

# COMPANIES WHO ALLOW THE ENTRY OF EMPLOYEES WHO DO NOT HAVE THIRD DOSE AGAINST COVID-19 WILL BE SANCTIONED

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Supreme Decree No. 004-2022-TR, published on April 21, 2022 on the “El Peruano” Official Gazette, amended the Regulations of the General Labor Inspection Law, and added two new very serious administrative infractions within the context of the Health Emergency and the State of National Emergency declared due to the COVID-19 pandemic.

The new infractions to be considered as a result of the publication of this Decree are the following:

Infraction related to	New item of Third Supplemental Amending Provision of Supreme Decree No. 009-2021-TR	Administrative infraction
Vaccination for in-person work in the case of employees	Item e)	Arrange, require, or allow the entry or stay of persons to provide services at the workplaces, when they do not have the vaccination doses against COVID-19 required for in-person work, according to current regulations or, if exempted, fail to comply with the conditions and obligations established for said scenario by the Peruvian government.
Vaccination for in-person work in the case of service providers	Item f)	Fail to comply with the provisions related to service providers who do not have the vaccination doses against COVID-19 required under current regulations related to the return to in-person work at the workplaces.

## PENALTY

These new infractions may give rise to a penalty ranging from PEN 2,300 (0.50 tax units) to PEN 460,000 (100 tax units), depending on the labor regime of the employer and the number of affected employees/service providers.

Please note that the penalty amount for item e) will be calculated based on the total number of employees who provide in-person services at the workplace.

## KEY INFORMATION

- ▶ The deadline to allow employees who have not been fully vaccinated to work in person was January 14, 2022.
- ▶ Therefore, every employee working in person must be fully vaccinated. In case an employee has not been fully vaccinated and is not able to work remotely, the employer will be authorized to place such employee on an unpaid leave.
- ▶ Companies will be required to verify that all employees working in person have been fully vaccinated to ensure their safety; otherwise, it will be considered as an infraction, as set out in the referred regulations.



FOR FURTHER INFORMATION:



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