

17 June 2021

Dear Valued Member

**REVISED CONSOLIDATED DIRECTION ON OCCUPATIONAL HEALTH AND SAFETY MEASURES**

On 11 June 2021, revised consolidated Directions on Occupational Health and Safety (OHS) measures to combat the spread of COVID-19 came into effect. The new Direction replaces the previous version published in October 2020. Click here to access a copy of the revised OHS Direction: <https://rmi.org.za/download/vaccines-in-the-workplace-revised-ohs-direction/>

The revised OHS direction provides clarity in respect of the return to work of employees diagnosed with COVID-19 and includes several additions and changes. The Business Continuity Plan sent to members on 25 January 2021 will be updated to incorporate these changes and additions and will be recirculated to members as soon as possible. In the interim please note the following:

An employee diagnosed with COVID-19 may only be allowed to return to work:

- 1) Without viral testing, if the worker has completed ten (10) days of isolation from the onset of symptoms:
  - 1.1) In mild cases of infection (not requiring hospitalization);
  - 1.2) In moderate to severe cases of infection (requiring supplemental oxygen or hospitalization) from the date of achieving clinical stability or earlier if the employee obtained a medical certificate confirming his/her fitness to return to work.
- 2) The employer ensures adherence to COVID-19 protocols;
- 3) The employer closely monitors the employee for symptoms after returning to work;
- 4) The employee wears a surgical mask for no less than twenty-one (21) days from the date of diagnosis.

The revised OHS Direction further introduces the obligation of employers to undertake within twenty-one (21) days from 11 June 2021, an updated risk assessment and whether it intends to make vaccinations mandatory in the workplace and identify high-risk employees for this purpose.

Employers are obliged to develop a plan outlining the measures it intends to implement regarding the vaccinations. When developing the vaccination plan, employers must consider the employee's constitutional rights regarding bodily integrity, freedom of religion and opinion. It is important to note that employees may refuse to be vaccinated on the aforementioned constitutional grounds.

Employers are further obliged to provide identified employees with information regarding the COVID-19 virus and the vaccine. In addition, employers should provide administrative support to register employees on the Electronic Vaccine Data System and allow the employee paid time off to be vaccinated.

If an employee suffers side effects from the vaccine, employers should grant paid sick leave in terms of section 22 of the Basic Conditions of Employment Act. Employers may accept a COVID-19 vaccination certificate in lieu of a medical certificate for this purpose.

Please look out for our updated version of the Business Continuity Plan containing all the amendments and additions that will be circulated in due course.

Thank you for your support in adhering to these new directives.



RMI's dedicated help email: [rmicovid19info@rmi.org.za](mailto:rmicovid19info@rmi.org.za)