

23rd April 2020

Dear Client

COVID-19 EMPLOYER LEGAL REQUIREMENTS - RETURN TO THE WORKPLACE

As we work together to navigate these unprecedented times, it is evident that the global COVID-19 pandemic has extended into the core of our personal and professional lives. The workplace as we know it will change in the short to medium term, maybe even long term. I have been consulting to industry for 32 years, and like you, have never faced a societal situation like this before.

Our President announced tonight that all businesses should prepare themselves for the orderly and safe return of their employees to the workplace. We would thus be honoured to assist your organisation in responding to the President's request in these uncertain times. Safetrain cc t/a Safetech is uniquely skilled, as we are Department of Employment and Labour Approved Inspection Authority as well as an accredited SANAS Inspection Body.

Legal Requirements

There are a number of legal notices that have been published by the South African government regarding workplace safety that directs you to protect your most valuable assets, namely, your staff and customers. These regulations and notices are listed in Annexure A to this document and all require your action.

EMPLOYER RESPONSE

The legal notices and regulations require you take four actions, Safetech has developed the following services to assist you in meeting the aforementioned legal requirement.

1. Risk Assessment

- a. The updating of your hazard identification and risk assessment is the main workplace method to protect your employees. This identifies where the infection hazards can be expected and what the risk level is of the identified hazards.
- b. The required controls are then identified including engineering, administrative and personal protective equipment controls.
- c. Safetech has developed a Risk Assessment Tool where we evaluate 100 factors to identify your COVID-19 hazards and risk level. A score is then generated in order to compare a future compliance level. We can conduct the risk assessment on-site for you, or you can purchase the Risk Assessment Tool for your own use.

2. Employee Training

- a. Section 8(2e) and Section 13 of the OHS Act requires the employer to provide training and information to the employee regarding the hazards in the workplace and the controls and measure necessary to protect the employee.
- b. Safetech has developed a set of three videos to train all employees and contractors on the hazards of COVID-19 and the basic measures to protect themselves and others. The main instructional video is available in English and isiXhosa. The two accompanying videos show the employee how to use a respirator properly and how to effectively wash their hands.

3. Information Campaign

- a. In order to get the message across regarding the hazards and controls needed at the workplace, an information campaign is required.
- b. Safetech has developed a set of ten laminated high-quality posters that can be displayed in the workplace. These can be used as discussion points when conducting team briefings and induction training etc.

4. PPE

Safetech has made contact with several suppliers of equipment such as face shields, sanitizers, respiratory equipment and protective gloves. We can put you in direct contact with these suppliers. We will not profit at all from your purchases and are merely assisting you to protect your staff and procure the correct equipment.

I trust that you have found the above information valuable. Safetech would really like to partner with your organisation in developing an adequate response in this challenging time.

We can be contacted as follows in order to discuss your exact requirements:

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Keep Healthy and Safe



Dr Brett Williams

(Annexure A, the COVID-19 legal notices are on page 4 below)

Annexure A

COVID-19 Legal Notices

- The Department of Employment and Labour issued a notice regarding titled “*Workplace Preparedness: COVID-19 (SARS-CoV-19 virus)*”. The main purpose of this notice is to ensure that your Section 8 (2d) workplace risk assessment is updated, and adequate controls are identified. The notice is silent on the updating of the Hazardous Biological Agents Regulation 6 risk assessment, but we assume the intention is to update this as well.
 - The Department of Health has issued a guideline titled “*Guidelines for symptom monitoring and management of essential workers for COVID-19 related infection*”. This notice provides guidance on how to monitor essential workers as well as the procedure to follow when an employee is suspected of a COVID-19 infection.
 - The Workmen’s Compensation Commissioner has published a “*Notice on Compensation for Occupationally-Acquired Novel Corona Virus Disease (Covid-19) Under Compensation for Occupational Injuries and Diseases Act, 130 Of 1993 As Amended*”. The purpose of the notice is to ensure that all employees who contract COVID-19 during the employment are covered by the COID Act. Strict conditions apply to deciding if the infection arose out of and in the course of their employment.
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