



REQUIREMENTS APPLICABLE TO THE PUBLIC SERVICE IN TERMS OF COVID 19.

1. The obligations set out in this document are informed by the following prescripts and circulars, which were issued to manage, contain and prevent the spread of COVID-19, as well as to prepare the workplace for the gradual return of employees:

- a) DPSA Circular No. 7 OF 2020 issued on the 16 March 2020;
- b) DPSA Circular No. 15 of 2020 issued on the 25 March 2020;
- c) Regulations issued in terms of Section 27(2) of the Disaster Management Act, 2002 (Act No. 57 of 2002), issued by the Minister of Cooperative Governance and Traditional Affairs (COGTA) on 29 April 2020;
- d) COVID-19 Occupational Health and Safety Measures in workplaces issued by the Minister of Labour and Employment on the 29 April 2020;
- e) DPSA Circular No. 18 of 2020 issued on 1 May 2020; and
- f) Public Service Regulations of 2016.

(For purposes of this document the above documents will be referred to collectively as “directives”)

2. The purpose of the directives is to stipulate measures that must be taken by employers to protect the health and safety of employees and members of the public who enter their workplaces or are exposed to their working activities. There for the directives want to ensure that the measures taken by employers under the Occupational Health and Safety Act (OHSA) are consistent with the overall national strategies and policies to minimize the spread of COVID-19, and to -

- a) provide for the determination of critical services required for the functioning of the Public Service during the COVID -19 state of disaster;
- b) adhere to the general principles set out in the disaster regulations issued by the Minister of COGTA on 29 April 2020;
- c) assist departments in complying of the OHSA;
- d) ensure departments implement business continuity in the delivery of services to citizens; and

- e) ensure that departments have a common approach in the manner in which they deal with employees to limit physical distancing, including enabling employees to work from home or minimizing the need to be physically present at the workplace and the provision of adequate space.

3. Responsibilities of Departments

Heads of Department, as the accounting officer, takes the responsibility for implementation of the directives. Therefore, a Head of a Department must –

- 1) Ensure that government machinery remains functional albeit with limited capacity.
- 2) Conduct a risk assessment to identify risks of COVID-19 outbreak in the department. Identify areas in the department where provisions against COVID-19 are still inadequate and processes to immediately/urgently correct these. If the department has more than 500 employees, the department must submit a record of its risk assessment together with a written policy concerning the protection of the health and safety of its employees from COVID-19 to its health and safety committee and the Provincial Chief Inspector at the Department of Labour and Employment.
- 3) Identify and determine “Critical Services” in the department over and above the essential services designated in terms of the Labour Relations Act as informed by the risk assessment and the social economic impact on business and citizens. Heads of Department must identify critical jobs necessary for service and business continuity that must remain functional.
- 4) Issue a letter or permit to each employee designated in a critical job to facilitate their movement during the lockdown.
- 5) Implement plans for business and service delivery continuity and continuously consider the institutional capacity of the department, which means that in the case of direct services, i.e. services to the public or functioning of back office systems, a head of department should consider skeleton staff, shifts and rotation systems. Employees occupying jobs that do not necessitate their presence at the workplace may be considered for remote work arrangement as a means to minimize travel and possible exposure to COVID-19. There could be a hybrid model of employees at work and others working remotely and sometimes, when so required to report to work (including rotation and shifts). With regard to considerations regarding shifts, rotation and working remotely, the following is relevant:



- a) Minimize the number of workers at the workplace at any given time;
 - b) A register must be kept of employees working from home for auditing of DPSA;
 - c) Supervisors must set clear, precise and measurable goals for employees who work remotely and develop deliverables and time frames, as well as checking of productivity and performance;
 - d) A uniform communication methodology must be put in place;
 - e) In deciding the employees appropriateness to work remotely the heads of departments should consider the higher risk COVID 19 poses to vulnerable employees including those above the age of 60, and those that present with co-morbidities. (Vulnerable employees must submit relevant documentation in this regard as evidence to their HR components);
 - f) Ensure that the necessary infrastructure and IT requirements are in place to facilitate remote working.
- 6) With increase of employees returning to work, consider amending working times to minimize the risk associated with the simultaneous arrival and departure of employees, as well as staggering meal intervals of employees;
 - 7) Limit visits by non-employees, excluding service recipients at service delivery points, and if such visits are absolutely necessary, they must be by prior arrangement.
 - 8) Afford employees sufficient time to prepare for their return to work;
 - 9) Establish a departmental steering committee (inclusive of organized labour) to deal with all issues concerning COVID-19. A Head of Department may assign the functions of the steering committee to the health and safety committee established in terms of section 19 of OHS Act. In essence, the steering committee must prepare for and monitor the return to work process and report to the Head of Department. In the Free State Provincial Government, the Director General recommended on 28 April 2020 in a letter to Heads of Department that Departmental Task Teams, which are substructures for the Provincial Bargaining Chamber, be used to engage organized labour regarding COVID-19 issues and mitigating measures which may be introduced and which may affect their members.



- 10) Assign in writing an employee as the compliance officer as contemplated in the regulations issued in terms of the Disaster Management Act and the compliance officer must –
- a) Determine the area of floor space in square meters;
 - b) Determine the number of service recipients and employees that may be inside the premises at any time with adequate space available;
 - c) Take steps to ensure that persons queuing inside or outside the premises are able to maintain a distance of one and a half meter from one another;
 - d) Provide hand sanitizers for use by the public and employees at the entrance to the premises;
 - e) Ensure that all directions in respect of hygienic conditions and limitation of exposure to persons with COVID 19 are adhered to;
 - f) Develop a plan prior to employees returning to the workplace for the phased increase of employees returning to the workplace, which plan must be in line with Annexure E to the Regulations issued in terms of the Disaster Management Act and must be retained for inspection and contain, in essence, the following:
 - (i) Which officials are permitted to return to work;
 - (ii) What are the plans for phased in in return of the employees to the workplace, including the timetable setting out the phased return-to-work of employees, to enable appropriate measures to be taken to avoid and reduce the spread of the virus in the workplace;
 - (iii) What health protocols are in place to protect employees from COVID-19;
 - (iv) the details of the COVID-19 compliance officer;
 - (v) the date the department will open and the hours of opening;
 - (vi) the steps taken to get the workplace COVID-19 ready;
 - (vii) A list of staff that will work from home, staff who are 60 years or older; and staff with co-morbidities who will be required to stay at home or work from home;
 - (viii) Arrangements for staff in the establishment:
 - i. Sanitary and social distancing measures and facilities at the entrance and exit to the workplace;
 - ii. Screening facilities and systems;
 - iii. The attendance-record system and infrastructure;
 - iv. The work-area of employees;
 - v. Any designated area where the public is served;



- vi. Canteen and bathroom facilities;
 - vii. Testing facilities (for establishments with more than 500 employees);
 - viii. Staff rotational arrangements (for establishments where fewer than 100% of employees will be permitted to work);
 - ix. Arrangements for customers or members of the public, including sanitation and social distancing measures;
- g) Develop a checklist to ensure the requirements relating to the workplace are met.
- 11) Focus on having proper communication channels in the department regarding measures in place as well as the response of the department to the pandemic. Information to employees must be from official sources and packaged in format that is easily understood. Departments must use all available communication platforms;
 - 12) Use all available communication platforms to ensure information is disseminated quickly, accurately and cost effectively.
 - 13) Establish a communication protocol for the reporting of all COVID-19 cases by employees, which could include a dedicated email address where all cases involving COVID-19 could be reported;
 - 14) Communicate to employees the contact details of departmental representatives tasked to deal with COVID-19 for different units, offices and buildings and the requisite steps that have been taken to ensure that the work environment is safe;
 - 15) Conduct awareness programmes on prevention (do's and don'ts – social distancing, use of cloth masks/shield, hand washing, sanitizing), control of COVID-19, work safety, and protocols which employees must adhere to when they return to work;
 - 16) Implement a mechanism to encourage employees to interact with the department on the impact of its measures to contain the spread of COVID-19. Departments must respond to employees' concerns raised through these established mechanisms and address any shortcomings;
 - 17) Assist employees who need support in relation to the impact of COVID-19 through Employee Assistance Programme;
 - 18) Develop guidelines, action plans and protocols to manage confirmed cases of COVID-19 in the department;



- 19) Classify services in terms of Direct, Indirect, Back End and Transversal and inform citizens which key services will be available to them during the 3 months' period (state of disaster period), which include the following-
- a) Has the department decided to limit some of its services to better manage crowds and gatherings;
 - b) Where online services are provided, citizens must be encouraged to use these services;
 - c) Record must be kept of all visitors entering and leaving the department;
 - d) Identifications of a facility/sickbay for isolation purposes, which are well ventilated and regularly cleaned;
- 20) Develop guidelines, action plans and protocols to manage confirmed cases of COVID-19 in the department, which must include the following:
- a) Granting of approval for sick leave to employees who tested positive for COVID-19 in accordance with the Determination and Directive on Leave of Absence in the Public Service or incapacity leave in accordance with the Policy and Procedure on Incapacity Leave and Ill-health retirement processes if the employee has exhausted his/her normal sick leave;
 - b) Granting of approval in terms of Public Service Regulation 51 and NDoH protocols for employees who worked closely with a confirmed case of COVID-19 to self-quarantine for a period of 14 days. Such employees should be requested to work remotely.
 - c) Dealing with employees, who were in contact with unconfirmed cases of COVID-19 in line with NDoH guidelines until the results are known, which include granting of annual leave in accordance with available credits;
 - d) Isolating employees in a sickbay who reports for work showing symptoms of COVID-19 and further action should be taken depending on the diagnosis of a medical professional.
 - e) Reporting all the above cases referred to in (a) to (d) above, in the required format to the Office of the Premier, who must collate the information for the relevant province and submit it to the DPSA at address COVID-19@dpsa.gov.za;



- f) Informing the Department of Health and the Department of Employment and Labour if an employee has been diagnosed with COVID-19, investigate the cause thereof, including the control failure and review its risk assessment to ensure that the necessary controls and PPE requirements are in place and provide administrative support to any contact-tracing measures of the Department of Health;
 - g) Encouraging employees to seek medical attention if they display flu like symptoms and not report for duty;
 - h) Disinfecting the affected workspaces before work begins, regularly during the working period and after work ends;
 - i) Considering closing of unit/component/department if an employee tested positive for COVID based on advice of public health officials who assessed the occurrence and the service delivery needs of the department;
 - j) Ensuring that all employees report when so instructed and any absence should be unpaid and be dealt with in terms of the Disciplinary Code and Procedure;
 - k) Granting family responsibility leave to an employee who has to attend to his/her child, spouse or life partner who is/are either in quarantine or isolation in accordance with the Determination and Directive on Leave of Absence in the Public Service and should the employee have exhausted the family responsibility leave, the employee may apply to use available annual leave or use up to 184 calendar days of unpaid leave.
- 21) Keep up to date with National Department of Health (NDoH) and World Health Organisation (WHO) advice, updates and communicate it to employees;
 - 22) Reprioritize the budget to facilitate funding to deal with COVID-19;
 - 23) Report all employment of temporary employees appointed in terms of Public Service Regulation 57(2)(b) to manage the spread of COVID-19 to the DPSA.
 - 24) Suspend all non-essential travel and any travel must be regarded as travel that is absolutely necessary and required in the interest of service delivery. Departments must establish guidelines that will define essential travel and develop protocols to deal with officials returning from official travel;



- 25) Suspend all non-essential/non-critical meetings inside or outside the department and utilize teleconferences and video conferring as an alternative for face to face meetings. A Head of Department must provide the online collaboration capability to enable virtual meetings. The following are relevant:
- a) Teleconferencing above video conferencing should be considered to save costs (video conferencing should only be used where necessary);
 - b) The RT15 contract provides for various ICT goods and services and could be utilized;
 - c) SITA will make available VPNC technology where so requested by a department;
 - d) Each department must verify whether the identified minimum critical services use ICT for processing, accessing online, over the internet, call centre, email by the public;
 - e) Where services are delivered through ICT the department must consider the connectivity capacity and processing capability of the ICT systems and where necessary bandwidth must be increased and create resilience around each system and back-up the associated data.
 - f) Departments must record and keep the procedures to be followed when systems are recovered, in the event of unplanned downtime caused by increased demand to the systems;
 - g) Departments must have the names of the suppliers, their contact persons and contact numbers who provides support to systems supporting the minimum critical services;
- 26) Keep the number of participants to meetings within the minimum advised by the NDoH and provide the necessary precautionary measures;
- 27) Postpone or cancel all mass gatherings/events;
- 28) Procure from departmental budget sufficient hand sanitizers with at least 70% alcohol content and aligned to recommendations of the NDoH, soap, gloves, masks, tissues, and temperature scanners for use to monitor employee's possible exposure in terms of the COVID-19;
- 29) Comply with any guidelines issued by the NDoH;



- 30) Adhere to the following obligations regarding contact tracing:
- a) Keep a register, containing the details of employees, visitors and service providers that enter the workplace on a particular day;
 - b) The register must include the date, time of entry and departure, name surname, identity number, residential address and cellular number;
- 31) Ensure compliance with the health and safety measures in preparation of the workplace for return of employees, which includes -
- a) Thorough cleaning of the workplace to ensure that it is clean and hygienic, which includes disinfecting of all work surfaces and equipment before work begins and cleaning of all toilets, common areas, door handles and shared electronic equipment;
 - b) Disabling of all biometric systems or making them COVID-19 proof;
 - c) Ensuring that hand sanitizers, soap and paper towels are available for employees (there must be sufficient quantities of hand sanitizers based on the number of employees or other persons who access the workplace);
 - d) Arranging the workspace to adhere to one and a half meter distancing, if it is impracticable arrange that physical barriers are placed on the work stations to form a solid barrier between the employees while they are working or be provided with face shields or visors;
 - e) Determining the number of service recipients and employees that may be inside the department/office/premises at any given time within the adequate space available;
 - f) Configuring entrance and reception areas to contain the transmission of COVID-19 and employees working in these areas should be provided with the requisite PPE;
 - g) Installing physical distance markers at reception, entrances and any other area where queuing is envisaged. Measures must be put in place to manage the queue for people to keep adequate distance from one another;
 - h) Placement of sanitizers should be strategically placed at entrances, common areas, doorways, lifts/elevators, escalators, handrails, where office equipment is shared, etc.;



- i) Displaying protocols as they pertain to the use of shared office equipment and common areas in prominent places;
- j) Screening all employees and any other persons entering the workplace to ascertain whether they have any of the observable symptoms associated with COVID-19, namely fever cough sore throat, redness of eyes or shortness of breath (or difficulty in breathing). Temperature screening must be done as a minimum and departments must adhere to guidelines issued by the NDoH in consultation with the Department of Labour and Employment regarding screening, medical surveillance and testing ;
- k) Requiring employees to report whether they suffer from any of the following additional symptoms, body aches, loss of smell or loss of taste, nausea, vomiting, diarrhea, fatigue, weakness or tiredness and require employees to inform the employer if they experience an of the symptoms in par (j) and/or (k);
- l) Not permitting the employee to enter the workplace or report for work if he or she presents with the symptoms mentioned in par (j) and/or (k);
- m) Isolating the employee if he or she is already at work when he or she presented with the symptoms in par (j) and/or (k) and -
 - (i) provide the employee with a FFP1 surgical mask and arrange for the employee to be transported in a manner that does not place other employees or members of the public at risk to either self-isolate or for a medical examination or testing; and
 - (ii) assess the risk of transmission, disinfect the area and employee's workstation, refer those employees who may be at risk for screening and take any other appropriate measure to prevent possible transmission;
- n) with regard to the employee who presents with symptoms referred to in par. (j) and/or (k) the department must –
 - (i) ensure that the employee is tested or referred to an identified testing site;
 - (ii) deal with the employee's absence from work as set out in par.19 above;
 - (iii) ensure that the employee is not discriminated against on the grounds of having tested positive for COVID-19;
 - (iv) lodge a claim in terms of the Compensation for Occupational Injuries and Diseases Act,1993 (Act No.130 of 1993) if there is evidence that the employee contracted COVID-19 as a result of occupational exposure;



- o) Allow an employee to return to work after he/or she has been diagnosed with COVID-19 and isolated in accordance with the guidelines of the NDoH, only when –
- (i) the employee has undergone a medical evaluation confirming that the employee has been tested negative for COVID-19;
 - (ii) the department ensures that personal hygiene, wearing of masks, social distancing and cough etiquette is strictly adhered to by the employee; and
 - (iii) the department closely monitors the employee for symptoms on return to work.
- p) Ensure that –
- (i) there are adequate facilities for the washing of hands with soap and clean water;
 - (ii) only paper towels are provided to dry hands after washing;
 - (iii) the employees wash their hands and sanitize their hands regularly while at work;
 - (iv) the employees who interact with the public, in addition to the measures mentioned in par.32, are instructed to sanitize their hands between each interaction with the public.
- q) Ensure frontline employees are conversant with the protocols pertaining to COVID-19 in order to respond timeously to identified risks and take the following precautions regarding frontline employees:
- (i) Provide protective equipment (PPE);
 - (ii) Provide sufficient training to assist them to identify the risks and mitigating them;
 - (iii) Ensure that the workspace have sufficient facilities for them to wash their hands;
 - (iv) Ensure the cleaning of hard surfaces on an hourly basis and the cleaning of the surfaces must be recorded on a two hourly basis;
 - (v) Ensure frontline employees are conversant with protocols pertaining to COVID-19 in order to respond timeously to identify risks;
 - (vi) Prevent close or physical contact in the workplace.



- r) Provide every employee required to be at the workplace with at least two cloth masks, which complies with the Guidelines issued by the Department of Trade, Industry and Competition, for the employee as a compulsory requirement to wear while at work. The number of masks to be provided must be informed by the condition of employment. Furthermore, the requirement to wear masks does not derogate from the fact that where a risk assessment indicates that PPE is required, those employees must be provided with accredited PPE in accordance with Health guidelines.
- s) Establish a safe and secure service delivery environment for the public, which include at least -
- (i) Arranging the workplace to ensure that there is a distance of at least one and a half meters between employees and members of the public or between members of the public or put in place physical barriers or provide employees with face shields or visors;
 - (ii) Ensuring cleaning of the waiting area for the public on a two hourly basis;
 - (iii) Provision of hand sanitizers at strategic places for members of the public and ensure that the numbers of members of the public are regulated;
 - (iv) Installation of scanners and ensuring that all members of the public is checked before entering the facility;
 - (v) Referring members of the public who shows symptoms consistent with COVID-19 to a medical professional;
 - (vi) Availing awareness material on COVID-19 to the public advising on the necessity for adherence to the protocols of COVIC-19;
 - (vii) Placing posters on COVID-19 in strategic locations where members of the public can be informed;
 - (viii) Considering to reduce the dependency of the use of paper and instances where paper based system is continued, protocols must be implemented on how documents are handled, conveyed , disposed and stored;
 - (ix) Where possible, making use of online platforms and encourage citizens to utilize such platforms rather than physically visiting service points;
 - (x) Advocating a “clean desk” policy to reduce the risk of surface transmission of COVID-19 and to enable thorough cleaning;
 - (xi) Ensuring that a protocol is in place which includes, but is not limited to, standards of hygiene, adequate space and distancing measures that service providers must adhere to on each visit to the workplace;
 - (xii) Requiring the public to wear face masks.



- t) Ensure the following regarding ventilation –
- (i) the workplace is well ventilated by natural or mechanical means
 - (ii) the ventilation systems are cleaned and maintained;
 - (iii) where reasonably practicable, have an effective local extraction ventilation system with high-efficiency particulate HEPA filters, which is regularly cleaned and maintained, while its vents do not feedback in through open windows.
- u) Check regularly on the websites of the NDoH (<http://www.health.gov.za>), National Institute of Communicable Diseases (<https://www.nicd.ac.za>) and the National Institute for Occupation Health (<http://www.nioh.ac.za>) whether any additional PPE is required or recommended in any guidelines given the nature of the workplace and the nature of the employee's duties.
- 32) Use his or her discretion in dealing with matters not covered in the directives regarding the return to work of employees after easing of the national lockdown.

33. **RESPONSIBILITIES OF EMPLOYEES**

Employees must at least –

- a) Familiarize themselves with and adhere to the new health and safety protocols in relation to COVID-19. Employees who do not comply with the relevant protocols should be disciplined.
- b) Secure and safeguard any equipment and information should they be allowed to work remotely.