take place on a daily basis, preferably in the morning; checks can be on a generalized or sample basis; checks do not concern less than 20% of the staff on duty and with a rotation criterion in order to ensure control over all employees over time.

2. If you cannot receive the vaccination because of health reasons, how can you demonstrate that you can enter the workplace?

If you cannot receive the vaccination against COVID-19 because of health reasons, you have to show a special certificate with "QR code". This special certificate is under preparation. In the meantime, you have to transmit the health documentation to the competent doctor of your employer in order to prove your situation and you will not undergo any control.

3. If you have the right to receive the Green Pass certification but you are waiting for its issuance or update, how can you demonstrate that you can access the workplace?

If you have the right to receive the Green Pass certification but you are waiting for its issuance or update, you can use the documents issued by public and private health facilities, pharmacies, by analysis laboratories, general practitioners and paediatricians, in paper or digital format.

4. If you access the workplace without a valid Green Pass certification, what has to do the employer? What are the penalties for the worker?

The worker is considered to be absent without a good reason, in the public or private sector. The worker is not entitled to any remuneration, until the presentation of a valid green pass certification. In the case of companies with fewer than 15 employees, after the fifth day of unjustified absence, the employer can suspend the worker for the duration of the replacement contract and in any case for a maximum period of ten days, renewable only once. Employers have to submit a report to the Prefecture for the issuance of the administrative penalty. In fact, if you access the workplace without a green pass certification, you are liable to a prefectural fine ranging from 600 to 1,500 euros. Any other disciplinary sanction is applied according to your employment collective agreement. In addition, workers without a valid green pass certification are not entitled to any other component of the remuneration, including social security contributions, fixed and continuous reward, accessory or indemnity,

as the working day was not performed. The days of unjustified absence are not calculated for the right to the holidays and the right to the retirement benefits.

5. If the workers are employed by a temping agency, who carries out the checks on the green pass certification? The temping agency or the company where the workers work?

Checks are carried out by both the temping agency and by the company where the workers works.



6. Has the green pass certification overcome the protocols and guidelines against COVID-19 on the sanitation of the workplaces, on the use of masks and on interpersonal distance?

No, the use of the green pass certification is a further measure in addition to the other protocols and guidelines.

7. If you take a taxi or rental car with driver, are you obliged to verify the "green pass certification" of the taxi driver or the driver of the rental car?

Customers are not required to verify the "green pass certification" of the taxi driver or driver of the rental car.

8. If you are a user, are you obliged to have a green pass certification?

No. Users are the only persons who are not obliged to show the green pass certification when they access public offices, or when they go to a public office for services that the public administration is required to provide.

9. Hairdressers, beauticians and other professionals in the personal care sector, are they obliged to verify the green pass certification of their customers? Do customers have to verify the green pass certification of these professionals?

The business owner has to verify the green pass certification of any employee. Customers cannot verify the green pass certification of these professionals and cannot be asked to show it.



10. Is it necessary to verify the green pass certification of self-employed workers who access the premises of a company??

Yes, if you access for any reason the premises of a company (work or training or volunteer activity), you are obliged to show the green pass certification.

11. May the employer know if you have a valid green pass certification before the scheduled time for access the workplace?

Yes. In cases of specific organizational needs, workers are required to communicate the non-possession of the green pass certification in advance to the employer.

12. What are the penalties for employers who do not verify the green pass certification?

Employers who do not comply with the rules on the green pass certification risk an administrative penalty ranging from 400 to 1,000 euros.