COVID-19 AND WORKPLACE SAFETY

Category: Commercial Law
written by Mathando Likhanya | April 2, 2020



19 March 2020

Getting your workplace ready for COVID-19

How COVID-19 spreads

When someone who has COVID-19 coughs or exhales they release droplets of infected fluid. Most of these droplets fall on nearby surfaces and objects, such as desks, tables or telephones. People could catch

In January 2020, the World Health Organisation ("**WHO**") declared the outbreak of a new Coronavirus disease in Hubei Province, China to be a Public Health Emergency of International Concern and on 11 March 2020, a pandemic. [1] Many businesses have in the past few weeks been faced with the challenge of having to deal with the effects of Covid-19 within their organisations.

Having regard to this outbreak, employers have had to implement various measures within their organisations in order to protect their employees, as well as, curb any further spreading of Covid-19. Many of these measures have ranged from ensuring a hygienic work environment, tightening the rules around business travel; updating and/or drafting new policies dealing with remote working, establishing Covid-19 committees, whose tasks are amongst others to updating employees on the developments around Covid-19 and ensuring that employees adequately comply with health and safety polices in the workplace.

The World Health Organisation ("**WHO**") has, on 3 March, provided a comprehensive list of precautions that every workplace should implement in light of Covid-19.[2] Measures proposed by the WHO for ensuring a safe workplace are amongst others: enforcing a clean and hygienic working environment; promoting thorough and regular handwashing and/or sanitising; promoting good respiratory hygiene within the workplace; avoiding business travel; communicating with employees on what is expected of them with regard to their conduct such as the washing of hands, what to do if they display symptoms etc.; encourage remote working and avoiding face to face meetings.

The proactive measures being taken by employers in many organisations have been commendable. These are also in line with the Occupational Health and Safety Act, 85 of 1993 ("**OHASA**"), which places an obligation on every employer to provide and maintain, as far as is reasonably practicable, a working environment that is safe and without risk to the health of employees. Further, to enforce such measures as may be necessary in the interest of health and safety. OHASA further requires the employee to co-operate with such employer or person to enable that duty or requirement to be performed or complied with. Considering the lockdown announced by President Cyril Ramaphosa on Monday, 21 March 200, it is still imperative that those industries that are exempt from the nationwide lockdown continue practising safety within the workplace, in order to curb any further spreading of Covid-19.

[1] https://www.who.int/westernpacific/emergencies/covid-19

[2] https://www.who.int/docs/default-source/coronaviruse/getting-workplace-ready-for-covid-19.pdf?sfvrsn=359a81e7_6