

ESC-Curaçao response to the crisis relating to Covid-19 in the socio-economic and labor sectors through social dialogue

A) Measures with regard to workers in the formal and informal economy:

Involvement of our institution

None of the executed measures has been discussed in our institution; though measures to safeguard the public health pertaining to social distancing, no grouping together of people and keeping everyone as much as possible at home and off the streets have been taken. The legal bases for all these measures is provided due to the emergency situation that was declared as of the 13th of March 2020 (Official Publication Gazette of 2020, number 15)

The formal economy

Protective measures for certain professions

Dentists, throat, nose and ear specialist have closed their practice as they themselves do not have enough masks for them to execute their profession; they only open for emergencies if requested by their patients; General practitioner's now screen their patients beforehand to ensure they do not receive in their practice patients infected with Covid-19; persons with symptoms and might be infected are instructed to stay at home and they get tested at home by health practitioners. To get prescriptions when showing symptoms or infected the individual in question has to let another person go to the pharmacy.

Sporting accommodations (like gym, sport fields), beauty parlors, restaurants theaters and all businesses that deliver services to the public where no social distancing (of 2 meters) can take place are closed or their services adapted so the social distancing measure can be adhered to. That is also why on the basis of Official Publication Gazette of 2020, number 20 restaurants can only provide take out services. Furthermore, places where a lot of people are gathered in a confined space like mass services were all cancelled. So, all the professions involved in the before mentioned places were by instituting these measures safeguarded as of the 25th of March 2020. (Official Publication Gazette of 2020, number 20 and 21)

Enforcement of measures & guidelines

The enforcement by the inspection department of the Ministry of Economic Development and the local police force, the latter with support of the army of all the measures, that is permitted to be on the streets, the social distancing in the supermarkets and pharmacies. To make things easier guidelines were given on how to implement them in supermarkets and pharmacies. Furthermore, for costumers and for workers at supermarkets hand sanitizers were made available at the entrance and the carts are cleaned after each use.

Practical challenges

Practical challenges did arise given that some supermarkets are relatively small (in Curaçao we have the widespread phenomenon of mini-markets) and thus their aisles are also very small, so guards hired by the supermarkets have been put in place to safeguard that the maximum number of persons allowed in an aisle is admitted. Furthermore, keeping the flow of people in the supermarkets have also given rise to problems so markings on the floor outside for the waiting lines are laid down (to facilitate keeping the 2 meter distance) and the personnel gives a sign when you can actually get inside the supermarket. So, the total number of persons inside the supermarket or mini-market is monitored. In the supermarkets also marks on the floor indicate the direction the flow of the costumers has to follow. To keep the time of the costumers in the supermarket to a minimum they periodically remind the costumers that there are others waiting to come in and no socializing with others is possible. The practical challenges of the police not having protective masks (they are not readily available on the island) was overcome by the Chinese community donating them to them. A more legal challenge and debate is going on now about the enforceability of the fines the police are handing out to the violators of the measures, they are not sure the legal basis will hold up in court.

Measures to combine family life and work life

Measures to combine family life and work life have been put in place for civil servants to enable parents to home-school or attend to their children to help them do their homework. Schools are closed and some schools provide special homework and others give courses through the internet but of course nonetheless close supervision is. So, parents of school going children where the first ones to get permission to work at home to enable them to supervise their children.

Informal economy

Workers in the informal sector can apply now for some of the options of the government support that is offered in connection with the negative effects to the precautionary measures against the virus. They get 1 month to register at our Chamber of Commerce and our Local Tax office after requesting some sort of support to ensure they get the support a second month and not have to pay back what they got the first month.

Attention to the elderly

Attention for the care of the elderly is also taken into account, as of the 30th of March (Official Publication Gazette of 2020, number 25) all through the 21th of April 2020) caregivers can get a special permission to enable them to take care of the persons entrusted to their care and that do not live in their own household. Also visits to elderly homes have been put on hold for now to safeguard the health of our elderly in these homes.

On top of that organizations or persons that provide care for the elderly, the handicapped and families with children may also apply for support from the government.

Specific role or responsibility of our ECS

Up to this point (April 21th 2020) no specific role or responsibility has been given to our ECS besides that by the 6th of April 2020 our ECS is classified as a vital function and process during the declared emergency situation and thus the workers of our ECS qualify for work-related exemptions to leave their house. We do expect that the advice of our institution will be asked related to the social economic recovery and or impact of the measures taken though the exact question that will be posed is yet unclear as of the 21st of April 2020.

B) Measures with regard to companies, in particular micro, small and medium-sized enterprises as the engine of employment

Outside of our institution the following has been discussed and will be implemented

Aid to compensate for losses

The ESC is aware that aid has been discussed and is offered through a just (18th of April 2020) launched website. The different modalities of aid have to be requested through the aforementioned website and of course some evidence of your difficult situation stemming from the precautionary measures against Covid-19 has to be provided besides meeting some general criteria to establish that the entity is real.

Involvement of our ESC

Pertaining to all the different kinds of aid offered our institution has not been involved (that is as of the 21st of April 2020). Outside of our institution a commission (Commission Emergency Fund COVID-19) has been installed comprising of representatives of different relevant ministries, private sector experts on relevant topics and representatives of different interest groups (among others trade union federations). This commission got the task to come up with financial, economic and social measures to mitigate the negative economic impact the different precautionary measures against Covid-19, taken to safeguard public health, were going to have. The commission may have

consultative structures with social partners and partners in the private sector and may ask for advice from advisory bodies. They had to come up within 1 month of their installation (19th of March 2020) with measures (economic, financial, social, fiscal etc.) to withstand the social and economic consequences of this pandemic and the financing of the to be established emergency fund. The most impactful measures were the closing of the borders for all countries so no foreigners can come (with Covid-19) to Curaçao (that was as of the 16th of March 2020; Official Publication Gazette of 2020, number 19). Another impactful precautionary measure was the total local lockdown (as of the 30th of March 2020 up until the 15th of April 2020). The first mentioned has had a devastating impact on our tourism, our main economic activity with some growth during the last years. And the lockdown put a standstill to all economic activities except the supermarkets and the pharmacies. All measures of course based on the declared emergency situation to safeguard public health against the COVID-19 virus.

Although no official communication has been received as yet, it looks like the advice of this commission will be presented to our institution to get an advice, though the exact question posed is yet unclear.

Proposed measures by the Commission

The abovementioned commission has come up with a variety of measures ranging from compensation of losses, improvement of financing circumstances, easing of the payment of taxes under certain circumstances to ensure that employers do not dismiss their workers. As some of the measures have to be executed very fast to be able to resort the desired outcome, that is that employers retain their workers and to get through this first month.

Application for the aid/assistance measures

As of the 18th of April 2020, employers and others have 4 days to apply from a special website that was launched that same day, to enable government to be able to payout the aid/assistance. If granted their aid/assistance will be paid after the 27th of April 2020.

Emergency measure bridging employment

Employers can apply for assistance to be able to pay their workers; they can get 80 % of aid for the percentage of loss of sales/income multiplied by the total sum of salaries they have to pay to their workers. The foregoing is provided they have a loss of income of at least 25% and that all their permanently employed workers stay employed that way and get paid. Another condition is that they operate in one of the badly hit branches like the hospitality industry. The sum of aid/assistance received is not subject to tax nor does social contributions have to be retained.

Small entrepreneurs or self-employed persons

Another variety of aid is directed towards small entrepreneurs or self-employed persons without personnel. They can apply for aid to get a net sum to compensate their earnings to a level of up to \$744 monthly. This form of aid they can get for up to a maximum of three months though provided their earnings are under \$744 (after deduction of their regular monthly expenses like water, electricity etc.).

Credit facility for micro, small or medium sized enterprise

Furthermore, there is the aid variety that if you are a micro, small or medium sized enterprise in one of the badly affected sectors (like tourism, transport, hospitality industry or sectors that cannot work due to social distancing) you can apply for a one-time credit facility of \$ 55,866 with adapted conditions to be able to pay for your fixed expenses. The repayment conditions are more flexible than normally given as you can repay on a longer term (with also a grace period of up to a 12 months). They also get a lower interest rate of 2% with compulsory (free) coaching and advice services to ensure compliance to their commitments.

Fiscal measures:

Pertaining to fiscal proposed measures all entrepreneurs can apply for a payment arrangement provided they have proof of financial problems due to the virus.

C) Measures with regard to economy to mitigate the bad impact on employment

Without the involvement of our institution the following is being offered Emergency measure bridging employment (already mentioned above)

As of the 18th of April, employers can apply for assistance to be able to pay their workers; they can get an aid of 80% of the percentage of volume loss of sales/income multiplied by the total sum of salaries they have to pay to their workers provided. The foregoing is provided they have a loss of income of at least 25% and all their permanently employed workers stay employed that way and get paid. And only if they are in the badly hit branches like the hospitality industry.

Protect employment and the employed

The Ministry of Labor has instituted a telephone line, Whats-up and email address where infringements of workers' rights can be communicated and the victim can get guidance on how to proceed. The reactions vary from addressing the rights of individuals or all the workers employed at an enterprise.

Teleworking and its difficulties

Because of the total lockdown some enterprises and even government offices have taken up working online as much as possible. Of course, in the beginning a lot of trial and error took place. After the initial challenges though, ranging from technical and practical issues, a lot of enterprises offered their services online. Quite a few enterprises even made public all the measures they have put in place and even portrayed their experiences. Most civil servants also took to working from home of course with trial and error and moving on. No special provisions as such has been made, like what has to be provided to you to enable you to work from home. For our teachers having to educate virtually and remotely has also had its ups and downs though all is being shared.

Special measures for disadvantaged groups

Disadvantaged groups like, a person that been receiving social assistance all along, can now get an extra credit card with a sum of \$ 83 monthly for single persons or of up to \$250 depending on how big the family is. This extra sum they will get automatically, so no application is needed. This extra sum is for up to 3 and a half months which can be extended for up to 3 more months if it is deemed necessary due to the ongoing emergency situation of COVID-19.

Another variety of aid aimed at the disadvantaged group is that unemployment aid can be requested for persons being unemployed before the 15th of March 2020. They can get a food voucher of \$168 monthly for a single person or \$250 monthly for a family of more than 1 person for up to 3 and a half months. This can be extended for 3 more months due to COVID-19.

If after the 15th of March 2020 a person has lost its job due to the COVID-19 measures the government can provide aid. This aid goes up to a maximum of 60% of the minimum monthly wage (\$557) though provided that is not more than the average the person earned the last two months when working. This variety of aid is by application and goes in as of the 15th of March 2020 and is up to 3 and a half months maximum. This aid can be extended up to 3 months if necessary due to the continuation of the emergency situation of COVID-19.

Debates on measures to revive the economy

The revival of the economy and other related topics has been discussed in a national dialogue forum in which are seated political representatives in government, trade unions and employer's associations. These dialogues do not amount to no conclusions nor concrete actions. At this moment, the government is contemplating a gradual opening up of the local human traffic and has already taken the first steps. This will enable local businesses to get some income but still keeping the people as much a possible practicing social distancing and at home. The foregoing is because for more than a week the

total number of infected cases has not changed from the 14 that we had. Considering that tourism was our main economic pillar with some growth and that our tourists mainly originate from highly affected countries opening up our borders and thus the revival of our economy might not be happening soon. Which might give room for some debate still.

Specific role and responsibilities of our ECS

Our ECS has followed up all the measures given by the government and has started analyzing them though no specific action outward as such has been taken up.

D) Advocacy for the optimal use of social dialogue in response to Covid-19 crisis: transparency, share information and data, inclusion, consultation, mutual trust

Our ECS:

All information that we can gather is gathered, ranging from enacted laws, policy, information that is shared with the public through websites or in news conferences.

As our ECS occupies now the role of the Vice Secretary-General of our region for AICESIS we have been disseminating information received by AICECIS to the region. We have also encouraged that the region also share their individual or collective information with us. The information sharing is done through a Whats-up group of the region but also by sending an email to relevant contacts in the region. Because of the reactions that were received but also suggested by our Secretary General of AICESIS and our Director, mister Henriquez, we conducted on the 14th of April 2020 a virtual meeting. During this virtual meeting, we shared the measures taken in our respective countries and also the involvement of our institutions by the government in regards to the measures taken. Most participants classified the meeting as a success, so we are contemplating repeating the virtual meeting. The virtual meeting counted on the participation of 8 countries, some countries were represented by their Ministry of Labour as there it is that their Social Dialogue takes place.

Participation of social partners

In the commission established without the ESC trade unions are represented and the chair is occupied by a person of the private sector. This commission has come up with a proposal that is being executed now and has been used to ask the Netherlands for assistance. So, these proposals have not come about through real social dialogue, although they have had talks with different sectors. The measures that have come about are not so much geared towards economic recovery but mostly at maintaining some kind of income for the people so that they can come by.

Attention to vulnerable groups

The Ministry of Social Development has promised to provide food assistance to the undocumented migrants on the island without exposing their undocumented status. As the situation in Venezuela is still not normalized there is a large group of undocumented persons of that nationality on the island. They are afraid of coming forward of course fearing that they might get expelled from the island.

Collective agreements (bipartite or tripartite)

No collective agreements have negotiated nor closed pertaining to the precautionary measures due to Covid-19.

Special measures

The Minister of Economic Development has asked banks and different affluent groups to make sure some leeway is given to entrepreneurs who still have to pay rent for their business location, pay off their debts and now have no or very little income.

The Central Bank has given the local banks some leeway to enable them to facilitate credit space to everyone who has to repay their mortgage or their loan etc. Though of course some banks do and some do not.

E) Ensure the continuity of the work of the ESC: planning and implementing of internal activities (health, safety at work, working conditions, IT services, teleworking, job protection, etc.) to Covid-19 and its consequences

Health, safety at work, working conditions

While the staff was still working at the office all got hand sanitizers and usocial distancing was used at meetings.

Measures to continue activity

When working at home most of the staff had internet at home and took documents from the office to be able to work from home. As of today the 21st of April 2020, the staff has had 3 virtual meetings. Being creative and pushing through some trial and error has been key as of course not everything was in place when we moved to working from home.

To enable the Council itself to gather we are working on new rules of procedure to enable virtual meetings.

So our ESC has kept working enabling us to work on this survey and encouraging others of our region to also fill it in.

Involvement of social workers

At this point the government takes into account the stress the total lockdown cases and the domestic issues that might erupt. That is why there is a special telephone line to report child abuse but also psychological help is available