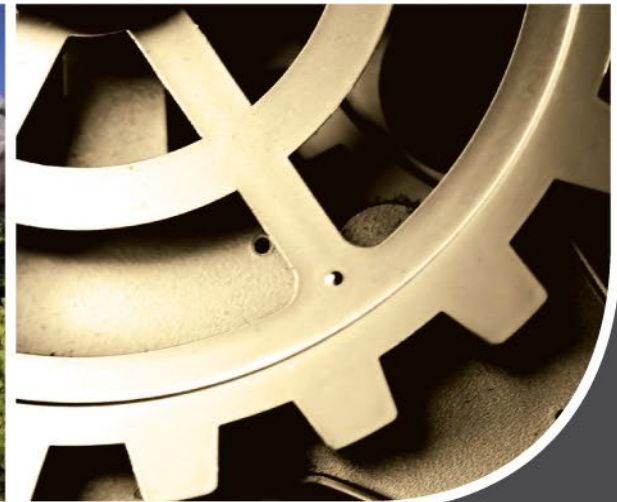


COVID-19 Workplace Preparedness & Prevention

Healthy, Safe & Sustainable Workplaces

Inspector General: Ms. Aggy Moiloa

2022.03.13



employment & labour

Department:
Employment and Labour
REPUBLIC OF SOUTH AFRICA





Healthy, Safe & Sustainable Workplaces

Index

1. Background
2. IES/OHS operations during lockdown
3. The 3 Pillars of Inspections
 - Advocacy, Inspection and Enforcement
4. Challenges
5. DEL's Interventions
 - Covid Direction
 - Construction Covid Guidelines
 - Regulations for Hazardous Biological Agents
 - Ergonomics Regulations
6. Conclusion

Healthy, Safe & Sustainable Workplaces

Background

Since emerging as a global crisis in the late 2019, the COVID-19 pandemic has had a profound impact everywhere. The pandemic has touched nearly every aspect of the world of work, from the risk of transmission of the virus in workplaces, to occupational health and safety risks that have emerged as a result of measures to mitigate the spread of the virus.

Healthy, Safe & Sustainable Workplaces

Background cont....

The Department of Employment and Labour, and in particular the IES Branch together with the Compensation Fund, had taken this opportunity to raise awareness and stimulate dialogue on the importance of creating and investing in a resilient and combative Occupational Health and Safety systems, stressing upon both Government and Private Sector to play a role in mitigating and preventing the spread of COVID-19 at the workplace.

Healthy, Safe & Sustainable Workplaces

IES/OHS operations during lockdown

- The country went into national lockdown from the 27 March 2020 which meant that all non-essential services were immediately impacted by the closure. This brought the economy to a virtual shutdown in order to put in place the necessary policies, systems and structures to manage the arrival of COVID-19 (SARS-CoV-2)
- While there was a regulation in place in the form of the Hazardous Biological Agents, a decision was taken to introduce stronger policy in relation to COVID-19 that responded directly to the pandemic.

Healthy, Safe & Sustainable Workplaces

IES/OHS operations during lockdown

- An additional **500** OHS inspectors were added during the financial year. This took the tally of OHS inspectors to **674**.
- Training was provided to inspectors during the course of the FY on both new Directions published as well as the 22 Regulation of OSHA.
- Advocacy sessions, mostly in the form of webinars, were conducted for external stakeholders. A fair amount of these were done in conjunction with our strategic partners.
- more than 30 000 OHS inspections were conducted during the 2019-2020 Financial Year which is in excess of that which was planned.



Pillars of inspections and Enforcement Services

The IES had premised its intervention during the covid period on its three fundamental pillars, Viz:

- ❖ **Advocacy**
- ❖ **Inspections**
- ❖ **enforcement**

Healthy, Safe & Sustainable Workplaces

Inspection during March 2020-April 2021

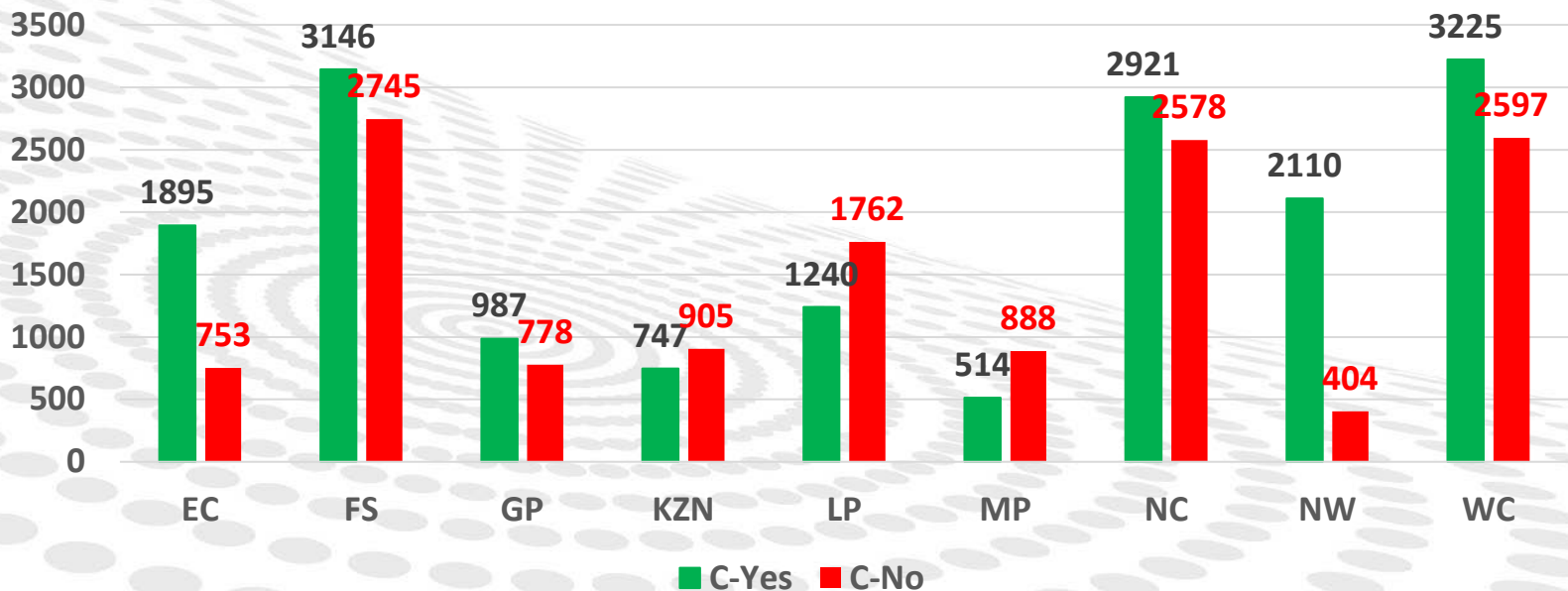
Provinces	Total Inspections	Number Compliant	Number non-Compliant	% Comp as at 31 March	% Non-Comp as at 31 March
EC	2648	1895	753	71,6	28,4
FS	5891	3146	2745	53,4	46,6
GP	1765	987	778	55,9	44,1
KZN	1652	747	905	45,2	54,8
LP	3002	1240	1762	41,3	58,7
MP	1402	514	888	36,7	63,3
NC	5499	2921	2578	53,1	46,9
NW	2514	2110	404	83,9	16,1
WC	5822	3225	2597	55,4	44,6
Grand Total	30195	16785	13410	55,6	44,4

Healthy, Safe & Sustainable Workplaces

Inspection

The highest non-compliance levels are in the MP, LP and KZN at 63%, 59% and 55% respectively

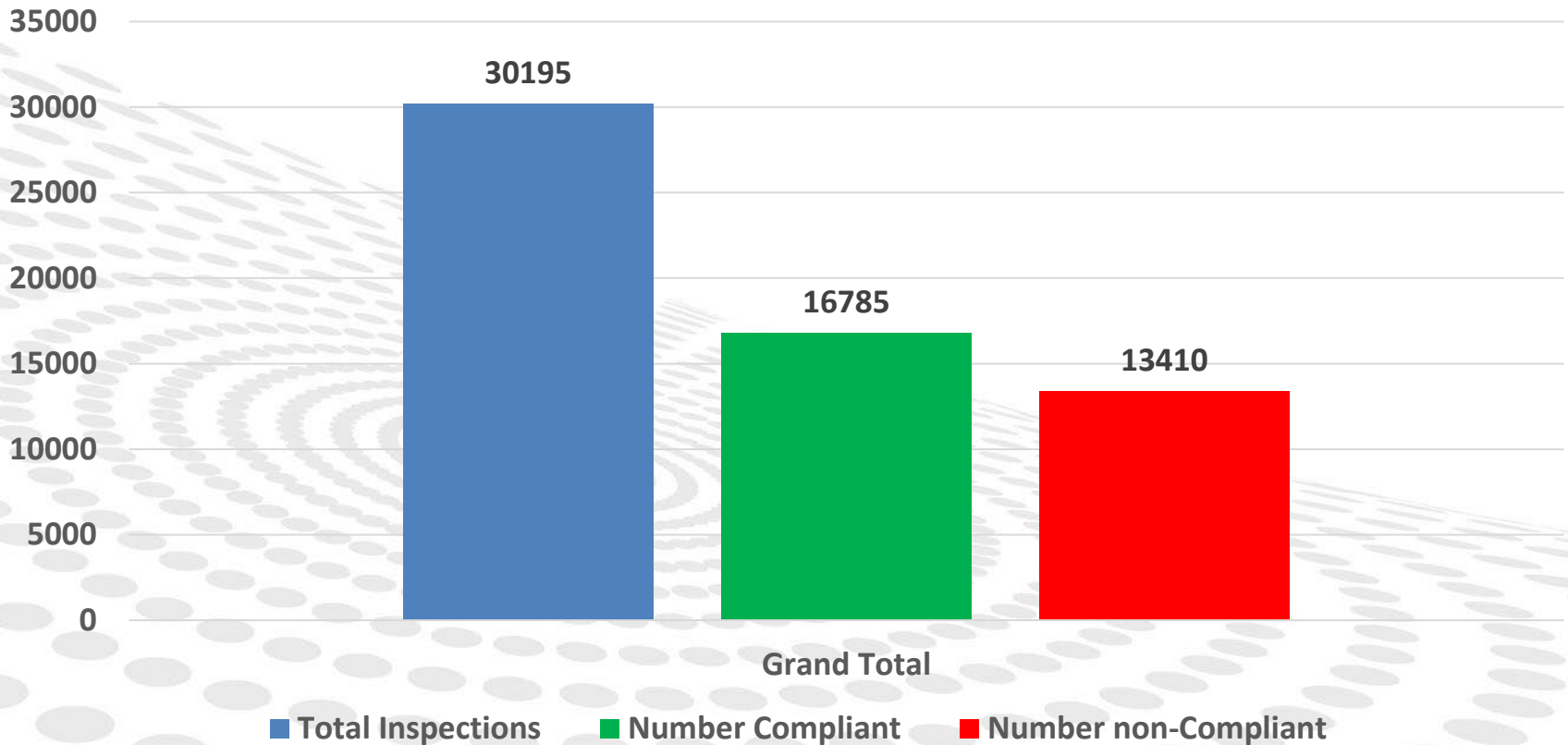
Compliance vs Non-compliance



Healthy, Safe & Sustainable Workplaces

Inspection

NATIONAL OHS INSPECTIONS FROM APRIL 2020 TO MARCH 2021

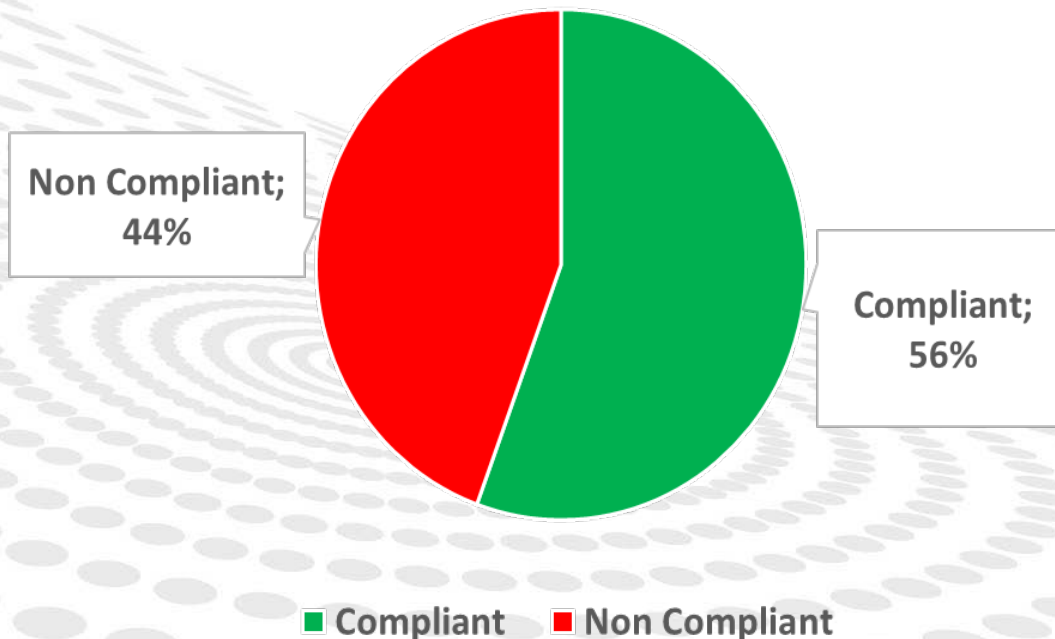


Healthy, Safe & Sustainable Workplaces

Advocacy, Inspection and Enforcement

NATIONAL OHS INSPECTIONS FROM APRIL 2020 TO MARCH 2021

% of Compliance vs None Compliance



Healthy, Safe & Sustainable Workplaces

Inspection

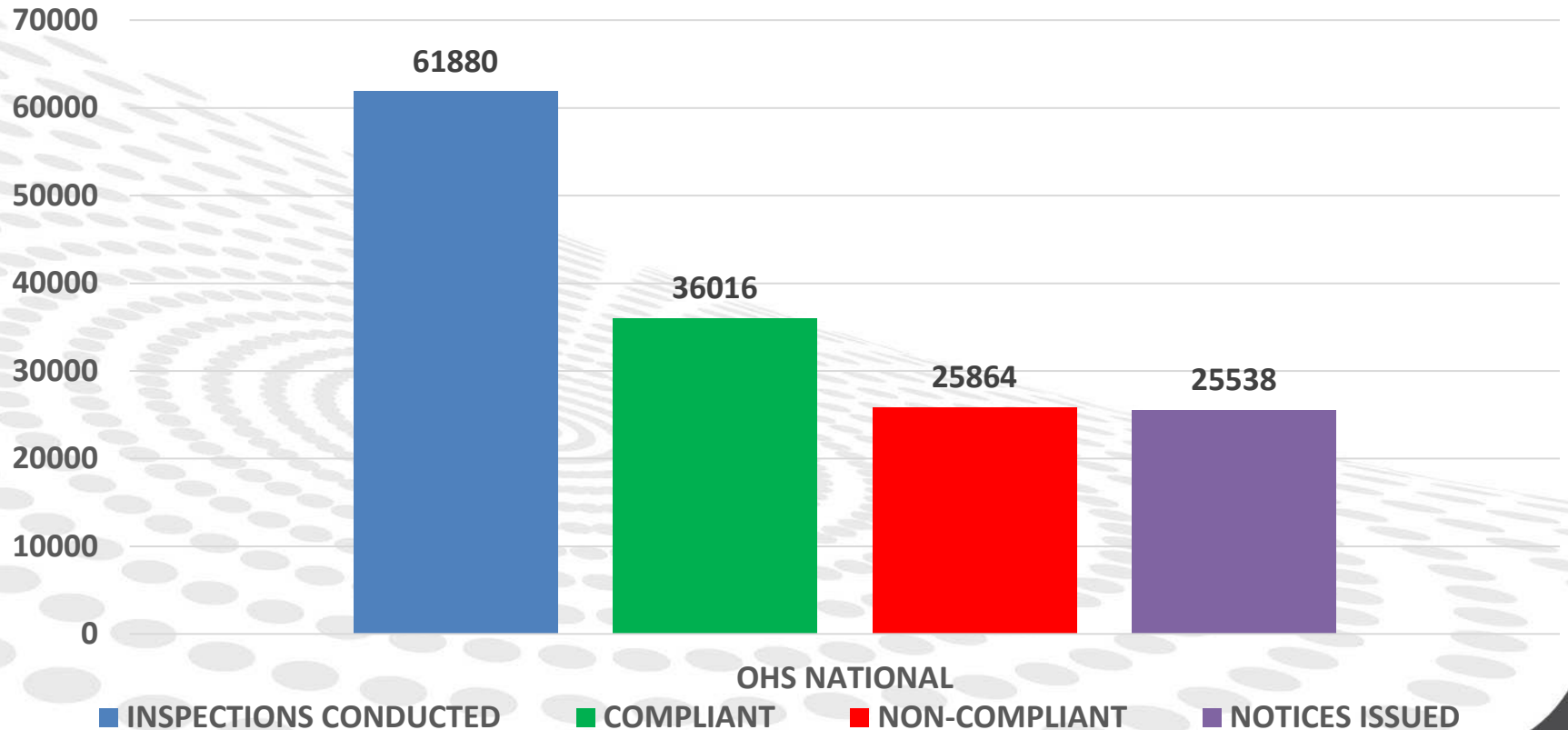
OHS Inspections conducted from April 2021 to December 2021

PROVINCE	INSPECTIONS CONDUCTED	COMPLIANT	NON-COMPLIANT	NOTICES ISSUED
EC	5720	4262	1458	1458
FS	7738	5378	2360	2217
GP	10541	8229	2312	2310
KZN	14166	7353	6813	6782
LP	4870	1998	2872	2869
MP	3892	1396	2496	2496
NC	2107	941	1166	1046
NW	3578	1908	1670	1670
WC	9081	4387	4694	4668
HO	187	164	23	22
TOTAL	61880	36016	25864	25538

Healthy, Safe & Sustainable Workplaces

Inspection

OHS Inspections conducted from April 2021 to December 2021

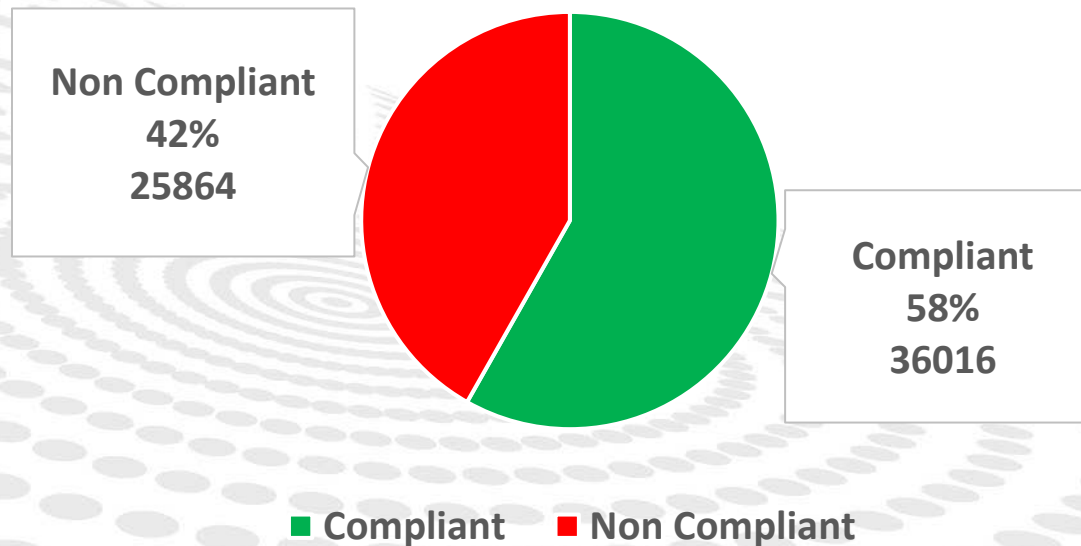


Healthy, Safe & Sustainable Workplaces

Inspections

OHS Inspections conducted from April 2021 to December 2021

% OHS COMPLIANT VS NON COMPLIANT



Healthy, Safe & Sustainable Workplaces

Inspection

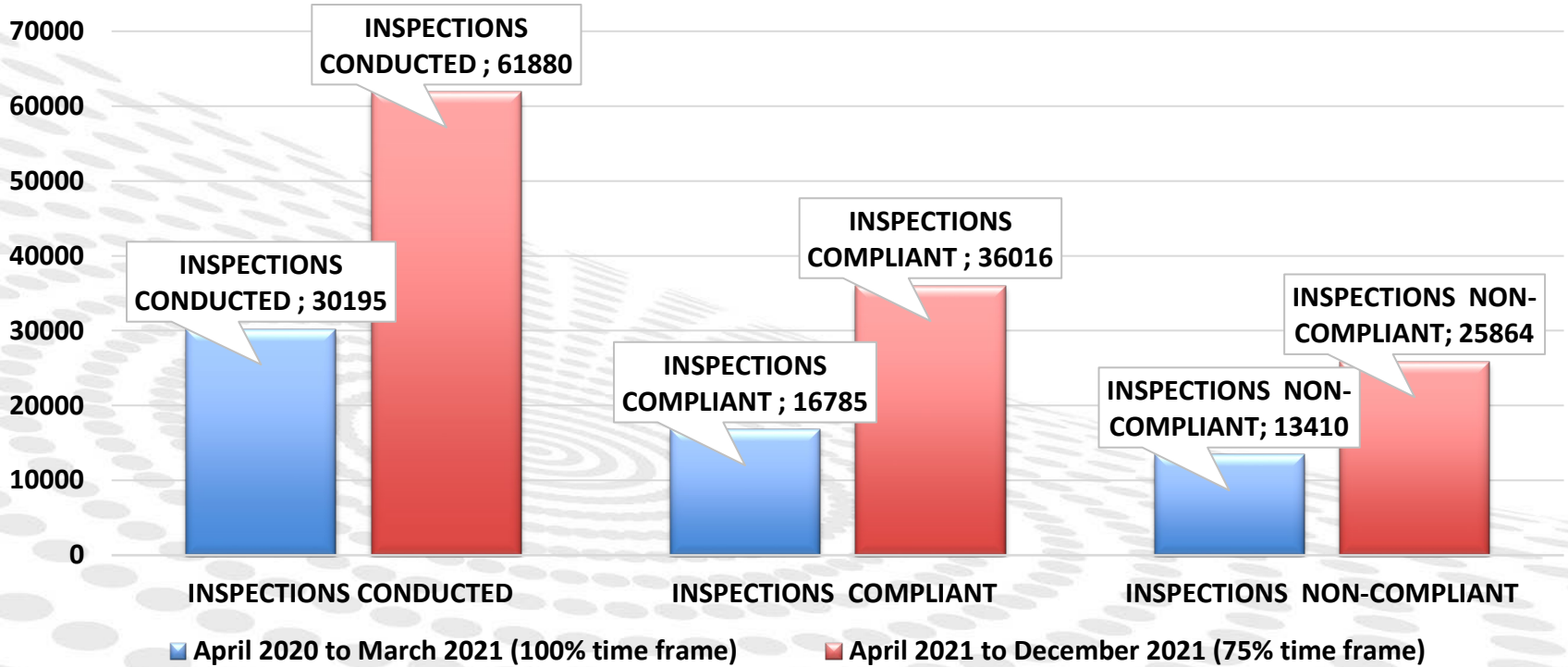
	April 2020 to March 2021 (100% time frame)	April 2021 to December 2021 (75% time frame)
INSPECTIONS CONDUCTED	30195	61880
INSPECTIONS COMPLIANT	16785 (56%)	36016 (58%)
INSPECTIONS NON- COMPLIANT	13410 (44%)	25864 (42%)

- An improvement of 31685 Inspection by Q3.
- Compliance rate from 56% to 58%, up by 2%
- Non Compliance rate from 44% to 42%

Healthy, Safe & Sustainable Workplaces

Inspection

April 2020 – March 2021 vs April 2021 – December 2021





Healthy, Safe & Sustainable Workplaces

Challenges encountered during various lockdown levels.

- All advocacy contact sessions (Seminars, workshops and trainings) were cancelled. Virtual advocacy sessions lacked interaction and proper assessment as compared to contact sessions.
- Working from home proved to be a challenge because not all areas had adequate network coverage.
- Some Inspectors were infected and or affected by Covid and had to either isolate from work or care for families.
- Most workplaces were not prepared for Covid inspections and some businesses were temporarily closed.
- Backlog of non compliant cases due to closure of some NPA functions.
- Difficulties to enforce OHS in the “home” environment due, in the main, to policy gaps

Healthy, Safe & Sustainable Workplaces

DEL Interventions.

The Department promulgated the COVID Direction With emphasis on (Regulation 4(10) of the Regulation R480 of 29 April 2020 in terms of Section 27(2) of the Disaster Management Act, 2002) , this focused on the following, inter alia:

Administrative interventions, such as appointment of **compliance officers and training.**

Hierarchy of controls (including administrative and engineering ones) such as **developing risk assessments and ensuring compliant workstations in terms of adequate ventilation, social distancing, provision of PPE's etc.**

Healthy, Safe & Sustainable Workplaces

DEL Interventions.

The Department published the **Construction Covid Guidelines**.

- The construction guidelines were developed to address issues of compliance with Covid direction and other related regulations in construction sites because they are predominantly outdoors and some construction work were allowed even during level 4 of lock-down.

Healthy, Safe & Sustainable Workplaces

DEL Interventions.

The Department published the Construction Covid Guidelines.

The construction Covid guidelines ensures that employers are guided on how to comply with Covid direction/regulations during all stages of the construction work **from Project Initiation**, (Concept and Feasibility, Design Development, Tender Documentation and Procurement, Construction Documentation and Management and) **to Project Close – Out .**

Healthy, Safe & Sustainable Workplaces

DEL Interventions.

The Department amended the Regulations for Hazardous Biological Agent (RHBA).

- The promulgated HBA have been drafted in such manner that provides regulatory framework to respond to pandemics that may emerge in the workplace.
- The Regulations apply to all workplaces under the scope of DEL whereby HBA is produced, processed, used, handled, stored or transported

Healthy, Safe & Sustainable Workplaces

DEL Interventions.

The Department amended the Regulations for Hazardous Biological Agent (RHBA).

- The regulations also place onus on the employer to **comprehensively instruct, inform and train any employee at risk of being exposed or exposing others to HBAs** with regard to the contents and scope of these Regulations.

Healthy, Safe & Sustainable Workplaces

DEL Interventions.

The Department amended the Regulations for Hazardous Biological Agent (RHBA).

The regulations clearly outlines the following measures to ensure that the risk assessment meets the required standard:

The risk assessment must be conducted by a competent person and it must be documented and as a minimum, the following information must be included:

- The nature of HBA and possible route or exposure
- What effects HBA can have on employees including pregnant, immunocompromised and vulnerable employees

Healthy, Safe & Sustainable Workplaces

DEL Interventions.

The Department amended the Regulations for Hazardous Biological Agent (RHBA).

The risk assessment must be conducted by a competent person and it must be documented and as a minimum, the following information must be included:

- Potential allergenic, infectious or toxic effects that may result from the activities at the workplace
- Knowledge of diseases from which employees might be suffering and which may be aggravated by conditions at the workplace.
- Employer must develop a documented action plan for the implementation of recommendations identified in the risk assessment.

Healthy, Safe & Sustainable Workplaces

DEL Interventions.

The Department amended the Regulations for Hazardous Biological Agent (RHBA).

The regulations further require that if there is a possible exposure of any person to HBAs at the workplace, then the employer must have a documented system of medical surveillance which consist of

- **the initial health evaluation,**
- **periodic medical examinations and**
- **exit medical examinations.**

DEL Interventions.

The Department amended the Regulations for Hazardous Biological Agent (RHBA).

The regulations have considered the lessons learnt during the SARS-CoV-2 pandemic and included the Non-Pharmaceutical Interventions which include the following:

- **Hand hygiene**
- **Gloves**
- **Face or eye protection**

Healthy, Safe & Sustainable Workplaces

DEL Interventions.

The Department amended the Regulations for Hazardous Biological Agent (RHBA).

The regulations have considered the lessons learnt during the SARS-CoV-2 pandemic and included the Non-Pharmaceutical Interventions which include the following:

- **Protective clothing**
- **Respiratory protective equipment**
- **Other relevant process safety equipment**

Healthy, Safe & Sustainable Workplaces

DEL Interventions.

The Department amended the Regulations for Hazardous Biological Agent (RHBA).

Additional measures include:

- Separation of different infectious processes from each other and from persons
- Barrier isolation of a process or agent
- Local exhaust ventilation
- General ventilation

Healthy, Safe & Sustainable Workplaces

DEL Interventions.

The Department amended the Regulations for Hazardous Biological Agent (RHBA).

Additional measures include:

- Air and surface disinfection
- Positive static air pressure differential from infectious process to human occupied zones
- The regular cleaning of machinery and work areas with vacuum cleaners fitted with air filters with an arrestance of not less than 99.95%

Healthy, Safe & Sustainable Workplaces

DEL Interventions.

The Ergonomics Regulations -

are applicable on the hybrid models that are being used in the new way of work as the cognitive aspect as well as the changes in organizational policies have come to the forefront. Both the and cognitive and organizational aspects are one of the critical domains in the field of ergonomics.

Healthy, Safe & Sustainable Workplaces

DEL Interventions.

The Ergonomics Regulations -

- With the promulgation of the Ergonomics Regulations, on the 6th December 2019, DEL sort to reduce the risk of exposure to ergonomic risk factors in the workplace.
- The regulations cover all three domains of ergonomics; **physical, cognitive and organisational**, as it is rare that a workplace will only have hazards relating to one or two of the domains. For the successful implementation of the Ergonomics Regulations, a holistic, programme approach should be followed by the employer.

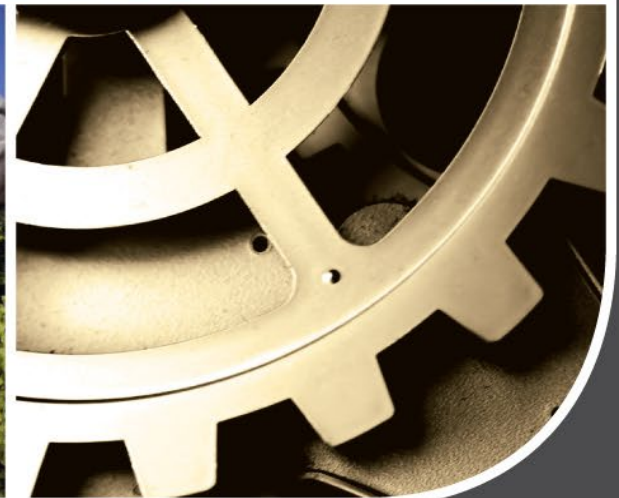
Healthy, Safe & Sustainable Workplaces

Conclusion.

The DEL during the Covid-19 Pandemic conducted inspections and advocacy sessions with regards to

- Promulgated Covid Direction
- Published Construction Covid Guidelines
- Regulations for Hazardous Biological Agents
- The Ergonomics Regulations in hybrid working environment .
- Beefed up the inspectorate capacity.

THANK YOU



employment & labour

Department:
Employment and Labour
REPUBLIC OF SOUTH AFRICA

