

NEW LEVEL 3 LOCKDOWN REGULATIONS

KEY CONSIDERATIONS FOR EMPLOYERS

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On 12 July 2020, government published new amendments to the current level 3 lockdown regulations. We highlight some key considerations for employers below.

CLOTH FACE MASKS

The wearing of a cloth face mask (or similar homemade/appropriate item) is mandatory for every person when in a public place. This includes the workplace.

» No person (including visitors and customers) should be allowed to enter a workplace if that person is not wearing a cloth face mask.



NO MASK, NO WORK



Employers must provide all employees with cloth face masks (or similar homemade/appropriate items) for use whilst at work.

» Employers may not allow employees to enter the workplace or perform any duties if they are not wearing cloth face masks (or similar homemade/appropriate items).



MANAGERS & OWNERS OF BUILDINGS BEWARE

Managers and owners of a building, place or premises used by the public to obtain goods or services who allow persons to enter the building without a cloth face mask commit an offence under the regulations.

» The manager/owner will be liable to a fine or to imprisonment for a period not exceeding 6 months.

NEW OFFENCES AND PENALTIES FOR EMPLOYERS

Employers will be guilty of an offence under the regulations if:

- They fail to provide their employees with cloth face masks; and/or
- They allow employees to enter the workplace or perform their duties without wearing cloth face masks.

» Defaulting employers will be liable to a fine or to imprisonment for a period not exceeding 6 months.



NATIONAL CURFEW REINTRODUCED

A national curfew (21h00 -04h00) has been reintroduced under alert level 3.

» 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 2 of Annexure A under the regulations.

EXTENSION OF NATIONAL STATE OF DISASTER

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

C-19 TERS BENEFITS

If employers cannot operate (wholly or partially) during the level 3 lockdown, affected employees qualify for C-19 TERS benefits under the UIF. June applications for TERS are open.

» Employers must apply at the following website:
<https://uifecc.labour.gov.za/covid19>



AMENDED TABLE 2 - ALERT LEVEL 3: SPECIFIC ECONOMIC EXCLUSIONS

- 1 Sale, dispensing or transportation of liquor except as provided for in regulation 44.
- 2 Sale of tobacco, tobacco products, e-cigarettes and related products to members of the public and to persons including retailers who sell directly to the members of the public, except as provided for in regulation 45.
- 3 Hotels, lodges, bed and breakfasts, timeshare facilities and resorts and guest houses, for leisure purposes.

- 4 Short term home-sharing / letting / leasing/rental.
- 5 Domestic passenger air travel for leisure purposes.
- 6 Passenger ships for leisure purposes.
- 7 Sporting events, except as provided for in Chapter 4 of the Regulations.

- 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

We can advise employers on all employment and health and safety considerations related to returning to work. Contact our employment, health and safety team for advice.