

LEVEL 1 LOCKDOWN REGULATIONS

KEY CONSIDERATIONS FOR EMPLOYERS

On 18 September 2020, government published new regulations on the alert level 1 lockdown which took effect at 00h01 on Monday, 21 September 2020. We highlight the key considerations for employers below.



NATIONAL CURFEW STILL IN PLACE

The national curfew (00h01 – 04h00) remains in place under alert level 1.

Employees who are required to work during the curfew must be issued with a permit by their employer. Permits should be in the format of Form 7 of Annexure A under the regulations.

EXTENSION OF NATIONAL STATE OF DISASTER



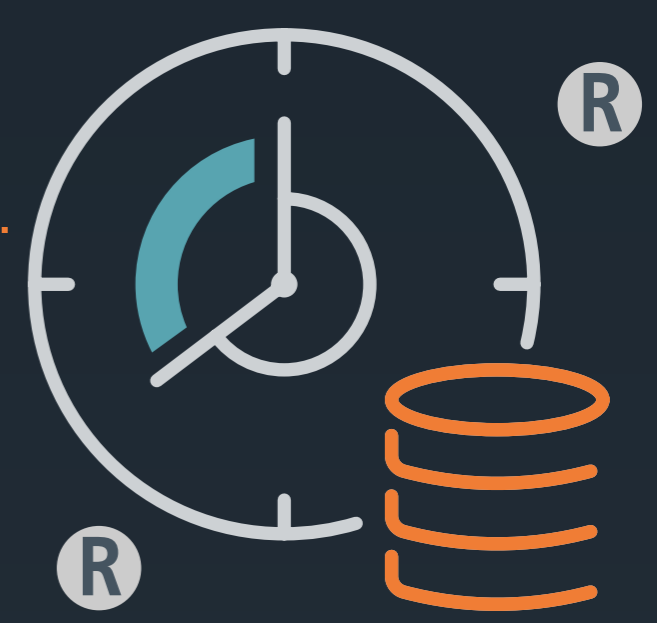
The national state of disaster has been extended by a further month to 15 November 2020.

OPERATION OF ECONOMIC SECTOR

All businesses may operate except for those listed under specific economic exclusions (see Specific Economic Exclusions below).

Employers that are operational must adhere to relevant health protocols and social distancing measures.

Employers must also ensure that they adhere to any sector specific health protocols. These protocols may address issues such as work rotation, staggered working hours, shift systems, remote-working arrangements and vulnerable employees.



PHASED-IN RETURN OF EMPLOYEES



Employees are permitted to travel to and from work for work purposes subject to:

- strict adherence to health protocols and social distancing measures
- the phased-in return of employees
- return to work being undertaken in a manner that avoids and reduces risks of infection

The regulations still provide that employees who are able to work from home must do so.

COMPLIANCE OFFICERS

Employers are still obligated to designate a Covid-19 compliance officer who must oversee the implementation of the Covid-ready workplace plan and ensure strict adherence to health protocols in the workplace.

The compliance officer must develop a plan that contains measures to ensure that the workplace meets the standards of health protocols, adequate space for employees and social distancing measures.

PARTIAL RE-OPENING OF SOUTH AFRICA'S BORDERS

From 1 October 2020 –

- travelling to and from South Africa will be allowed (subject to restriction to and from certain countries that are categorised as high risk)
- travellers must provide proof of a negative Covid-19 test (that is not older than 72 hours before the date of travel). Where this is not possible, the traveller will be required to quarantine at his or her own costs

Travellers to and from South Africa must adhere to health protocols and social distancing measures.

International air travel will be permitted at OR Tambo International Airport, Cape Town International Airport and King Shaka International Airport only.

The Minister of Home Affairs has also published new directions on the resumption of services for visa applications.



GATHERINGS AT WORKPLACES AND FOR CONFERENCES ARE PERMITTED

Gatherings at a workplace for work purposes are permitted. Employees must wear a face mask and adhere to all health protocols and social distancing measures when attending a gathering.

Gatherings at conferences and meetings are limited to 250 persons or less (for indoor gatherings) and to 500 persons or less (for outdoor gatherings).

If any gathering contravenes the regulations, an enforcement officer must order the gathering to disperse and if such an order is not followed, the officer may arrest or detain such persons.

C-19 TERS BENEFITS

A new direction which regulates the extension of C-19 TERS benefits provides that such benefits will be available for the duration of the national state of disaster (currently in place until 15 October 2020). For the extended application period, only certain categories of employees are eligible to apply:

CATEGORY 1:

Employees who cannot work due to full/partial closure

Employees whose employers are not permitted to operate fully/ partially

CATEGORY 2:

Vulnerable employees

Vulnerable employees whose employers are unable to make alternative arrangements/ implement special measures for such employees to return to work

CATEGORY 3:

Employees who cannot be fully utilised

Employees whose employers are unable to make use of their services fully/partially due to operational requirements

Employers must apply at the following website: www.uifecc.labour.gov.za/covid19.



ALERT LEVEL 1: SPECIFIC ECONOMIC EXCLUSIONS

- 1 Night vigils
- 2 Night clubs
- 3 The 35 land borders that remain closed.
- 4 Initiation practices
- 5 Passenger ships for international leisure purposes
- 6 Attendance of any sporting event by spectators

- 7 International sports events
- 8 Exclusions relating to public transport services as set out in the directions issued by the Cabinet member responsible for transport
- 9 Exclusions relating to education services as set out in the directions issued by the Cabinet members responsible for education

CONTACT US

Contact our employment, health and safety team for advice.

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