

29 JUNE 2020

EMPLOYMENT ALERT

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Are you prepared for a positive COVID-19 case in the workplace?

With the number of active cases on the rise and more workplaces re-opening, it is inevitable that a worker may present with symptoms related to COVID-19. It is imperative that employers are prepared for such an event and that employers act decisively to limit the risk of transmission in the workplace.

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Are you prepared for a positive COVID-19 case in the workplace?

Paragraph 27 of the Consolidated COVID-19 Direction on Health and Safety in the Workplace published on 4 June 2020 details the steps an employer must take where a worker presents with symptoms related to COVID-19.

1

Do not permit entry to the workplace or allow the worker to report to work.

1.1



Where an employee is asymptomatic and can work from home, the employee must continue to do so.

1.2



2.1



Immediately isolate the worker.

If the worker is already at work.

2

Where an employee is asymptomatic and cannot work from home, the employee must apply for sick leave.

2.2



Provide the worker with a surgical mask.

2.3



2.5

Worker to self-isolate or to be referred for medical examination or testing.



2.4

Arrange transportation for the worker in a manner that does present a transmission risk to other workers or to members of the public. An employer may need to bear this cost.



Access the transmission risk to other workers as well as surfaces.

2.6



Disinfect the area/surfaces which the worker who screen positive was in contact with, including their workstation.

2.7



2.9

Refer all workers who were in contact with the worker who screened positive for screening.

+ **2.8**

Undertake contact tracing in the workplace to establish all those whom the worker who screened positive may have been in contact with.



Take any other appropriate measures to prevent transmission.

2.10



Where its an employee who has screened positive, place the employee on sick leave or apply for an illness benefit for the employee where their sick leave is exhausted.

2.11



Lodge a claim for compensation in terms of COIDA where there is evidence that an employee contracted COVID-19 arising from the course and scope of their employment.



2.12

Ensure employees are not subject to discrimination where they screen/ test positive for COVID-19.

*Worker is defined in the Consolidated Directive as follows: "worker" means any person who works in an employer's workplace including an employee or contractor, a self-employed person or volunteer.



COVID-19 WORKPLACE HEALTH AND SAFETY ONLINE COMPLIANCE TRAINING

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EMPLOYMENT

CASE LAW UPDATE 2019



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you in navigating
the employment
relationship
during the current
economic
uncertainty.

CHAMBERS GLOBAL 2014 - 2020 ranked our Employment practice in Band 2: Employment.

Aadil Patel ranked by CHAMBERS GLOBAL 2015 - 2020 in Band 2: Employment.

Fiona Leppan ranked by CHAMBERS GLOBAL 2018 - 2020 in Band 2: Employment.

Gillian Lumb ranked by CHAMBERS GLOBAL 2020 in Band 3: Employment.

Hugo Pienaar ranked by CHAMBERS GLOBAL 2014 - 2020 in Band 2: Employment.

Michael Yeates ranked by CHAMBERS GLOBAL 2020 as an up and coming employment lawyer.



Our Employment practice is ranked as a Top-Tier firm in THE LEGAL 500 EMEA 2020.

Fiona Leppan is ranked as a Leading Individual in Employment in THE LEGAL 500 EMEA 2020.

Aadil Patel is recommended in Employment in THE LEGAL 500 EMEA 2020.

Gillian Lumb is recommended in Employment in THE LEGAL 500 EMEA 2020.

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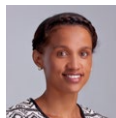
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BBBEE STATUS: LEVEL TWO CONTRIBUTOR

Our BBBEE verification is one of several components of our transformation strategy and we continue to seek ways of improving it in a meaningful manner.

PLEASE NOTE

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