

Committee on the Application of Standards

Date: 20 May 2021

Governments appearing on the preliminary list of individual cases have the opportunity, if they so wish, to supply on a purely voluntary basis, written information before 20 May 2021.

▶ Information on the application of ratified Conventions supplied by governments on the preliminary list of individual cases

Greece

Nursing Personnel Convention, 1977 (No. 149)

(Ratification: 1987)

The Government has provided the following written information as well as statistics on health occupations.

The Greek Government have taken due note of the Observation adopted in 2020 by the Committee of Experts and included in its 2019 Report and its 2020 Addendum on the application by Greece of the Nursing Personnel Convention (No. 149). In this respect, the Greek Government wishes to bring to the attention of the Committee on the Application of Standards the following information.

As regards the Committee of Experts' comment on **«exclusive» nurses**, the Greek Government wishes to point out that, according to article 21, para. 2 of Law 4251/2014, third country nationals legally residing and working in Greece are entitled to the same labour and social security rights as Greek workers. Therefore, labour law provisions on issues relating to working time and pay also apply to them. Furthermore, third country nationals enjoy the respective benefits granted by the public insurance organizations they are insured with.

Nursing personnel in public and private hospitals under private law working relationship is included in the general framework of inspections conducted by the Labour Inspectorate (SEPE) in private and public hospitals for the application of labour law provisions. In the event that labour law violations are identified during inspections, the respective administrative sanctions shall be imposed, as provided for by Greek legislation (article 24, Law 3996/2011, as in force) in combination with Ministerial Decision No. 60201/D7.1422/20.12.2019 (O.G. 4997 B'). In the event of a dispute between workers and employers regarding pay and working terms, the SEPE shall intervene through the conciliation or labour dispute settlement process (article 23, Law 4144/2013, as in force).

Moreover, based on the above, the Labour Inspectorate keeps records of inspections conducted in enterprises operating in the human health care sector, as well as records of labour disputes. More specifically, in **2020**, 383 inspections were conducted and fines totaling 316.621 euros were imposed. Moreover, 156 labour disputes were handled, 80 of which were resolved, 27 were cancelled and 49 were brought before the courts. The sums paid to workers amount to 106.572 euros. These data include all categories of workers employed in this industry, namely medical and nursing personnel, administrative personnel of hospitals, and other relevant categories.

Concerning **social security coverage in the sector**, it is noted that nursing personnel, including exclusive nurses, is insured with the e-EFKA (former IKA-ETAM) for main pension and specifically against the risks of old age, disability, death and occupational accident. In addition, they are included in the Regulation on Arduous and Unhealthy Occupations, as well as the Regulation on Occupational Diseases, in accordance with their provisions.

In particular, the inclusion in the list of Arduous and Unhealthy Occupations of the nursing personnel (under a permanent civil servant capacity) employed in public hospitals is currently being considered. More specifically, this issue was examined by the Standing Committee on Arduous and Unhealthy Occupations, established under the Ministerial Decision No.39535 / D1. 13239/2019/26.05.2020. The finding issued by the said Committee, submitted to the Minister of Labour and Social Affairs, gives a favourable opinion on the inclusion of this specific category of workers in the list of Arduous and Unhealthy Occupations. This finding will be examined by the Social Security Council for a relevant opinion in accordance with the provisions of paragraph 1 of Article 17 of Law 3863/2010, to be followed by the adoption of a Ministerial Decision as required. At this stage, the favourable opinion of the Standing Committee of Arduous and Unhealthy Occupations should be noted.

With reference to the exposure **of nursing personnel to special risks**, mentioned in the Observation, the Greek Government wishes to inform the Committee that Presidential Decree 102/2020 (O.G. 244 A /07.12.2020) on «**Protection of workers from risks related to exposure to biological agents at work** in compliance with Directive 2000/54/EC of the European Parliament and of the Council, as amended by Directives 2019/1833/EU and 2020/739/EU of the Commission (E.U. L 262/17.10.2000, L 279/31.10.2019 and L 175/04.06.2020)» transposes into our national law Directives 2019/1833/EU and 2020/739/EU and codifies in a single text the labour law provisions on the protection of workers from risks related to exposure to biological agents at work. In particular, in Table B: «**Viruses**» of ANNEX III:«**COMMUNITY CLASSIFICATION OF BIOLOGICAL AGENTS**» of the above mentioned Presidential Decree, «**Severe Acute Respiratory Syndrome-related Coronavirus 2 (SARS-CoV- 2) is classified in Risk Group 3**, and therefore it is identified as a risk factor for the health and safety of workers who are exposed to biological agents at work. The Indicative List of Activities, ANNEX I of the above mentioned P.D., includes health care work activities. Monitoring the application of the said P.D. 102/2020 lies within the Labour Inspectorate's competence.

As regards the **education of nursing personnel**, it is noted that, according to Law 4485/2017, the distinction between graduates of Universities and Technological Educational Institutes no longer exists, and that there are currently eight (8) University level Nursing Schools.

With regard to the **practical application of the Convention** and in reply to the request for information by the Committee of Experts, reference is made to data extracted from the

“ERGANI” Information System. More specifically, 91.316 workers bound by a dependent working contract under private law were found to be employed in enterprises of the said sector of economic activity. Given the fact that a certain number of these workers are employed by more than one employer, there are 93.038 jobs, 63.659 of which are jobs under open-ended contracts and 29.379 are jobs under fixed-term contracts.

In relation to the above, please refer to the detailed statistics we have made available to the Committee in the appendix annexed to this template, showing the total number of workers, by sector, in medical and nursing occupations and their level of education.