

SOLIDARITY'S 10-POINT PLAN FOR A HEALTHY AND SAFE RETURN TO WORK UNDER THE ADJUSTED LEVEL 3 COVID-19 LOCKDOWN OF 29 DECEMBER 2020

Despite the ongoing Covid-19 pandemic, it is vital that the South African economy stays afloat and remains stimulated to grow. There is no option for a choice between health or work, and Solidarity is an advocate in ensuring a healthy workplace for all employees. In support of this, Solidarity has developed this plan to help employers to have their employees return to work safely and healthily. The return to the workplace after a period of closure poses major health and safety risks and it is important that necessary planning and steps are taken to secure the workplace before employees return.

1. The legal responsibility of all employees to ensure a healthy and safe workplace is still in place and is the foundation for providing a healthy workplace. The directives, as issued by the Department of Employment and Labour in terms of the Occupational Health and Safety Act and COIDA, are still valid and must be applied.
2. It is particularly important that employers analyse the threats and risks of health and safety at the workplace, including the risk of Covid-19, and that employers determine which measures are needed to eliminate these threats and risks, implement these measures, and monitor and enforce employees to comply with these measures. The threats and risks may even differ at similar places, such as the ablutions for different genders. The risk analysis must be done continuously since changing circumstances may change the risks and even create new risks.
3. In terms of the adjusted Level 3 lockdown regulations, all workplaces may continue with their activities unless specifically excluded from the regulations [regulation 45(1)], subject to the conditions and principles mentioned below.
4. The basic rule is: All persons that can work from home, should work from home [table 2 of regulation 5]. To limit their exposure, it is important that those working from home leave the



www.solidariteit.co.za

Solidariteit Hoofkantoor | Solidarity Head Office

T: 012 644 4300 | F: 012 349 8510 | E: badbgv@solidariteit.co.za

H.v. DF Malanrylaan en Eendrachtstaat, Kloofsig | Cnr DF Malan and Eendracht Streets, Kloofsig

house as little as possible.

5. If it is necessary for employees to be at the workplace, the following conditions must be met:
 - 5.1 All relevant health protocols, such as the disinfection of workplaces, the washing and disinfection of hands, record keeping of persons entering the workplace, maintaining social distance (at least 1,5 meters), and assuring good ventilation must be strictly complied with [regulation 45(2) read in conjunction with table 2 of regulation 5].
 - 5.2 Note that employers must take measures to ensure the physical distance between employees among themselves and with other persons, including to:
 - have employees work from home or limit their physical presence at work;
 - ensure that there is sufficient space at the workplace for maintaining social distancing;
 - limit face to face meetings; and
 - to take special measures to accommodate vulnerable employees with known health risks, especially in the face of Covid-19 and employees above the age of 60 [regulation 45(8)].
 - 5.3 It is important that those at the office visit as little public places as possible during office hours in order to limit their exposure.
 - 5.4 Returning to the office should take place in phases in order to provide enough time to put measures in place to get the workplace ready for Covid-19 [table 2 of regulation 5].
 - 5.5 Returning to the office must be done in such a way that the risk of infection is avoided and reduced (*sic*) [table 2 of regulation 5].
 - 5.6 The work may not be excluded specifically in the exclusions in terms of table 2 of regulation 5.
 - 5.7 Compliance officers must be appointed at each workplace [regulation 46].

6. Businesses must also comply with all sector specific health protocols as may be determined, which may include job rotation, distributed work hours, shift systems and teleworking, and special provision for vulnerable persons [regulation 45(4)(a) and (b)].
7. Please note that the movement of persons between 21:00 and 05:00 is prohibited, unless the person is in possession of a permit in the prescribed format, as contained in form 7 of annexure A to the regulations or in the case of a safety or medical emergency [regulation 33(1)]. Employers must ensure that employees that needs to move from their place of residence, outside these hours, for urgent essential work requirements are in possession of a duly completed permit to authorise such movement.
8. The wearing of masks is compulsory for all persons in a public place, including the workplace [regulation 3(2)]. Employers may not allow any employee to enter the workplace or to do any work without a mask [regulation 34(5)]. Employers should therefore provide for taking relevant steps to ensure the mandatory wearing of masks in the appropriate manner.
9. Employees need to be made aware that safety starts at home. They must also strictly adhere to the safety and health protocols outside the work environment in order to limit their own exposure and that of their families, and to reduce the risk of infection of their colleagues in the event that they are asymptomatic.
10. Refer to Solidarity's Code of Good Practice: Measures to ensure healthy decent return to work during and after the Covid-19 pandemic, for more detailed information about the abovementioned.