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*Mr. Hubertus Heil,  
Federal Minister of Labour and Social Affairs  
Federal Republic of Germany*



*Dear Mr. Hubertus Heil,*

We live in exceptional times, in which we must show solidarity and support, and as such, I kindly ask for your help in obtaining information regarding the workers from Romania, who travel to Germany to work in agriculture (asparagus harvesting).

The Romanian Ombudsperson, as constitutional guarantor of the fundamental rights and freedoms, is concerned, among other issues, with the situation of the Romanian seasonal workers who are in Germany during this period.

In Romania, we are currently in a state of emergency, the individuals' freedom of movement being very restricted. According to the provisions of the Military Ordinance no. 3/2020 on measures to prevent the spread of COVID-19, starting with March 25, 2020, the flights to France and Germany and from these countries to Romania, were suspended for 14 days. This measure has been extended, starting April 21, 2020, with a further period of 14 days, through the Military Ordinance no. 9/2020.

And yet, according to the media, until April 17, 2020, 1500 seasonal workers from Romania arrived in Germany by charter flights. By the beginning of May, another 15 charter flights with seasonal workers are planned to arrive in Germany and the UK from the Romanian cities of Bucharest, Iasi and Cluj-Napoca.


The people who left as seasonal workers were not tested and, therefore, nothing is known about the possibility of being infected with the new coronavirus. Moreover, some of them have started to tell about accommodation conditions that do not ensure minimum hygiene, much less the social distancing, which Germany also implements on its territory.


In view of the above, I would kindly ask you whether it is possible to communicate to us information on the seasonal workers from Romania, who are currently in Germany for work in agriculture, as follows:

- if the German employers were allowed to transport seasonal workers from Romania subject to compliance with minimum hygiene standards for combating the spread of the epidemic;
- if the German employers were allowed to bring seasonal workers on condition that they prove the observance, in the accommodation and work places, of the required hygiene standards during this period;
- if, upon entry into Germany, seasonal workers are having a health check;
- what happened and what will happen to the seasonal workers who turn out to be infected with coronavirus? Is it possible to establish isolation or quarantine, with the possibility of working for the newly arrived workers, who must work separately from the other employees for 14 days and are not allowed to leave the company headquarters?
- are the conditions regarding accommodation and teamwork observed, meaning that work must be done in groups as small as possible, recommended between 5-10 persons, the maximum being 20 persons?
- is the distance of at least 1.5 observed when working sessions are held (gatherings organized by their supervisor / person in charge)?
- are there provided hand sanitizer, masks and gloves for workers?
- which authorities are verifying compliance with the above conditions, as well as any measures taken by them so far?
- what happens to seasonal workers who get sick and need medical care? Who provides them with medicines? Under what conditions do they have access to specialized hospital care?

Thank you in advance for your support and I hope that this unprecedented situation that we are going through will end soon, and we will be able to resume our normal activity.

With my best regards,

Ombudsperson,  
  
Renate Weber



Bucharest, April 21, 2020