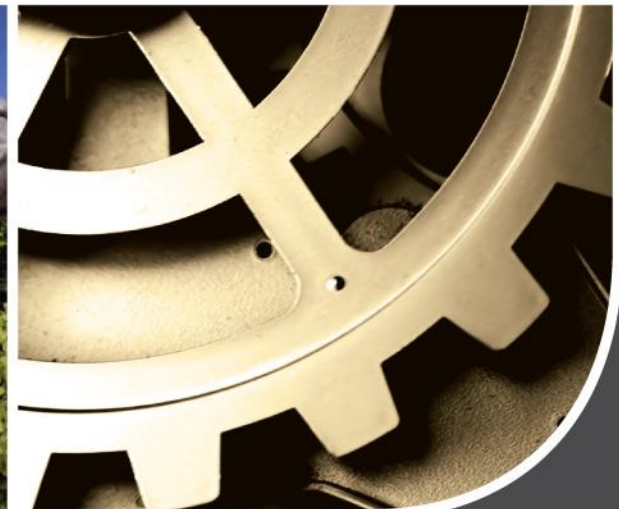


Occupational Health and Hygiene Directorate

Consolidated Directions on Occupational Health and Safety Measures in certain Workplaces

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employment & labour

Department:
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Introduction

- The President declared a national state of disaster in terms of the Disaster Management Act, 2002 on 15 March 2020 to address COVID-19 outbreak.
- The declaration enabled government to have integrated and coordinated disaster management mechanisms focusing on the prevention and reduction of the outbreak of COVID-19
- Directions were issued in terms of Regulation 4(10), of the Disaster Management Act, 2002, as amended.
- Main purpose was to give measures to address, prevent and combat the spread of COVID-19 in certain workplaces in the Republic of SA.
- These Directions will apply for the duration of the national state of disaster, unless otherwise indicated.

Application

- Directions apply to employers and workers in workplaces who are permitted to continue or commence operations under the Disaster Management Regulations.
- It does not apply to a workplace-
 - (a) excluded from the OHSA in terms of section 1(3) of the OHSA
 - (b) in respect of which another Minister has issued a direction under the Regulations dealing with health and safety of employees.

Risk assessment and plans for protective measures

1. Every employer must-

- (a) 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 Hazardous Biological Agents;
- (b) On the basis of the risk assessment, develop a **plan** outlining the protective measures in place for the phased in return of its employees before opening;
- (c) consult with the representative trade union, the health & safety committee or health & safety representative with regards to the risk assessment and the plan;
- (d) make that plan available for inspection by an inspector, representative trade union, health and safety committee or health and safety representative.

Risk assessment and plans for protective measures

- (2) **The plan must include the ff:**
 - (a) The date the workplace will open and hours of opening;
 - (b) a list of employees permitted to return to work and those who are required to work from home;
 - (c) the plan and timetable for the phased-in return of employees to the workplace;
 - (d) identify the vulnerable employees;
 - (e) ways of minimising the number of workers at the workplace at any one time;
 - (f) the measures for the daily screening of employees and the screening of clients, contractors and visitors to the workplace;
 - (h) the details of the COVID -19 compliance officer appointed;

Administrative measures

1. **Every employer must establish the following administrative measures:**
 - (a) If employing more than 50 employees, the employer must submit the record of his risk assessment, together with a written policy concerning the protection of the health and safety of its employees from COVID-19 to:
 - i. The health and safety committee, and
 - ii. The Department of Employment and Labour within 21 days of the commencement of the Direction.
 - (b) requiring employees to disclose whether they have any of the health issues or comorbidities and thereafter take special measures to mitigate the risk of COVID -19 for those employees;
 - (c) notify all workers of the contents of these directions
 - (d) notify its employees not come to work and must take paid sick leave if they are sick or have symptoms associated with COVID-19;

Administrative measures

- (e) appoint a manager as a COVID -19 compliance officer to:
 - i. oversee the implementation of the plan
 - ii. oversee the adherence to the health and safety measures established in terms of the Direction
 - iii. address employee or workplace representative concerns and to keep them informed on the nature of the hazard in that workplace and control measures to be taken.
- (f) ensure that the measures required by this Direction and its risk assessment plan are strictly complied with through monitoring and supervision;
- (g) must, as far as practicable, minimise the number of workers at the workplace at any given time through rotation, staggered working hours, shift systems, remote working arrangements or similar measures in order to achieve social distancing so as to limit congestion in public transport and at the workplace;

Administrative measures

- (g) take measures to minimise contact between workers as well as between workers and members of the public;
- (h) if a worker has been diagnosed with COVID-19,
 - i. inform the National Institute for Occupational Health in accordance with the National Department of Health Guidelines;
 - ii. inform the Compensation Commissioner in accordance with the Directive on Compensation for Workplace- acquired Novel Corona Virus Disease (COVID-19);
 - iii. investigate the mode of exposure, any control failure and review its risk assessment to ensure that the necessary controls and PPE requirements are in place;
 - iv. determine the need to temporarily close the affected work area for decontamination with due regard to the Department of Health's Guidelines after consultation with the health and safety committee or with a health and safety representative; and

Administrative measures

- ii. give administrative support to any contact-tracing measures implemented by the Department of Health.
- 2. In addition to the duties listed in sub-direction (1), an employer who employs more than 50 employees in a workplace -
 - (a) must submit the following categories of data to the National Institute for Occupation Health:
 - i. Each employee's vulnerability status for serious outcomes of a COVID -19 infection (once)
 - ii. Details of the COVID -19 screening of employees who are symptomatic;
 - iii. Details of employees who test positive in terms of a positive laboratory test for the COVID -19 virus;

Administrative measures

- iv. The number of employees identified as high risk contacts within the workplace if a worker has been confirmed positive;
- v. Details on the post -infection outcomes of those testing positive, including the return to work assessment outcome;

The above information (ii-v) to be provided every Tuesday for the previous week.

Social distancing measures

1. Every employer must ensure that there is a minimum of one and a half metres between workers while they are working;
2. If it is not practicable to arrange work stations to be spaced at least one and a half metres apart, the employer must-
 - i. arrange physical barriers to be placed between work stations
 - ii. supply the employees, free of charge, with appropriate PPE based on their risk assessment
3. Every employer must ensure that social distancing measures are implemented through supervision. Within the workplace, it must be through the staggering of the break-times and outside the immediate workplace, through queue control.

Symptom screening

1. Every employer must take measures-
 - (a) to screen workers when they report for work in order to ascertain whether they have any of the symptoms associated with COVID -19;
 - (b) require workers to immediately inform the employer if they experience any of the symptoms in sub-direction (1) while at work.
2. If a worker presents with COVID-19- related symptoms, or advises the employer of these symptoms, the employer must-
 - (a) not permit the worker to enter the workplace or report for work; or
 - (b) if the worker is already at work immediately -
 - i. isolate the worker, provide the worker with a surgical mask and arrange for the worker to be transported to a health facility;

Symptom screening

- ii. assess the risk of transmission, disinfect the area and the worker's workstation, undertake contact tracing and refer those workers who may be at risk for screening and take any other appropriate measure to prevent possible transmission;
- iii. place its employee on paid sick leave in terms of section 22 of the BCEA or if the employee's sick leave is exhausted, make application for an illness benefit on the COVID -19 Temporary Employer Relief Scheme;
- iv. take steps to ensure that the employee is not discriminated against on grounds of having tested positive for COVID-19;
- v. if there is evidence that the worker contracted COVID -19 arising out and in the course of employment, lodge a claim for compensation in terms of the COID Act.

Symptom screening

3. If a worker has been diagnosed with COVID -19 and isolated in accordance with the Department of Health Guidelines,¹⁷ an employer may only allow a worker to return to work-
 - (a) without requiring viral testing if the worker has completed the mandatory 10 days of isolation either from the onset of symptoms –
 - (i) In mild cases of infection (not requiring hospitalisation for COVID -19); or
 - (ii) in moderate to severe cases of infection (requiring supplemental oxygen or hospitalisation) from the date of achieving clinical stability or earlier if the worker has gone a medical evaluation confirming fitness to work;
 - (b) if the employer ensures that personal hygiene, wearing of masks, social distancing, and cough etiquette is strictly adhered to by the worker;
 - (c) if the employer closely monitors the worker for symptoms on return to work; and

Symptom screening

- (d) if the worker, on return to work, wears a surgical mask" for 21 days from the date of diagnosis.
- 4. 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 order to ascertain whether the exposure carries a high or low risk of transmission between the workers.
- 5. If there is a low risk exposure, the employer
 - (a) may permit the worker to continue working using a cloth mask complying with standard precautions; and
 - (b) must monitor the worker's symptoms for 10 days from the first contact.

Symptom screening

6. If there is a high risk exposure-
 - (a) a health worker must remain in quarantine for 7 days or with the agreement of the worker, 5 days;
 - (b) all other workers must remain in quarantine for 10 days; and
 - (c) the employer of that worker must place the worker on sick leave in accordance with sub-direction (3)(b)(iii) for that period;
 - (d) if the worker remains asymptomatic, no further testing is required prior to return to work, except in respect of health workers returning to work in less than 10 days.

Sanitizers, disinfectants & washing of hands

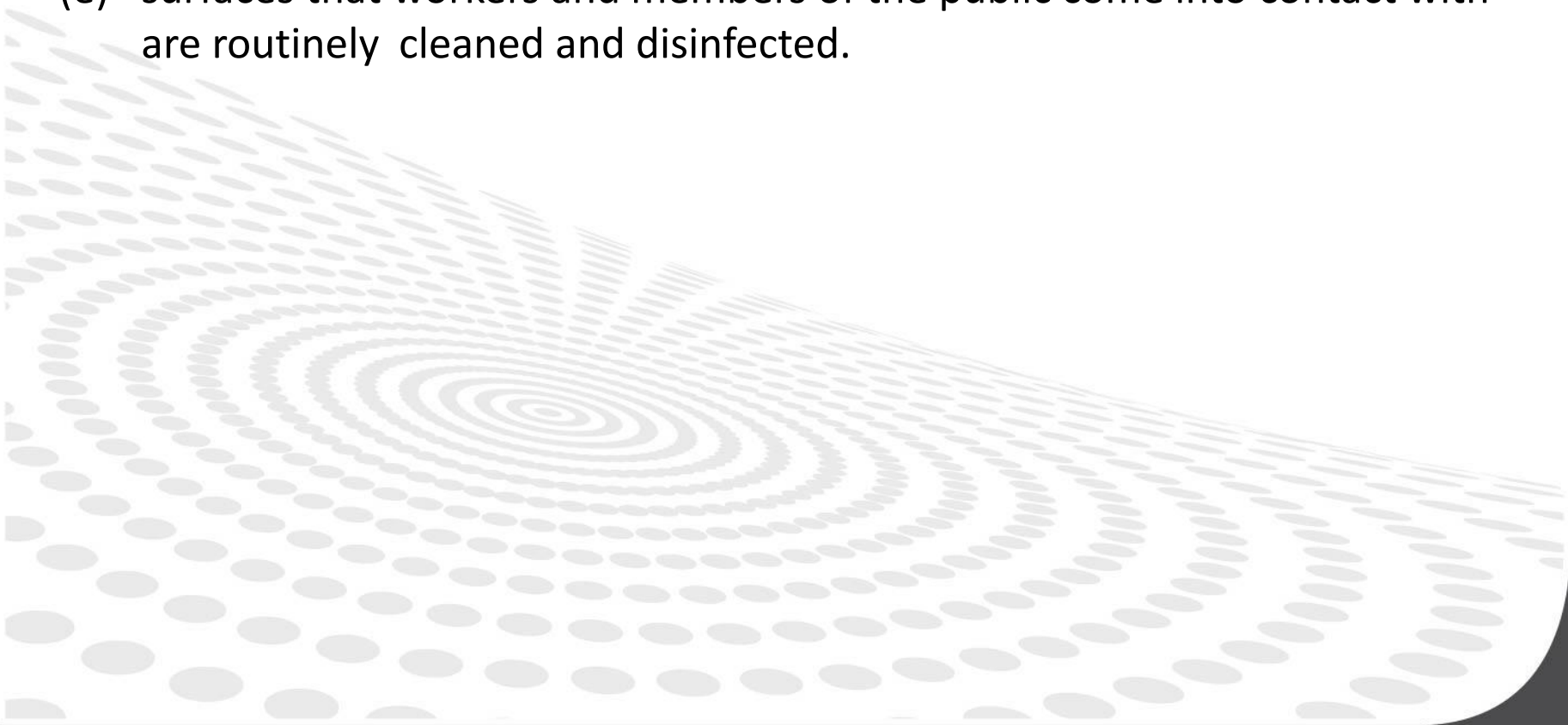
1. For the purposes of this direction-
 - (a) a hand sanitizer must be one that has at least 70% alcohol content;
 - (b) a surface disinfectant must be in accordance with the recommendations of the Department of Health.
2. Every employer must, free of charge, ensure that
 - (a) there are sufficient quantities of hand sanitizers to be used at the entrance, based on the number of workers or other persons who access the workplace;
 - (b) every employee who works away from the workplace, other than at home, must be provided with an adequate supply of hand sanitizer.
- (3) If a worker interacts with the public, the employer must provide the worker with sufficient supplies of hand –sanitizer, for both the worker and the person he is interacting with.

Sanitizers, disinfectants & washing of hands

4. Every employer must take measures to ensure that-
 - (a) all work surfaces and equipment are disinfected before work begins, during the working period and after work ends;
 - (b) all areas such as lavatories, common areas, door handles, shared electronic equipment are regularly cleaned and disinfected; and
 - (c) disable biometric systems or make them COVID-19- proof.
5. The employer must ensure that-
 - (a) there are adequate facilities for the washing of hands with soap and clean water;
 - (b) only paper towels are provided to dry hands, the use of fabric towelling is prohibited;
 - (c) the workers are required to wash their hands and sanitize their hands regularly while at work

Sanitizers, disinfectants & washing of hands

- (d) the workers interacting with the public are instructed to sanitize their hands between each interaction with a member of the public; and
- (e) surfaces that workers and members of the public come into contact with are routinely cleaned and disinfected.



Cloth masks

1. The Department of Health requires that all persons wear cloth masks when in a public place to reduce the amount of virus containing droplets being transmitted to others and to surfaces that others may touch.
2. Underlying the requirement from Dept. of Health, every employer must provide each of its employees, free of charge, with a minimum of two cloth masks, which comply with the Recommended Guidelines Fabric Face Masks,²² for the employee to wear while at work and while commuting to and from work; and
3. The number and replaceability of cloth masks that must be provided to an employee must be determined in accordance with any sectoral guideline and in the light of the employee's conditions of work, in particular, where these may result in becoming wet or soiled.
4. Every employer must ensure that workers are informed, trained, instructed and supervised as to the correct use of cloth masks

Cloth masks

5. The general requirement for workers to wear masks does not derogate from the fact that, where a risk assessment indicates that specific personal protective equipment is required, those categories of workers must be provided with the effective and efficient personal protective equipment.

Workplaces with public access

1. As far as is reasonably practicable, given the nature of the workplace, every employer must-
 - (a) 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;
 - (b) arrange the workplace to ensure that there is a distance at least one and a half metres between workers and members of the public or between members of the public;
 - (c) put in place physical barriers at counters or provide workers with face shields or visors;
 - (d) undertake symptom screening measures of persons other than its employees entering the workplace;
 - (e) display notices advising persons, other than employees entering the workplace, of precautions to be observed while in the workplace;

Workplaces with public access

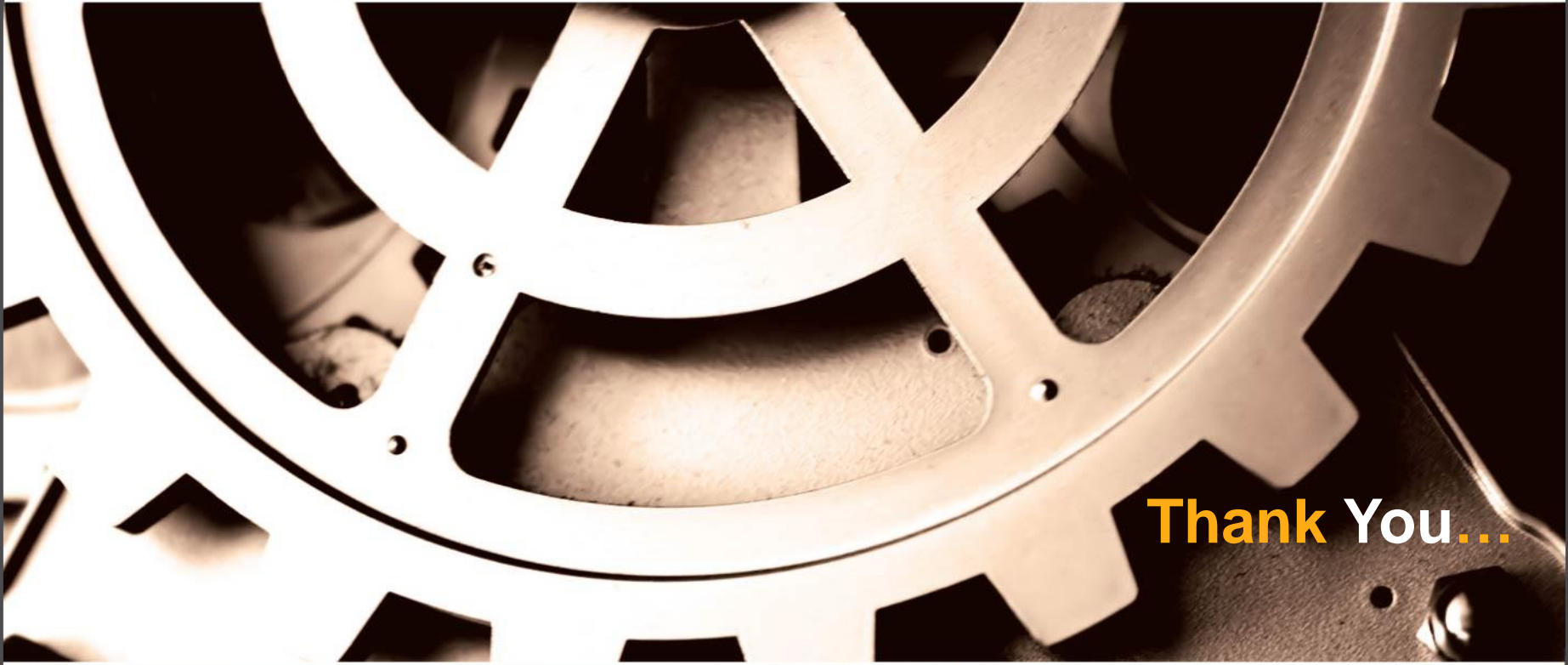
- (f) require members of the public, including suppliers, to wear masks when inside the premises;
- (g) take steps to ensure that customers queuing inside or outside the workplace are able to maintain a distance of one and half metres from each other;
- (h) provide hand sanitizer for use by the public at the entrance to the workplace; and
- (i) assign an employee as a compliance officer to ensure that these measures are complied with.

Ventilation

1. Every employer must-
 - (a) keep the workplace well ventilated by natural or mechanical means to reduce the SARS -CoV -2 viral load;
 - (b) where reasonably practicable, have an effective local extraction ventilation system with High -Efficiency Particulate Air filters that -
 - (i) is technically assessed to be functioning effectively;
 - (ii) is regularly cleaned and maintained;
 - (iii) does not recirculate the air;
 - (c) ensure that ventilation vents do not feed back in through open windows;
 - (d) ensure that ventilation filters are cleaned and replaced in accordance with the manufacturer's instructions by a competent person.

Monitoring and Enforcement

1. To the extent that this Direction gives effect to the OSHA, the Minister responsible for Employment and Labour may authorise local authorities to perform certain inspectorate functions in terms of section 42(3) of the OSHA.
2. If a person fails to comply with this direction, an inspector may perform any of the functions in section 29 of the OSHA and exercise any of the powers listed in section 30 of the OSHA in order to monitor compliance with this Direction.
3. In so far as any contravention of these Directions constitutes a contravention of an obligation or prohibition under the OSHA, the offences and penalties provided for in section 38 of the OSHA apply.
4. An inspector may, for the purpose of promoting, monitoring and enforcing compliance with the OSHA, advise employees and employers of their rights and obligations in terms of these Directions.



Thank You...