



Perú: Ministerial Resolution N° 128-2020-MINEM/DM

To implement the strategy for restarting the country's economic activities, on May 3rd, 2020, the Peruvian government published the Supreme Decree N° 080-2020-PCM in the official gazette "El Peruano", which approves the gradual and progressive resumption of the economic activities within the framework of the declaration of the National Health Emergency due to the serious circumstances affecting the life of the Nation as a consequence of COVID-19.

This resumption of activities is composed of four (4) phases, the first phase shall start on May 2020 and includes the mining activities of exploitation, benefit, storage, transport and closure of mines in the stratum of large scale mining and projects under construction of national interest and hydrocarbons. Also, the Ministry of Energy and Mines (MEM), the competent entity regarding mining activities, must approve by Ministerial Resolution the sanitary protocols for the gradual and incremental initiation of such activities.

For that reason, through Ministerial Resolution N° 128-2020-MINEM/DM, the document called "Sanitary Protocol for the implementation of prevention and response measures against COVID-19 in the activities of the Mining Subsector, the Hydrocarbons Subsector and the Electricity Subsector" was approved, which consists of the following:

1. **Scope:** to regulate and implement prevention, early detection, and response measures and actions by companies related to the mining, hydrocarbon, and energy sector to address the risk of propagation and impact of COVID-19 during the development of their activities.
2. **Extent:** it should apply to all employers and employees, workers, and contractors in activities related to the mining, hydrocarbon, and energy sector.

Some of the most relevant points of the Sanitary Protocol will be explained below. However, it should be noted that this plan must be implemented in its entirety by the companies linked to the mining, hydrocarbon, and energy sector.

1. Prevention and control measures regarding the risk of propagation and health impact of COVID-19

Plan for Surveillance, prevention, and control of COVID-19 in the workplace:

Employers in the hydrocarbons, energy and mining sectors must prepare a Plan for Surveillance, prevention and control of COVID-19 in the workplace per the guidelines approved by Ministerial Resolution N° 239-2020-MINSA, such plan must contain the following information of the company:



- Company name and Tax Payer ID.
- Address of each company location.
- Legal representative and ID.
- The total number of workers with an employment relationship.
- The total number of workers without an employment relationship.
- Payrolls of occupational health and safety service personnel.

Such a plan must be submitted to the employer's Occupational Safety and Health Committee or Occupational Safety and Health Supervisor for approval within 48 hours. Once approved, it must be submitted to the Vice-Minister of MINEM to verify compliance. Subsequently, the Plan is submitted to MINSa, through the INS, for appropriate action.

2. Previous actions to the transfer and entry to the units, facilities, and/or control centers:

The workers and/or contractors, before the transfer, return or reincorporation must complete the symptomatology regarding the COVID-19 which is attached as an annex to the Ministerial Resolution N° 128-2020-MINEM/DM, which contains at least the following information:

- Symptoms: symptoms related to COVID-19
- Risk Group: indicate if they are within any of the risk groups established by the National Health Authority.
- Contact: if you have had contact with any patient with a suspected or confirmed case of COVID-19.
- Travel Abroad: if you have been in contact with someone who has traveled abroad and if so, provide proof of quarantine for fourteen (14) days.
- Medication: if you use any special medication.

In the same way, workers and/or contractors, before the transfer, return or reincorporation, through the Occupational Safety and Health Service, must physically evaluate all personnel, under any modality, performing, among others, the following actions:

- Temperature Control.
- Symptom Evaluation.
- Evaluation of contacts with suspected or declared patients with COVID-19.
- Application of COVID-19 tests according to the flow chart established by the Ministry of Health.

Only those who have not been identified as suspects or declared with COVID-19 may enter the work unit.



In case of suspicion or confirmation of COVID-19, the entry to the work unit or the transfer of personnell to the work unit will not be authorized and the following actions must be carried out: i) Application of the COVID-19 epidemiological record established by MINSA ii) Application of the serological or molecular test iii) Identification of contacts iv) Notification to the competent authority and v) Remote clinical monitoring.

Measures for transporting personnel to and from units, facilities and/or control centers

Employers must follow the conditions established on the Ministerial Resolution N° 128-2020-MINEM/DM concerning the transport of personnel to and from units, facilities, and/or control centers.

3. Measures in the entrance of the personnel to and from the units, facilities, and/or control centers:

It should be entered in a staggered manner with a distance of 1.5 meters, it should be managed and provided alcohol gel at the entrances, it can also be implemented points of handwashing for the free use of disinfection.

Also, cleaning and disinfection of footwear and hand luggage should be carried out using a disinfectant solution.

4. Time spent in the units, facilities, and/or control centers:

Workers must perform, among others, the following actions:

- Maintain a social distance of 1.5 meters.
- Limit as much as possible the contact with the rest of the workers.
- Limit contact with contractors.
- If there are dining rooms, elevators, cafeterias, or dressing rooms, maintain a social distance of 1.5 meters and establish a maximum capacity of 50%.
- Practice respiratory hygiene and cough or sneeze into the elbow flexure or onto disposable paper.
- Practice hand hygiene frequently.
- Use masks throughout the working day.

Disinfection of units, facilities, and/or control centers:

Employers must comply with the following disinfection measures, among others:



- Disinfection must be carried out within the units, facilities, and control centers.
- Disinfection and ventilation of transport units and dining rooms before and after use.
- Verification of disinfection and washing of uniforms.
- Furniture, showers, tools, and equipment of common use are included in the disinfection process.
- Disinfection work must be carried out by trained personnel and provided with personal protection equipment for COVID-19.

Actions focused on adequate support to social distancing:

Employers should take the following actions, among others:

- Minimize any face-to-face meetings.
- Implement, if necessary, remote work.
- Avoid the use of fingerprint markers.
- Keep the rooms ventilated.
- Establish protection measures for people with disabilities.
- Provide adequate personal protection equipment for COVID-19.
- Implement a means of contact between workers and professionals of the health and safety service at work.

5. Measures of temporary social isolation, evaluation of suspected or confirmed cases of COVID-19, follow-up, and return to work:

The following measures, among others, should be applied:

- Implementation of temporary spaces for the reception and evaluation of suspected or confirmed cases of COVID-19.
- In the case of a suspicious or confirmed case, the procedure will be as indicated in numeral 2 of this bulletin.
- Transfer of the patient out of the facility or work center to a health center designated by the health authority.
- The patient should be monitored continuously.

The return to work of confirmed COVID-19 patients should be done according to the guidelines established in the Ministerial Resolution N° 239-2020-MINSA.

Bear in mind that the provisions indicated in this bulletin are only the most relevant points of the Sanitary Protocol implemented by the MEM; however, said protocol must be implemented in its entirety by the companies linked to the mining, hydrocarbon and energy sector. Therefore, we suggest that you refer to the information contained in the links to ministerial resolutions N° 128-2020-MINEM and N° 239-2020-MINSA, which are sent together with this bulletin.