

## MEASURES TO ADDRESS, PREVENT AND COMBAT THE SPREAD OF COVID-19 IN CERTAIN WORKPLACES IN THE REPUBLIC OF SOUTH AFRICA

Dear EOHCB Member,

On 1 October 2020, the Minister of Employment and Labour, Thembelani Waltermade Nxesi issued the Consolidated Directions on Occupational Health and Safety Measures in certain workplaces. This journal is a summary of directions and members are advised to read the published directions to implement and manage it accordingly. The published directions can be accessed on the EOHCB website under the articles tab.

**How many individuals are allowed inside the working environment at any given time?**

**Example: 100 sqm floor space**

**$100 / 2$  (50% of floor space allowed for occupation during level 1) = 50 square metres**

**$50 \text{ square metres} / 1.5 \text{ metres (social distancing)} = 33$**

**33 individuals are allowed in a 100 square metre floor space with 1.5 metres social distancing**

### Summary:

The directions apply to employers and workers (including employees) in workplaces who are permitted to continue or commence operations under the Disaster Management Act Regulations. These directions apply for the duration of the national state of disaster, unless otherwise indicated.

Every employer must undertake a:

- **Risk assessment** to give effect to the minimum measures required by these Directions, taking into account the specific circumstances of the workplace and the requirements of the Occupational Health and Safety Act Regulations for Hazardous Biological Agents.
- **Develop a plan** outlining the protective measures in place for the **phased return** of its employees before opening.

- **Consult on** the risk assessment and phased return plan with any **representative trade union** and any **health and safety committee** established in terms of section 19 of the Occupational Health and Safety Act or, in absence of such a committee, a **health and safety representative** designated in terms of section 17(1) of the Occupational Health and Safety Act or **employee representative**.
- The plan must be made available for inspection by an inspector from the Department of Employment and Labour and a person contemplated in the previous bullet point above.

**Employers with 10 employees or less must take the following measures:**

- Develop a basic plan for the phasing in return of its employees.
- Arrange the workplace to ensure that employees are at least 1.5 metres apart or if not practicable, place physical barriers between them to prevent the possible transmission of the virus.
- Ensure that employees who present symptoms of COVID-19 are not permitted to work and is placed on paid sick leave.
- Immediately contact the relevant provincial inspectorate for instruction and direct the employee to act in accordance with those instructions should the employee present any symptoms.
- Provide employees with cloth masks that cover the nose and mouth whilst at work.
- Provide each employee with hand sanitizer, soap and clean water to wash hands and disinfectants to disinfect their work stations.
- Ensure that employees disinfect and wash their hands whilst at work as well as their work stations.
- Take any other measure indicated by a risk assessment of the workplace, including such measures as are appropriate if the public has access to the workplace.

**Every employer must establish the following measures regardless of the number of employees. Employers with more than 50 employees, please take special interest to the requirements listed below and in the published Directions.**

**Administrative Measures:**

If the employer employs **more than 50 employees** – the employer must submit a record of the risk assessment, together with a written policy concerning the protection of the health and safety of its employees from COVID-19 to:

- The health and safety committee
- The Department of Employment and Labour within 21 days of the commencement of this Direction (**submit by 21 October 2020 to appropriate Provincial Chief Inspector**).
- Submit the following categories of data to the National Institute of Occupational Health:
  - (a) Each employee's vulnerability status for serious outcomes of a COVID-19 infection;
  - (b) Details of the COVID-19 screening of employees who are symptomatic.
  - (c) Details of employees who test positive in terms of a positive laboratory test for the COVID-19 virus.
  - (d) The number employees identified as high-risk contacts within the workplace if a worker has been confirmed as being positive.
  - (e) Details on the post-infection outcomes of those testing positive, including the return to work assessment outcome.

**The above data (paragraphs a-e) must be submitted to the National Institute of Occupational Health and employees must be informed of the submission and the adherence to the Protection of Personal Information Act by the employer:**

- Once in respect of each employee's vulnerability status for serious outcomes of a COVID-19 infection (paragraph (a))
- As soon as possible, before Tuesday of each week in respect of the data referred to in paragraphs (b), (c), (d) and (e) for the previous calendar week commencing on Sunday.

If a worker (employee) has been diagnosed with COVID-19, the employer must:

- Inform the National Institute for Occupational Health.
- Inform the Compensation Commissioner.

- Investigate the mode of exposure, including any control failure, and review the existing risk assessment to ensure that the necessary controls and personal protective equipment requirements are in place.
- Determine the need to temporarily close the affected work area for decontamination.
- Give administrative support to any contact-tracing measures implemented by the Department of Health.

### **Social Distancing Measures:**

- Ensure a minimum of 1.5 metres between workers while they are working.
- If it is not practicable to arrange the work station to be spaced at least 1.5 metres apart, the employer must:
  - (a) Arrange physical barriers to be placed between work stations or erect on work stations to form a solid physical barrier between workers while they are working.
  - (b) Provide employees, free of charge, with appropriate personal protective equipment based on a risk assessment of the working space.
- Every employer must ensure that social distancing measures are implemented through supervision.

### **Symptom Screening Measures:**

- Screen workers when they report for work.
- Workers are to inform the employer immediately if they experience any of the COVID-19 symptoms.
- If a worker presents with COVID-19 related symptoms, or advise the employer of these symptoms, the employer must:
  - (a) Not permit the worker to enter the workplace or report to work.
  - (b) If the worker is already at work, immediately:
    1. Isolate the worker.
    2. Assess the risk of transmission.
    3. Place the employee on paid sick leave.

4. Take steps to ensure that the employee is not discriminated against.
5. If there is evidence that the worker contracted the virus arising out and in the course of employment, lodge a claim for compensation in terms of the Compensation for Occupational Injuries and Diseases Act.

If a worker has been diagnosed with COVID-19 and isolated in accordance with the Department of Health Guidelines, an employer may only allow a worker to return to work without requiring a viral testing, if the worker has completed the mandatory **10 days** of isolation either from the onset of symptoms:

- In mild cases of infection (no hospitalisation required).
- In moderate to severe cases of infection (required supplemental oxygen or hospitalisation) from the date of achieving clinical stability or earlier if the worker has gone for a medical evaluation confirming fitness to work.
- The employer ensures that personal hygiene, wearing of masks, social distancing, and cough etiquette is strictly adhered to by the worker.
- If the employer closely monitors the worker for symptoms on return to work.
- The worker, on return to work, wears a surgical mask for **21 days** from the date of diagnosis.

If a worker has been in contact in the workplace with another worker who has been diagnosed with COVID-19, the employer must assess that worker's exposure in accordance with the Department of Health's Guidelines to ascertain whether the exposure carries a high or low risk of transmission between the workers.

#### Low Risk:

- The employer may permit the exposed worker to continue working using a cloth mask complying with standard COVID-19 precautions.
- The employer must monitor the worker's symptoms for **10 days** from the first contact/exposure.

#### High Risk:

- The worker must remain in quarantine for **10 days**.



- The period of quarantine is deemed paid sick leave.
- If the worker remains asymptomatic, no further testing is required prior to the return to work.

### **Sanitizers, Disinfectants and Washing of Hand Measures:**

- A hand sanitizer must be one that has at least **70% alcohol** content and is in accordance with the recommendations of the Department of Health.
- A surface disinfectant must be in accordance with the recommendations of the Department of Health (Importantly, since COVID-19 rests on surfaces, cleaning and decontamination of households and workplaces remain essential. Regular household soap or detergent should be used first for cleaning, and then, after rinsing, regular household **disinfectant containing 0.5% sodium hypochlorite should be applied on surfaces**. Cleaning of clothes, bed linen, and bath towels etc. should be done with the use of regular laundry soap and water or machine wash at 60-90 °c with common household detergent and must dry thoroughly).

Every employer must free of charge ensure that:

- There are sufficient quantities of hand sanitizers based on the number of workers or other persons who access the workplace.
- If the worker interacts with the public, the employer must provide the worker with sufficient supplies of hand sanitizer at that workers work station for the worker and the person with whom the worker is interacting.
- All work surfaces and equipment are disinfected before work begins, regularly during the working period and after work end.
- All areas such as lavatories, common areas, door handles, shared electronic equipment are regularly cleaned and disinfected.
- Biometric systems must be disabled or made COVID-19 proof.
- There must be adequate facilities for the washing of hands with soap and clean water. Only paper towels are provided to dry hands after washing. The use of fabric toweling is prohibited.

### **Cloth Masks Measures:**

- Provide each employee, free of charge with a minimum of **2** (two) cloth masks which comply with the recommended guidelines fabric face masks for the employee to wear while at work and while commuting to and from work and require any other worker to wear masks in the workplace.
- Stylist, Therapist, Technicians must wear face masks and face shields/visors whilst servicing clients within the personal care sector.

### **Workplaces where the public has access Measures:**

- Determine the floor area of the workplace in square metres in order to determine the number of customers and workers that may be inside the workplace at any one time with adequate space available.
- Arrange the workplace to ensure that there is a distance of at least 1.5 metres between workers and members of the public or between members of the public.
- Put in place physical barriers at counter or provide workers with face shields or visors.
- Undertake symptom screening measures of persons other than its employees entering the workplace with due regard to available technology and any guidelines issued by the Department of Health.
- Display notices advising persons, other than employees entering the workplace, of the precautions they are required to observe while in the workplace.
- Require of members of the public, including supplier, to wear masks when inside the workplace.
- Take steps to ensure that customer queuing inside or outside the workplace are able to maintain a distance of 1.5 metres from each other.
- Provide hand sanitizer for use by the public at the entrance of the workplace.
- Assign an employee as a compliance officer to oversee and ensure that these measures are adhered to and maintained.

### **Ventilation Measures:**

- Keep the workplace well ventilated by natural or mechanical means to reduce the SARS-CoV-2 viral load.
- Where reasonably practicable, have an effective local extraction ventilation system with High-Efficiency Particulate Air filters.
- Ensure that ventilation vents do not feed back in through open windows.
- Ensure that ventilation filters are cleaned and replaced in accordance with the manufacturer's instructions by a competent person.

### **Specific Personal Protective Equipment Measures:**

Every employer must check regularly on the websites of the National Department of Health whether any specialised PPE for COVID-19 is required or recommended in any guideline given the nature of the workplace or the nature of the worker's duties then associate level of risk.

### **Important links:**

<https://www.gov.za/documents/occupational-health-and-safety-act-regulations-hazardous-biological-agents>

[https://www.gov.za/sites/default/files/gcis\\_document/202007/43540gen387.pdf](https://www.gov.za/sites/default/files/gcis_document/202007/43540gen387.pdf)

[http://www.thedtic.gov.za/wp-content/uploads/Updated\\_Recommended\\_Guidelines\\_Fabric\\_Face\\_Masks\\_May2020.pdf](http://www.thedtic.gov.za/wp-content/uploads/Updated_Recommended_Guidelines_Fabric_Face_Masks_May2020.pdf)

[https://www.nioh.ac.za/wp-content/uploads/2020/05/20\\_2020-V4.-Guidance-on-vulnerable-employees-and-workplace-accommodation....pdf](https://www.nioh.ac.za/wp-content/uploads/2020/05/20_2020-V4.-Guidance-on-vulnerable-employees-and-workplace-accommodation....pdf)

[https://www.nioh.ac.za/wp-content/uploads/2020/05/guidelines\\_positive\\_worker\\_19\\_May\\_20.pdf](https://www.nioh.ac.za/wp-content/uploads/2020/05/guidelines_positive_worker_19_May_20.pdf)



<http://www.health.gov.za/index.php/component/phocadownload/category/628-clinical-management-of-suspected-or-confirmed-covid-19-disease>

[https://www.nioh.ac.za/wp-content/uploads/2020/08/V5-Guidelines-for-symptom-monitoring-and-management-of-workers-for-COVID\\_19\\_19aug20.pdf](https://www.nioh.ac.za/wp-content/uploads/2020/08/V5-Guidelines-for-symptom-monitoring-and-management-of-workers-for-COVID_19_19aug20.pdf)

[https://www.nioh.ac.za/wp-content/uploads/2020/08/Workplace-Data-Submission-Guideline\\_19Aug20.pdf](https://www.nioh.ac.za/wp-content/uploads/2020/08/Workplace-Data-Submission-Guideline_19Aug20.pdf)

<http://www.health.gov.za/index.php/component/phocadownload/category/626-infection-control-material>

[https://cdn.ymaws.com/www.saioh.co.za/resource/resmgr/docs/2020/disinfection\\_ohs\\_academic\\_ju.pdf](https://cdn.ymaws.com/www.saioh.co.za/resource/resmgr/docs/2020/disinfection_ohs_academic_ju.pdf)

**Inspectors of the Department of Employment and Labour are actively conducting inspections to ensure that employers and employees are adhering to the Directions published. The below information provided is based on an inspection sheet from the Department of Employment and Labour.**

**OCCUPATIONAL HEALTH AND SAFETY ACT,1993  
UNEMPLOYMENT INSURANCE ACT, 1966  
COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES  
ACT,1993  
NOTICE OF INSPECTION**

Please be informed that our office intends to conduct an inspection on your premises on the date mentioned below in terms of the above-mentioned Acts.

We shall also examine the records that you are required to keep in terms of the above-mentioned Acts and Regulations (*See Annexure*). These documents should be ready on arrival on the day of inspection. It would be appreciated if you would complete Employer's Basic Particular's Form.

Kindly inform your Health and Safety Representative/s and employee representatives of this intended inspection as it is required that they be part of the inspection.

Good Day Sir/Mam

As per our agreement, please find attached the documents, the actual intended inspection. Please make available your Covid-19 file that provides:

1. Workplace preparedness plan
  - a) Administrative controls
  - b) Mechanical controls
  - c) P.P.E
2. Risk Assessments
3. Appointments of:
  - a) Compliance Officer
  - b) Health and Safety Representative
  - c) SHE Representative per section
4. On confirmed Covid-19 cases
  - a) Decontamination of area
  - b) Contact tracing
  - c) Quarantine and isolation

<b>Employer</b>	
<b>Registered Name</b>	
<b>Company Registration No.</b>	
<b>SARS Registration No.</b>	
<b>** UIF Registration No.</b>	
<b>** COIDA Registration No.</b>	
<b>Industry Sector</b>	
<b>Bargaining Council</b>	
<b>Collective Agreement</b>	
<b>Trade Union</b>	
<b>Contact Person (Employer)</b>	
<b>Health and Safety Representative</b>	
<b>Director of Operations</b>	
<b>Competent Person (GMR 2 – GCC)</b>	
<b>Safety Manager</b>	
<b>Physical address of premises</b>	
<b>Telephone Number</b>	
<b>Fax Number</b>	
<b>Email Address</b>	
<b>Total Number of Employees</b>	
<b>List of their Contractors and what they do</b>	
<b>Total Number of Employees for each Contractor:</b>	
<b>Who are the Suppliers of Raw Material?</b>	
<b>Who are their Customers?</b>	

<b>Number of Shifts on the premises?</b>	
<b>Is the process a 24-hour process?</b>	
<b>Inspection team</b>	
<b>Employers' team</b>	
<b>Date of inspection</b>	

**\*\*Please attach latest proof of payment/letter of Good Standing**

## **OHS CHECKLIST FOR INSPECTIONS AT WORKPLACES DURING THE COVID-19 LOCKDOWN PERIOD**

ACTION	COMPLY		COMMENT
	NO	YES	
The employer has a risk assessment in place?			
The employer must clearly indicate where his/her high-risk areas are and the type of PPE to be worn in an area(s).			
The employer has an action plan for the lockdown for how the workplace will be kept clean and sanitized, etc.?			
The employer has contractors who work on the premises temporarily or permanently?			
The employer has introduced a strict cleaning routine that includes wiping (sanitizing) all surfaces.			

The employer has introduced a strict cleaning routine that includes sweeping all floors and walkways.			
All floors within the workplace are sanitized at least once a day.			
All employees have been trained regarding the Covid-19 and knows what is required of them at the workplace?			
All employees have access at all times to hand sanitiser.			
All employees have access to soap and running clean water to wash their hands.			
The employer must clearly indicate where masks/face shields/visors must be worn: <ul style="list-style-type: none"> <li><b>Look for the signage</b></li> </ul>			
Employees have access to the relevant mask i.e. N95 or N99 when required or as determined by the inspector.			
Masks/face shields/visors are properly maintained and stored (airtight container) if not in use?			
N95 and N99 masks must be disposed with after 1 day's use.			
Areas that require a mask/face shields/visors to be used must be designated as such.			

Masks/face shields/visors are not to be shared.			
Check on the fit of masks/face shields/visors.			
Face shields/visors can be used at the workplace and may also be used in conjunction with other PPE.			
<p>Gloves – rubber gloves – latex gloves:</p> <ul style="list-style-type: none"> <li>• Latex gloves in particular could cause a reaction in some people who are allergic to latex.</li> <li>• An employee should therefore not be forced to wear these if there is any indication that an employee is allergic to the gloves.</li> <li>• In some instance the employer will indicate that the employee has the necessary product to sanitize their hands or to wash their hands with soap and water.</li> </ul>			
Employees and members of the public, where relevant, are able to maintain social distance of 1.5 metres?			
Sanitizer to be 70%+ alcohol based.			
<p>Bulk storage of sanitizer to be checked.</p> <ul style="list-style-type: none"> <li>• Containers closed.</li> </ul>			

<ul style="list-style-type: none"> <li>• No rags laying around.</li> <li>• Storage area to be ventilated – spark proof and fire proof electrical fittings.</li> <li>• Can the chemical store contain all the chemicals in it – is there a bund wall?</li> </ul>			
How does the employer deal with people who report sick at work?			
Are there any employees currently, on the day of the inspection who appears sick at work?			
<p>If there is any person who may be suspected of having Covid-19 /SARS COV-2 what is the procedure the employer will follow:</p> <ul style="list-style-type: none"> <li>• <b>at the workplace</b></li> <li>• <b>and specifically, regarding the employee</b></li> </ul>			
Does the employer understand the process for reporting a sick (corona virus +) person to the Compensation Fund?			
Are there any women who may be pregnant at work?			
Big companies may make use of occupational medical practitioners to			

assist them. Find out if the employer has.			
Does the employer have a queuing system (or security) to restrict people from entering a premise in large groups?			
Are sick members of the public allowed to enter your premises and move around your workplace? This is not allowed under any circumstances and the employer must indicate what he/she is doing to prevent this.			

Is there any action required for the SAPS? \_\_\_\_\_

Is there any action required for the DTI? \_\_\_\_\_

**Overall Comments:**

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\_\_\_\_\_

\_\_\_\_\_

**Prohibitions:**

**Contraventions:**

**Improvements:**