

COVID-19: Alert Level 3

Members will recall that the President announced on 28 December 2020 that South Africa would move to an adjusted level 3 owing to increasing numbers of COVID-19 infections. It must be noted that at the time of announcement, most employees were on leave and were due to return on the first week of the new year. Regrettably, the employer did not react to the announcement as it wanted to conduct business as usual, forgetting that employees are returning to a completely different situation than when the country was on level 1 with relaxed conditions. Further, the PSA has noted the increased number of fatalities amongst employees allegedly attributed to COVID-19 and non-compliance with safety protocols.

When the President put the country on Level 3 in June 2020, the PSA warned the employer against the premature recalling of employees but the warning was disregarded. The employer should shoulder the blame, hence the PSA recently made a clarion call for government to assist in flattening the curve amidst the second wave of COVID-19 by allowing employees to work from home.

Whilst the PSA is engaging in different forums, shop stewards and those representing labour in COVID-19 OHS Committees are urged to engage the employer in pursuit of safe workplace as per COVID-19 regulations. Where the employer is failing to comply with safety protocols, the Department of Employment and Labour must be contacted to intervene.

Employers who exceed the customer and/or employee allowance based on the floorplan determination are committing an offence and will be liable to a fine or imprisonment not exceeding six months, or to both such fine and imprisonment. Where maintenance of social distancing is not adhered to, other than referring the matter to labour, a criminal case can be opened with the SAPS.

The time to risk employees' health and safety is over. Members can also notify the PSA Provincial Offices in the Eastern Cape when experiencing problems with non-compliance to zoleka.ngebe@psa.co.za and/or phumela.qilingela@psa.co.za.

GENERAL MANAGER