

25 April 2023

Dear Valued Member,

### **COMPENSATION OF OCCUPATIONAL INJURIES AND DISEASES AMENDMENT ACT SIGNED INTO LAW**

The Compensation for Occupational Injuries and Diseases Amendment Act (COIDA) was signed into law on the 6<sup>th</sup> of April 2023 and comes into effect on a date still to be determined by President Ramaphosa.

The Amendment Act presents greater protection for workers affected by occupational injuries and diseases, and improves compensation benefits to employees for disablement caused by occupational injuries or diseases sustained or contracted in the workplace or during work-related activity, or for death resulting from injuries or diseases. Stakeholders have welcomed and endorsed the progressive provisions of the amended legislation, indicating that it is long overdue. Some key interventions in the Amendment Act include;

- i. Domestic workers are now covered, benefiting largely female workers who had been excluded previously.
- ii. An expanded definition of workers' dependents and beneficiaries will include their spouse(s), children, siblings, parents, and grandparents (thus taking into consideration the country's cultural norms).
- iii. Diseases and post-traumatic stress disorder contracted in the workplace is now included providing relief to millions, including women exposed to gender-based violence at work.
- iv. The amended legislation also protects the livelihood of workers affected by occupational injuries or diseases by introducing a multi-disciplinary employee-based process of rehabilitation and reintegration of injured employees or employees who contracted occupational diseases. This requires employers to exhaust absolutely all rehabilitation and reintegration processes before laying off an employee. Full compliance with the provisions will be incentivised.
- v. Finally, the time frame for submitting claims has been extended from 1 (ONE) to 3 (THREE) years.

The Department of Employment and Labour as well as the Compensation of Occupational Injuries and Diseases Fund are geared towards putting in place the necessary measures to ensure that the Act comes into effect no later than May 2023.

Any further information received regarding this matter will be circulated to all members.

If you have any queries in this regard, please contact your local IR Specialist:

[IR Contacts - Retail Motor Industry Organisation \(rmi.org.za\)](http://rmi.org.za)

Regards,



**JEFF MOLEFE**  
**DIRECTOR : LABOUR**