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If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole paragraph or sub-paragraph has been deleted, the date of the deletion appears in square brackets beside the deleted paragraph or sub-paragraph.

Republic of Latvia

Cabinet

Regulation No. 447

Adopted 24 July 2018

**Regulations Regarding Work Related to a Possible Risk to the Health of Other Persons and Procedures for the Performance of Mandatory Health Examinations**

*Issued pursuant to*

*Section 34, Paragraph one of the Epidemiological Safety Law*

**I. General Provisions**

1. This Regulation prescribes:

1.1. the work which is related to a possible risk to the health of other persons;

1.2. the infectious diseases in case of which, if persons have become ill or infected with them or persons in respect of whom there is suspicion that they have become ill or infected with them, it is prohibited to employ such persons in work related to a possible risk to the health of other persons;

1.3. the possible symptoms of infectious diseases;

1.4. the obligations of an employer and an employed person (hereinafter – the employee) if the employee has become ill or infected with an infectious disease or there is a cause for suspicion that the employee has become ill or infected with an infectious disease, and also if there is an epidemiological cause for suspicion regarding the person that he or she has been exposed to an increased risk of infection, or the respective person has been recognised as an exposed person by an epidemiologist of the Centre for Disease Prevention and Control;

1.5. the procedures for the performance of the mandatory initial and periodic health examinations, the range of persons who are subject to the abovementioned health examinations, as well as the periodicity and extent of the health examinations.

[*9 June 2020*]

2. This Regulation shall not apply to employees who are employed in a civil aviation aircraft cabin.

**II. Work Related to a Possible Risk to the Health of Other Persons, Infectious Diseases and Their Symptoms, as well as the Obligations of the Employer and Employee**

3. The work (including traineeship, mastering of a trade, and voluntary work) which is related to a possible risk to the health of other persons shall be as follows:

3.1. the work in which the employee is in close contact with a service recipient, client, or patient, or is staying with him or her in the same room or a compartment of a public transport vehicle;

3.2. the work in which the employee is employed in any of the stages of the handling of food (including drinking water);

3.3. the work in which the employee is in direct (by touching the body tissue) or indirect (for example, by using joint-use objects, equipment, tools) contact with a service recipient, client, or patient, including:

3.3.1. the employee is directly providing services to children (including provides child supervision services or is employed at a pre-school educational institution, general and vocational educational institution);

3.3.2. the employee is employed at a social care institution;

3.3.3. the employee is employed at a medical treatment institution;

3.3.4. the employee is employed at a sports institution, public swimming pool, or public bathhouse;

3.3.5. the employee is employed at a place where beauty treatment, tanning, tattooing, or piercing services are provided;

3.3.6. the employee is employed at a service hotel.

4. It is prohibited to employ the following employee in the work referred to in Paragraph 3 of this Regulation:

4.1. who has become ill or infected or who is suspected of having become ill or infected with a dangerous infectious disease;

4.2. who can pose a risk to the health of other persons:

4.2.1. if he or she has become ill or infected or he or she is suspected of having become ill or infected with any of the infectious diseases referred to in Annex 1 to this Regulation;

4.2.2. if there is an epidemiological cause for suspicion regarding the employee that he or she has been exposed to an increased risk of dangerous infectious disease, or the employee has been recognised as an exposed person by an epidemiologist of the Centre for Disease Prevention and Control in case of a dangerous infectious disease.

[*9 June 2020*]

5. The employee who has been employed in work related to a possible risk to the health of other persons shall not perform work duties if he or she may cause risk to the health of other persons and he or she manifests any of the following symptoms of a potential infectious disease:

5.1. diarrhoea (liquid defecation three and more times in 24 hours);

5.2. vomiting;

5.3. jaundice of the skin, mucous membranes, or whites of the eyes which has recently appeared;

5.4. increased body temperature with:

5.4.1. pain in the throat (throat inflammation);

5.4.2. rhinitis;

5.4.3. cough;

5.4.4. headache;

5.4.5. skin rash which has recently appeared;

5.5. fever;

5.6. skin lesions (including a burn, wound, furuncle) with an inflammation or purulence;

5.7. festered excretions from the eyes, ears, nose.

6. The employee who is employed in work related to a possible risk to the health of other persons shall, without delay, inform the employer of inability to perform work duties and visit a doctor if he or she manifests any of the symptoms referred to in Paragraph 5 of this Regulation or if he or she has become ill or infected with any of the infectious diseases referred to in Annex 1 to this Regulation and may cause risk to the health of other persons.

6.1In case of a dangerous infectious disease, the employee shall not perform the work duties and shall inform the employer of this fact if:

6.11. an epidemiologist of the Centre for Disease Prevention and Control has recognised him or her as an exposed person;

6.12. there is an epidemiological cause for suspicion regarding the employee that he or she has been exposed to an increased risk of infection and that he or she can pose a risk to the health of other persons.

[*9 June 2020*]

6.2If the employee or performer of economic activity who is directly providing services to children of pre-school age, clients of long-term social care and social rehabilitation institutions, clients of shelters and night shelters, pregnant women, or patients of medical treatment institutions has been recognised by an epidemiologist of the Centre for Disease Prevention and Control as a person exposed to a human or animal who is infected with monkeypox, then the employee (including performer of economic activity) shall be obliged to undertake quarantine in respect of the abovementioned groups of persons by suspending performance of work duties (including economic activity) and informing the employer of this fact. The employee (including performer of economic activity) has the right to apply for a sick-leave certificate for 21 days from the day when he or she has been last exposed to the infected person or animal, unless the employer can offer him or her another work.

[*9 August 2022*]

7. If the employer suspects or has information that the employee manifests any of the symptoms referred to in Paragraph 5 of this Regulation or he or she has become ill or infected with any of the infectious diseases referred to in Annex 1 to this Regulation, the employer has the right to send the employee for the performance of health examination without delay in order to evaluate the possible risk to the health of other persons.

8. In the cases referred to in Paragraph 6, Sub-paragraph 6.1 1 and Paragraph 7 of this Regulation, the employer shall allow the employee to perform the work duties if the former has received a closed sick-leave certificate or an extract from the inpatient/outpatient medical card (form No. 027/u) in accordance with the laws and regulations governing keeping of medical documents with a permission to perform the indicated work.

[*9 June 2020*]

**III. Procedures for the Performance of Mandatory Initial and Periodic Health Examinations**

9. Persons who are employed in the following (including traineeship, mastering of a trade, and voluntary work) shall be subject to the mandatory initial and periodic health examinations:

9.1. work in which the employee is in regular close contact or in episodically close contact with a child indoors and performs work duties at the following workplaces:

9.1.1. at a pre-school educational institution;

9.1.2. at a general educational institution;

9.1.3. at a children and youth interest educational institution;

9.1.4. at a vocational oriented educational institution (including music school, sports school);

9.1.5. at a vocational basic and secondary educational institution (including at a vocational education institution);

9.1.6. at a special education institution (including such which provides boarding services);

9.1.7. at a children’s camp;

9.1.8. at a place where child supervision service is provided;

9.1.9. at a child social care and social rehabilitation institution with accommodation;

9.1.10. at an institution which ensures social services to children without accommodation;

9.1.11. at a medical treatment institution which provides services to children;

9.2. in work in any of the stages of the handling of food (including drinking water) which include direct contact with non-prepackaged food;

9.3. in work in primary production of food in which the employee performs work duties in direct contact with food at the following workplaces:

9.3.1. at a farm animal holding;

9.3.2. at a sprout production undertaking;

9.3.3. at an undertaking which handles apiculture products.

[*9 August 2022*]

10. The mandatory initial and periodic health examinations shall not be applied to persons whose work is related to the following stages of the handling of food:

10.1. production and storage of grain grinding products, yeast, malt, starch, and starch products;

10.2. production and storage of grape wine, fruit wine, cider, distilled alcoholic beverages;

10.3. production of ethyl alcohol from fermented materials and its storage;

10.4. production of non-distilled beverages from fermented materials and storage of such beverages;

10.5. production of non-alcoholic beverages in closed technological process and storage of such beverages;

10.6. storage, transport and wholesale and retail distribution of prepackaged food products if the product content cannot be accessed without opening or changing the packaging;

10.7. handing out of prepackaged ready-made dishes in an undertaking not related to the handling of food if the product content cannot be accessed without opening or changing the packaging;

10.8. production, transportation, storage, and placement on the market of primary products of plant origin, fishery and hunting primary products if processing of products at the place of production does not change the initial properties of the products (for example, washing, drying, cutting of plant tops, cutting of fish fins, or gutting of fish);

10.9. work with the drinking water supply systems without coming into contact with drinking water.

11. The mandatory initial and periodic health examination of a person shall be performed by a family doctor in whose list of patients the relevant person is registered (hereinafter – the family doctor). The family doctor shall issue an opinion on conformity of the health condition of the person with the work to be performed by making an entry thereon in the outpatient card and filling in an extract from the inpatient/outpatient medical card (form No. 027/u) in accordance with the laws and regulations governing the record-keeping of medical documents (hereinafter – the opinion):

11.1. if the family doctor establishes that the person does not cause risk to the health of other persons, the family doctor shall issue the opinion that the health condition of the person conforms with the work to be performed;

11.2. if the family doctor has information or justified suspicions that the person has become infected with any of the infectious diseases referred to in Annex 1 to this Regulation and may cause a possible risk to the health of other persons, the family doctor shall issue the opinion that the health condition of the person does not conform with the work to be performed.

12. The periodicity and extent of the mandatory initial and periodic health examinations for persons who are employed in the work referred to in Paragraph 9 of this Regulation is indicated in Annex 2 to this Regulation. The family doctor may prescribe the performance of the health examination referred to in Annex 2 to this Regulation more often by justifying it accordingly, however, the frequency of examinations may not exceed one time in six months.

13. If examination of the health condition has been performed within the last year and a lung x-ray examination within the last six months has been performed for the employee and the family doctor has documents certifying it, the family doctor shall take them into account, when examining the relevant person and issuing the opinion on conformity of the health condition of the person with the work to be performed. If during this time period the person has not been in contact with a person ill with active pulmonary tuberculosis and the person does not display symptoms of tuberculosis illness, the family doctor need not send the person to perform a repeat lung x-ray examination.

14. If the person, prior to commencing employment legal relationship (including, when commencing work in additional work), has undergone the mandatory health examination the extent of which conforms to the work to be performed, the initial mandatory health examination need not be performed for the person, but he or she shall present a valid opinion to the employer or authorised person of the employer which he or she has received for submission to the previous or existing workplace.

15. In relation to the mandatory initial and periodic health examinations the employer or authorised person of the employer:

15.1. shall determine work in which the employee, in accordance with Paragraph 9 of this Regulation, must perform the mandatory initial and periodic health examinations and shall approve the list of such works;

15.2. shall inform the person who is employed in the work included in the list referred to in Sub-paragraph 15.1 of this Regulation of the requirements of this Regulation and the need to perform the mandatory health examinations in accordance with the periodicity and extent laid down in Annex 2 to this Regulation;

15.3. shall send the person who is employed in the work included in the list referred to in Sub-paragraph 15.1 of this Regulation to the mandatory initial and periodic health examination in accordance with the periodicity and extent laid down in Annex 2 to this Regulation by determining the time for the performance of the relevant health examination which does not exceed four weeks;

15.4. shall certify the copy of the opinion referred to in Sub-paragraph 11.1 of this Regulation and ensure its storage;

15.5. upon request, shall present an approved list of works referred to in Sub-paragraph 15.1 of this Regulation and the copy of the opinion referred to in Sub-paragraph 15.4 of this Regulation to officials of the Health Inspectorate or the Food and Veterinary Service.

16. The employer is prohibited to employ the employee in the work referred to in Paragraph 9 of this Regulation if the employee has not presented the opinion referred to in Sub-paragraph 11.1 of this Regulation to the employer.

17. The enforcement of this Regulation shall be controlled by the Health Inspectorate and the Food and Veterinary Service according to their competence.

**IV. Closing Provision**

18. The entries made in the medical certificate of a person issued until the day of coming into force of this Regulation on performance and results of mandatory health examinations:

18.1. for the employees who are subject to mandatory initial and periodic health examinations shall be valid until expiry of the time period indicated in the medical certificate of the person;

18.2. for the employees who are subject to mandatory initial health examinations shall be valid also after expiry of the time period indicated in the medical certificate of the person.

Acting for the Prime Minister – Minister for Agriculture Jānis Dūklavs

Acting for the Minister for Health –

Minister for Environmental Protection and Regional Development Kaspars Gerhards

**Annex 1**

Cabinet Regulation No. 447

24 July 2018

**Infectious Diseases in Case of Which, if Persons have Become Ill or Infected with Them or Persons in Respect of Whom there is Suspicion that They have Become Ill or Infected with Them, it is Prohibited to Employ Such Persons in Work Related to a Possible Risk to the Health of Other Persons**

|  |  |  |
| --- | --- | --- |
| No. | Infectious diseases | Work (including traineeship, mastering of a trade, and voluntary work) which is related to a possible risk to the health of other persons, and conditions for the prohibition to employ persons if they have become ill or infected with the specified infectious diseases |
| **1.** | **Infectious diseases spread by air and respiratory droplets** | |
| 1.1. | diphtheria and carrying diphtheria agents;  mumps;  pertussis;  influenza;  measles;  rubella;  meningitis (bacterial);  meningococcal infection;  tuberculosis (lung form) when the agent of tuberculosis has been detected in the sputum smear or assay;  varicella;  other acute respiratory infection during the period of its clinical manifestations (increased body temperature, cough, throat inflammation, rhinitis) | any work in which the employee, when performing his or her work duties, is in close contact with a service recipient, client, or patient, or is staying with him or her in the same room or a compartment of a public transport vehicle |
| **2.** | **Infectious diseases spread through contact** | |
| 2.1. | skin diseases and mucous membrane diseases, with purulence, pustules, ulcers, fistulae on exposed body parts, including folliculitis, furuncle, carbuncle, skin and subcutaneous panaritium, paronychia, abscess, purulent conjunctivitis;  hepatitis A;  hepatitis E;  enterovirus infection;  infectious acute intestinal diseases with a determinate or indeterminate aetiology;  contagious skin, parasitic diseases, and fungal diseases, including scabies, microsporosis, and trichophytosis;  meningitis (aseptic);  carrying of the agents of shigellosis;  carrying of the agents of typhoid and paratyphoid | 1) any work in which the employee, when performing his or her work duties, is employed in any of the stages of the handling of food (including drinking water);  2) in work in primary production of food in which the employee performs work duties in direct contact with food;  3) any work in which the employee, when performing his or her work duties, is in direct (by touching the body tissue) or indirect (for example, by using joint-use objects, equipment, tools) contact with a service recipient, client, or patient, including:  a) the employee is directly providing services to children (including provides child supervision services or is employed at a pre-school educational institution, general and vocational educational institution);  b) the employee is employed at a social care institution;  c) the employee is employed at a medical treatment institution, including a sanatorium;  d) the employee is employed at a sports institution, public swimming pool, or public bathhouse;  e) the employee is employed at a place where beauty treatment, tanning, tattooing, or piercing services are provided;  f) the employee is employed at a service hotel |
| 2.2. | carrying of Methicillin-resistant Staphylococcus aureus (MRSA) | work in medical treatment institutions in which the employee is performing:  1) invasive procedures;  2) work duties in the surgical ward (room) of medical treatment institutions;  3) work duties in the intensive-care and reanimation ward;  4) work duties in the maternity hospital (ward), perinatal care centre, and new-born ward (including providing natal assistance and health care for new-born infants in outpatient births) |
| 2.3. | Herpes simplex virus infection during rash period | work which is related to care of new-born infants, infants, children with an eczema or burn or care of a patient with immuno-deficiency in which the employee, when performing his or her work duties, comes into direct (by touching the body tissues) or indirect (for example, using joint-use objects, equipment, tools) contact with the mucous membranes or skin of the child or patient |
| 2.4. | syphilis during its contagious period | work in which the employee, when performing his or her work duties, is in direct (by touching the body tissue) or indirect (for example, by using joint-use objects, equipment, tools) contact with the mucous membranes or skin of the service recipient, client, or patient |

Acting for the Minister for Health –

Minister for Environmental Protection and Regional Development Kaspars Gerhards

**Annex 2**

Cabinet Regulation No. 447

24 July 2018

[*9 August 2022*]

**Extent and Periodicity of Performance of Mandatory Health Examinations for Persons Subject to Mandatory Health Examinations who are Employed in Work Related to a Possible Risk to the Health of Other Persons**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| No. | Work (including traineeship, mastering of a trade, and voluntary work) in which the employed persons are subject to mandatory initial and periodic health examinations | Extent of the mandatory health examination | Frequency of performance of the mandatory health examinations | |
| initial health examination | periodic health examination |
| 1. | Work in which the employee is in regular close contact or in episodically close contact with a child indoors and performs work duties at the following workplaces: | 1) general assessment of the health condition of the person (surveying the risks of being infected with tuberculosis, assessment of clinical symptoms of tuberculosis infection) | x | once a year |
| 1.1. | at a pre-school educational institution; |
| 1.2. | at a general educational institution; |
| 1.3. | at a children and youth interest educational institution; |
| 1.4. | at a vocational oriented educational institution (including music school, sports school); | 2) lung x-ray examination | x | once a year |
| 1.5. | at a vocational basic and secondary educational institution (including at a vocational education institution); |
| 1.6. | at a special education institution (including such which provides boarding services); |
| 1.7. | at a children's camp; |
| 1.8. | at a place where child supervision service is provided; |
| 1.9. | at a child social care and social rehabilitation institution with accommodation; |
| 1.10. | at an institution which ensures social services to children without accommodation; |
| 1.11. | at a medical treatment institution which provides services to children |
| 2. | Work in any of the stages of the handling of food (including drinking water) which include direct contact with non-prepackaged food | 1) general assessment of the health condition of the person (surveying the risks of being infected with infectious disease spread by food and assessment of clinical symptoms of such infectious diseases) | x | not required |
| 2) laboratory examination – bacteriological examination for determination of intestinal infectious diseases after epidemiological indications | x | upon resuming work after becoming ill with an acute intestinal infection with the specific aetiology or as a contact person |
| 3. | Work in primary production of food in which the employee performs work duties in direct contact with food at the following workplaces: | 1) general assessment of the health condition of the person (surveying the risks of being infected with infectious disease spread by food and assessment of clinical symptoms of such infectious diseases) | x | not required |
| 3.1. | at farm animal holdings; |
| 3.2. | at sprout production undertakings; |
| 3.3. | at undertakings which handle apiculture products |
| 2) laboratory examination – bacteriological examination for determination of intestinal infectious diseases after epidemiological indications | x | upon resuming work after becoming ill with an acute intestinal infection with the specific aetiology or as a contact person |

Note. “x” – must be performed.