



**NATIONAL INSTITUTE FOR  
OCCUPATIONAL HEALTH**

Division of the National Health Laboratory Service



# **WHAT EMPLOYERS NEED TO IMPLEMENT IN RESPONSE TO COVID-19**

**KAREN DU PREEZ  
NIOH - OCCUPATIONAL HYGIENE SECTION**

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*Healthy, Safe, Happy & Sustainable Workplaces*

**PROMOTING DECENT WORK THROUGH CUTTING EDGE RESEARCH, SPECIALISED  
SERVICES, INFORMATION, TEACHING AND TRAINING**

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## DUTY OF EMPLOYERS

- Employers must implement preventative measures at workplaces to ensure a safe and healthy work environment for employees
- OHS Act (as per previous presentation)
- R 1031 – Consolidated Directions on Occupational Health and Safety Measures in Certain Workplaces (issued 1 October 2020) – applicable for the duration of the national state of disaster, unless otherwise indicated
- Other sector-specific regulations and/or directives issued in terms of the regulations issued under Section 27(2) of the Disaster Management Act (must include all aspects listed in Annexure B in Consolidated Health and Safety Direction)
- Refer to the Department of Health's COVID-19 online resource and news portal regularly for updated information and links to legislation (<https://sacoronavirus.co.za/guidelines-and-relief/>)



## DUTY OF EMPLOYERS - CURRENT LOCKDOWN STATUS:

### "TABLE 4 ALERT LEVEL 1

- All persons who are able to work from home must do so.
- Persons will be permitted to perform any type of work outside the home, and to travel to and from work and for work purposes under Alert Level 1, subject to:
  - (a) strict compliance with health protocols and social distancing measures;
  - b) the return to work being phased-in in order to put in place measures to make the workplace COVID -19 ready;
  - (c) the return to work being done in a manner that avoids and reduces risks of infection; and
  - (d) the work not being listed under the specific economic exclusions in this Table.”



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**GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS**

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**DEPARTMENT OF EMPLOYMENT AND LABOUR**

**NO. R. 1031**

**01 OCTOBER 2020**

**CONSOLIDATED DIRECTIONS ON OCCUPATIONAL HEALTH AND SAFETY  
MEASURES IN CERTAIN WORKPLACES**

**DIRECTION ISSUED IN TERMS OF REGULATION 4(10) OF THE REGULATIONS  
MADE UNDER SECTION 27(2) OF THE DISASTER MANAGEMENT ACT, 2002:  
MEASURES TO ADDRESS, PREVENT AND COMBAT THE SPREAD OF COVID-19 IN  
CERTAIN WORKPLACES IN THE REPUBLIC OF SOUTH AFRICA**

**SCHEDULE**

**Consolidated Directions on Occupational Health and Safety Measures in certain  
workplaces**

**Issued by the Minister in terms of Regulation 4(10) of the National Disaster  
Regulations**

## Annexure A

### DEPARTMENT OF EMPLOYMENT AND LABOUR LINKS

#### ***Hazardous Biological Agents Regulations***

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

#### ***Directive on Compensation for Workplace-acquired Novel Corona Virus Disease (COVID-19)***

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

### DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION LINKS

#### ***Department of Trade, Industry and Competition: Recommended Guidelines Fabric Face Masks***

[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)

## **Annexure B**

### **SECTORAL GUIDELINES**

#### **1. Workplace Risk assessment**

- 1.1 Identify high risk exposure work processes
- 1.2 Identify high risk work practices

#### **2. Engineering controls**

- 2.1 Ventilation
- 2.2 Physical barriers
- 2.3 Adaptation of workstations to increase social distance

#### **3. Administrative controls**

- 3.1 Screening/ reporting of symptoms/ sick leave
- 3.2 Minimising contact
- 3.3 Rotation and shift work
- 3.4 Work-at-home strategies
- 3.5 Communication and information strategies
- 3.6 Role of health and safety committees and representatives
- 3.7 Education and training
- 3.8 Reporting of incidents for regulatory purposes
- 3.9 Reporting for purposes of public health, contact tracing, screening, testing and surveillance

## Annexure C

### List of Contact Details for Provincial Inspectorates

	Name and Surname	Office	Cell Number	Position	Address
1.	Michael Msiza	Gauteng IES - IES	0829008131	PCI	239 Nana Sita Streets, Pretoria
2.	Lesibe Raphela	Gauteng IES - IES	076 764 9964	OHS Specialist	
3.	Ivan Vass	Northern Cape - IES	082 802 6796	PCI	Cnr Compound and Pniel Road, Kimberley
4.	Isaac Mohapi	Northern Cape - IES	0724693689	OHS Specialist	
5.	Phaswane Tladi	Limpopo – IES	0845043801	PCI	42A Schoeman Street, Polokwane
6.	Carol Mthethwa	Limpopo - IES	071 684 9584	OHS Specialist	
7.	David Esau	Western Cape – IES	082 791 4485	PCI	6th Floor, West Bank Building, Cnr Riebeeck and Long Streets, Cape Town
8.	Fezeka Ngalo	Western Cape - IES	0827916244	OHS Specialist	
9.	Bojkie Mampurú	Northwest – IES	082 908 2308	PCI	2nd Floor, Provident House, University Drive, Mmabatho



## OCCUPATIONAL HEALTH AND SAFETY RISK ASSESSMENT

Risk Assessment as required by the OHS Act must be reviewed if / when:

- Current assessment is no longer valid;
- Control measures are no longer effective;
- Technological or scientific advances allow for more effective control methods;
- There has been a change in:
  - the work methods;
  - the type of work carried out; or
  - the type of equipment used to control the exposure;
- An incident occurs or occupational disease is diagnosed
- Additional hazards / risks were identified / introduced

**Therefore any existing risk assessment must be reviewed to include COVID-19**



## **RISK ASSESSMENT AT THE WORKPLACE (COVID-19):**

- Identify work tasks or areas where transmission can occur
- Identify vulnerable workers (refer to DOH Guidance on vulnerable employees)
- Assess the risk for each task or area individually, considering the route of exposure and viral load
- Identify suitable control measures, including the need for PPE, for each task or area according to the risk rating
- Consider any additional hazards introduced in response to COVID-19, e.g. chemicals used for disinfection; prolonged use of PPE; stress, anxiety or depression; etc.
- Review the risk assessment when any changes to work processes occur, or following a confirmed case of COVID-19 at the workplace



## PLAN FOR RE-OPENING WORKPLACES

- ▶▶ When permitted to commence with business, every employer must:
  - Develop a plan outlining protective measures in place for phased return of employees, based on the risk assessment
  - Consult with:
    - Trade union, and
    - Health and safety committee, or
    - Health and safety representative (if no committee)
  - Plan must be available for inspection by inspector, and persons listed above
  - Return of employees to work must be phased as described in the plan



## PLAN FOR RE-OPENING WORKPLACES (CONTINUED)

What must be included in the plan:

- Date of re-opening and business hours
- List of employees permitted to return, and those working from home
- Plan and timetable for phased-in return
- Identify vulnerable employees (Direction 4.1.b)
- How to minimise number of workers at workplace at a time (Direction 4.1.h)
- Workplace protective measures (also refer to sectoral directions and guidance)
- Measures for daily screening of employees, clients, visitors, contractors
- Details of appointed COVID-19 compliance officer (Direction 4.1.f)
- Procedure to resolve issues in case of refusal to work (Direction 14.1)



## ADMINISTRATIVE MEASURES

- ▶▶ >50 employees: submit record of RA and a written health and safety policy regarding COVID-19 (Sect 7.1 OHS Act) to H&S Committee, and Department of Employment and Labour (via email as specified in footnote) within 21 days of commencement of Direction
- ▶▶ Special measures for vulnerable workers as per Guidelines
- ▶▶ Provide employees with information and training on:
  - the applicable legislation and regulations; the measures implemented to adhere to these,
  - the dangers of the virus,
  - manner of transmission & measures to prevent it (e.g. personal hygiene, distancing, masks, cough etiquette),
  - where to go for screening or testing.

Can be done through / complimented with leaflets / notices where possible

- ▶▶ Employees should take sick leave and stay at home when sick or displaying symptoms associated with COVID-19



## ADMINISTRATIVE MEASURES (CONTINUED)

- ▶▶ A manager must be appointed as COVID-19 compliance officer, to:
  - Oversee implementation of the plan
  - Oversee adherence to health and safety measures (> one workplace: can appoint employees to perform these function)
  - Address concerns and ensure that employees are kept informed; consult with H&S Committee
- ▶▶ Ensure compliance through monitoring and supervision
- ▶▶ Minimize number of employees at the workplace through e.g. shift regimes, rotation, remote working arrangements
- ▶▶ Minimize contact between employees, and between employees and the public



## ADMINISTRATIVE MEASURES (CONTINUED)

What to do in case a worker is diagnosed with COVID-19:

- Inform NIOH as per NDOH Guidelines (see footnotes)
- Inform Compensation Commissioner in accordance with Directive (see footnotes)
- Investigate mode of exposure
  - Control failure
  - Review risk assessment
  - Ensure that the necessary control measures, incl. PPE requirements are in place
- Determine need for temporary closure to decontaminate work area
  - Consult with H & S Committee / H & S Rep
  - Incident-based risk assessment
  - DOH Guidelines (see footnotes)
- Administrative support to contact-tracing measures implemented by the DOH



## ADMINISTRATIVE MEASURES (CONTINUED)

Submit data to NIOH as per NDOH Guidelines (see footnotes)

- Vulnerability status
- Details of screening of employees who are symptomatic
- Details of employees who test positive
- # employees identified as high risk contacts
- Details of post-infection outcomes

Submit once in respect of each employee's status

Timelines as per directions

Inform employees of submissions

May submit data to employer association



## SOCIAL DISTANCING MEASURES

- ▶▶ Arrange the workplace to maintain at least one and a half meters between workers at all times where possible
- ▶▶ Workplace circumstances or sector may require larger distances between workers, but reducing total number of workers at a given time may assist in achieving this
- ▶▶ If not possible, place physical barriers between or on workstations
- ▶▶ When required, supply employees with the appropriate PPE as identified through risk assessment
- ▶▶ Ensure that measures are implemented through supervision in workplaces as well as common areas, including canteens and hygiene facilities
- ▶▶ Implement staggered break times where possible to avoid crowding in common areas, e.g. canteens



## SYMPTOM SCREENING

- Every employee must be screened for observable or additional symptoms associated with COVID-19 when reporting for work
- Employees must immediately inform the employer if they start experiencing symptoms while at work
- Employer must comply with NDOH guidelines on symptom screening & testing, and medical surveillance and testing where required
- Specific requirements if a worker presents with / report symptoms:
  - Not permitted to enter workplace / report for work
  - If at work already:
    - Isolate
    - Assess risk of transmission
    - Paid sick leave in terms of BCEA Sect 22
    - Steps to ensure no discrimination
    - Lodge a claim for compensation where applicable



## SYMPTOM SCREENING

- Requirements on when to allow a worker that has been diagnosed with COVID-19 to return to work:
  - No viral testing required
  - Mild cases: after the mandatory 10 days of isolation from symptom onset
  - Moderate / severe: 10 days from date of achieving clinical stability, or with medical evaluation to confirm fitness to work
  - Employer to ensure that employee adhere to all required measures
  - Employer to closely monitor for symptoms
  - Wearing of surgical mask for 21 days from date of diagnosis
- Requirements if a worker has been in contact at the workplace with another worker who has been diagnosed with COVID-19:
  - Employer to assess worker's exposure
  - Low risk exposure: wear cloth mask; comply with std precautions; monitor 10 days
  - High risk exposure: quarantine 5-7 days (health worker) or 10 days (other workers); paid sick leave; asymptomatic – no further testing required, except for health workers that return to work < 10 days.



## SANITIZERS, DISINFECTANTS AND OTHER MEASURES

- Supply hand-sanitizer (containing at least 70% alcohol and in accordance with DOH recommendations) free of charge for use by all employees at entrances and all work areas, or provide adequate supply for employees working away from the workplace (excluding work from home)
- Interacting with public: provide adequate supply at workstation for employee as well as public; employee must sanitise hands between each interaction
- Work surfaces and equipment, and common use areas must be disinfected before, regularly during, and after work with a surface disinfectant that is in accordance with DOH recommendations
- Biometric systems must be disabled, or measures implemented for their safe use
- Ensure availability of adequate hand wash facilities with soap, clean water & **paper towels**
- Ensure that employees make use of it regularly



## CLOTH MASKS

- Every person must wear a cloth mask when in a public place
- Employers must provide every employee with at least two cloth masks (complying with guidelines as per footnote) to wear at work, and when commuting to and from work
- Any other worker must be required to wear masks in the workplace
- Number and replace-ability as per sectoral guidelines, and taking into account specific conditions at work
- Workers must be informed, trained and instructed on the correct use of cloth masks, and supervised
- Where the RA indicate that specific PPE is required, workers must be provided with accredited PPE

### **PLEASE NOTE:**

The risk of COVID-19 must be addressed and managed together with risks usually present at the workplace. RPE usually required to be worn for specific tasks cannot be replaced with cloth masks



## MEASURES FOR WORKPLACES TO WHICH PUBLIC HAVE ACCESS

- To protect workers from exposure due to interaction with the public, and to protect the public from exposure through their interaction with workers
- Employers must (where reasonably practicable):
  - ❖ Determine floor area of workplace (m<sup>2</sup>) to determine max no of persons permitted at a time
  - ❖ Arrange workplace to ensure at least 1.5 meters between persons at all times
  - ❖ Install physical barriers at counters / provide visors or face shields to workers
  - ❖ Symptom screening for persons other than employees where appropriate
  - ❖ Display notices re. precautions required
  - ❖ Require all persons inside their premises to wear masks
  - ❖ Ensure that 1.5 meters distance is maintained with queuing inside / outside
  - ❖ Provide hand sanitizer at entrance
  - ❖ Assign employee as compliance officer to ensure compliance with these measures



## VENTILATION

- Every workplace must be well ventilated by natural or mechanical means
- Local extraction ventilation (LEV) with high efficiency particulate air (HEPA) filters where reasonably practicable:
  - technically assessed to be functioning effectively
  - does not recirculate air
  - Regularly cleaned and maintained
  - Vents not feeding back in through open windows
- Cleaning and replacement of filters by a competent person according to manufacturer's instructions



## SPECIFIC PERSONAL PROTECTIVE EQUIPMENT

- Employers must refer to DOH, NICD or NIOH websites regularly for updated guidelines with regards to required / recommended specialised personal protective equipment for COVID-19 for any workplaces
- This will take into account the nature of the workplace, the nature of a worker's duties, and the associated level of risk
- This may include the use of surgical masks, N95 respirators, face shields, aprons, gloves, etc.



## **SMALL BUSINESSES ( $\leq$ 10 EMPLOYEES)**

- ▶▶ When permitted to commence with business, develop basic plan for phasing in the return of employees, considering vulnerable employees
- ▶▶ Ensure at least 1.5 meters distancing between employees, or install physical barriers
- ▶▶ Ensure that employees displaying associated symptoms are not permitted to work
- ▶▶ Contact the relevant provincial inspectorate immediately for instructions, and direct employee to act in accordance
- ▶▶ Provide cloth masks / require use of cloth masks/covering while at work
- ▶▶ Provide hand sanitizer, soap and clean water, and disinfectants for workstations, and ensure that it is used regularly
- ▶▶ Any additional measures indicated by a RA, especially measures prescribed for workplaces the public have access to



## WORKER OBLIGATIONS

- ▶ Obligations as per OHS Act Section 14: General duties of employees at work
- ▶ Must comply with additional measures implemented by employers as per Directions

### WORKERS' RESPONSIBILITIES

<b>W</b>	ash hands regularly using soap and water (~20 sec) or alcohol-based hand rub (~70%)
<b>O</b>	bey health and safety policies and procedures
<b>R</b>	emember to cover nose & mouth with a flexed elbow/ tissue when coughing & sneezing
<b>K</b>	ey is to avoid exposure and also refrain from exposing others to potential risks
<b>E</b>	nsure you don, doff and dispose of personal protective equipment as prescribed
<b>R</b>	eport any situation likely to present a potential or serious danger to life or health
<b>S</b>	elf-monitor for signs of illness and self-isolate or report illness to managers, if it occurs



## **REFUSAL TO WORK DUE TO EXPOSURE TO COVID-19**

- ▶▶ Right to refuse work if work pose substantial risk of exposure to COVID-19
- ▶▶ Employee or health and safety representative must notify employer of refusal as well as the reason for refusal
- ▶▶ Employer must then:
  - ▶▶ Consult with compliance officer, health and safety committee, health and safety rep
  - ▶▶ Undertake to resolve issue that lead to refusal
  - ▶▶ If not resolved, notify an inspector
  - ▶▶ Comply with any prohibition issued by inspector
- ▶▶ No threats / dismissal / disciplinary action / prejudice / harassment allowed as a result of exercising the right to refuse work; or benefits for not exercising this right



## REFERENCES

1. Department of Health, Republic of South Africa. COVID-19 online resource and news portal. <https://sacoronavirus.gov.za>
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3. Department of Health. Republic of South Africa. Guidance on vulnerable employees and workplace accommodation in relation to COVID-19 (V4: 25 May 2020) <http://www.nioh.ac.za/national-resources/>
4. Department of Health. Republic of South Africa. Notice: Return to work of vulnerable employees (10 November 2020) <http://www.nioh.ac.za/national-resources/>
5. South African Government. COVID-19/NOVEL CORONAVIRUS. Regulations and guidelines – Coronavirus COVID-19. <https://www.gov.za/covid-19/resources/regulations-and-guidelines-coronavirus-covid-19>
6. World Health Organisation. Coronavirus Disease (COVID-19) technical guidance: Guidance for schools, workplaces and institutions. <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/technical-guidance/guidance-for-schools-workplaces-institutions>
7. Centers for Disease Control and prevention. Coronavirus Disease 2019 (COVID-19). Businesses and Workplaces. <https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/businesses-employers.html>

# ACKNOWLEDGEMENTS

- NHLS Management
- NIOH Outbreak Response Team
- NICD

Questions

[info@nioh.ac.za](mailto:info@nioh.ac.za)

NIOH 24hr- hotline

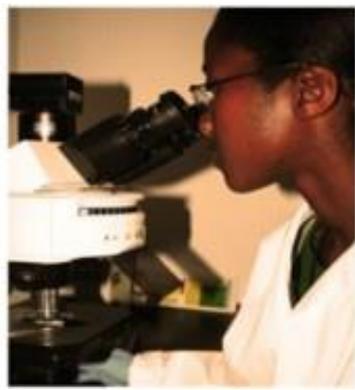
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