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1. PURPOSE AND SCOPE

The World Health Organisation (WHO) describes coronaviruses (CoV) as a "*family of viruses that cause illness ranging from the common cold to more severe diseases*". A new strain of coronavirus was detected in late 2019, namely, severe acute respiratory syndrome coronavirus 2 (**SARS-CoV-2**), previously known by the provisional name "2019 novel coronavirus". This virus causes the disease named **COVID-19**.

At the end of January 2020, the WHO declared the outbreak of **COVID-19** as a public health emergency of international concern, which has now become a global pandemic. Since then, governments across the world have been focused on alleviating its impact and curbing the further spread of **COVID-19**. To slow down the adverse impact and effects of **COVID-19** on individuals, communities, countries, and economies, the WHO has prescribed the use of vaccinations as the primary measure to overcome the pandemic. Approved **COVID-19** Vaccines have been scientifically tested and proven to minimise the adverse effects of **COVID-19** and have been accepted and endorsed by governments globally.

This Policy provides a standard framework for the measures that **Barloworld Equipment – a division of Barloworld South Africa (Pty) Limited ("BWE")** is taking to manage and mitigate the spread of **COVID-19** across the Company through a vaccination programme, in a manner that supports, and complements measures already put in place by various governments and stakeholders.

A vaccination policy ensures that the Company maintains a safe and productive working environment which results in business continuity and can remain commercially and financially sustainable for the benefit of all Employees and stakeholders.

2. APPLICABILITY

This Policy applies across BWE divisions and legal entities operating in RSA. It applies to all permanent and fixed-term Employees of BWE, and to any other person who may be deemed to be an Employee by virtue of relevant labour / employment and occupational health and safety laws.

Employees based in jurisdictions outside RSA will apply this Policy subject to locally applicable COVID-19 laws and regulations, as well as employment and labour laws, in consultation with their local HCBPs.

In the event of an inconsistency between this Policy and the laws of a specific legal entity, the laws of the legal entity will take precedence over this Policy.

This Policy must be read and applied with reference to applicable government codes of practice, or laws, regulations and/or governmental policies and may be subject to change with the introduction of additional governmental or regulatory guidelines or directives.

This Policy continues to remain applicable for the duration of time that **COVID-19** is considered a significant public health risk as determined by authorized and recognized statutory and governing bodies operating across the countries where BWE operates.

Any relaxation to the application of this Policy will only be considered valid if based on a formal revision of this Policy which will be officially communicated to all Employees.

3. SOURCE DOCUMENTS

This Policy must be applied in conjunction with the most recent revision of the following:

- a) Barloworld Group Worldwide Code of Conduct
- b) Employee Conditions of Employment
- c) Code of Practice: Managing Exposure to SARS-Cov-2 in the Workplace, 2022
- d) Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)
- e) BWE OHS Policies, Procedures and Standards
- f) BWE Leave Management Policy (HOPP 3824)
- g) Barloworld Group Corrective Conduct Policy
- h) Barloworld Group Employment Code
- i) BWE Disciplinary Policy (HOPP 4053)
- j) Barloworld Group **COVID-19** Policy

- k) BWE **COVID-19** Workplace Safety Protocols (HOPP 4087)

4. DEFINITIONS

- a. **“Barloworld”, “the Company” or “Group”**: means *Barloworld Limited* and/or its subsidiaries, divisions, and business units in all countries in which it does business, or any individual subsidiary in its own capacity. It does not include joint ventures, other than those where Barloworld exercises management control, nor does it include investments where Barloworld owns less than 50%.
- b. **Comorbidity**: means underlying medical conditions such as diabetes, obesity, cancer, or other diagnosed chronic diseases, that place an individual at increased risk for potentially severe and life-threatening outcomes from **COVID-19**.
- c. **“COVID-19 Vaccine”**: means a vaccine that has been scientifically evaluated and recommended by the WHO and approved by the South African Health Products Regulatory Authority (or an equivalent local regulatory authority in countries outside of RSA) to be effective in preventing severe disease and death, and likely to reduce **SARS-CoV-2** viral transmission to contribute to herd immunity within communities and countries.
- d. **“Employees”**: means all individuals with permanent or fixed term contracts of employment with BWE, and any other persons working from a Company Workplace who may be deemed to be Employees based on applicable employment / labour or OHS laws and regulations.
- e. **“Fully Vaccinated”**: individuals are considered fully vaccinated with a COVID-19 Vaccine: 1) two weeks after their second dose in a two-dose series (such as the Pfizer vaccine); or 2) two weeks after a single-dose vaccine (such as Johnson & Johnson’s Janssen vaccine). Employees will be considered Fully Vaccinated if they have been vaccinated with a COVID-19 Vaccine that has been authorized for use by the World Health Organization (WHO).
- f. **“Medical Fitness”**: a determination made by an occupational medicine practitioner, subject to any restrictions or requirements, that an Employee has undergone the medical assessments required, and that the Employee complies with all the medical fitness for duty

requirements for a specific job.

- g. **“Medical Surveillance**: a planned programme or periodic examination (which may include clinical examinations, biological monitoring, or medical tests) of Employees by an occupational health practitioner or, in prescribed cases, by an occupational medicine practitioner.
- h. **“Risk Assessment”**: a mandatory legal obligation on the part of an Employer to formally risk assess a Workplace for **COVID-19** risks and document such risks to effectively manage and mitigate the transmission of **COVID-19**.
- i. **“Vaccination Card/Certificate”**: a document issued to the Employee either in hard copy or electronically through the EDVS (as applicable in RSA) serving as confirmation of receipt of the COVID-19 Vaccine.
- j. **“Workplace”**: means the Company’s premises from where Employees perform their duties in terms of their conditions of employment, or any other authorised location from where an Employee renders services to the Company in terms of any alternative arrangement.

5. ABBREVIATIONS

Abbreviation	Description
BWE	Barloworld Equipment southern Africa
COVID-19	Coronavirus disease 2019 / SARS-CoV-2 virus
EDVS	Electronic Document Vaccination System
HC	Human Capital
HCBP	Human Capital Business Partner
HOPP	Head Office Policy and Procedure
MHSA	Mine Health and Safety Act

Abbreviation	Description
OHSA	Occupational Health and Safety Act
POPIA	Protection of Personal Information Act
RSA	Republic of South Africa
SHEQ	Safety, Health, Environment, Quality
WHO	World Health Organisation

6. ROLES AND RESPONSIBILITIES

- i. **Human Capital:** the function responsible for the overall management of human resources across the Group and division, supporting Line Managers in the correct and effective implementation of HC policies, procedures, and business processes, including the implementation of enabling and supporting systems for the management of the **COVID-19** vaccination policy across the division.
- ii. **Human Capital Business Partner:** a representative of the HC function responsible for the correct application and implementation of HC policies, procedures and business processes across the relevant Barloworld operations under their area of management, required to support Line Managers in ensuring full compliance to this Policy.
- iii. **Line Manager:** an Employee responsible for managing other Employees reporting directly to him / her, and is required to assess the operational impact of unvaccinated / partially vaccinated Employees on business continuity, customer satisfaction and overall collective occupational health and safety of Employees and stakeholders, and provide the necessary recommendations to the *Vaccination Committee* regarding approvals / rejections of exemption applications.
- iv. **SHEQ Officer:** responsible for the implementation and oversight of OHS regulations, policies and procedures at designated Workplace locations, and who also serves as a local (site-based) **COVID-19** overseer / compliance officer.

- v. **Vaccination Committee:** a cross-functional committee formed for purposes of this Policy comprising senior Line Managers and other functional specialists who will assess formal vaccination exemption applications as submitted by Employees in accordance with this Policy and will independently assess if such exemption applications should be approved / rejected.

7. MONITORING AND INCIDENT MANAGEMENT

This Policy provides for exemptions on medical grounds, or any other recognised constitutional grounds which may warrant an exemption as recognised by laws and regulations and / or legal jurisprudence on vaccination policy applications.

Employees requiring an exemption from this Policy must meet the requirements and timelines communicated by BWE. All exemption applications will be considered by the **COVID-19 Vaccination Committee**, that will be formally constituted, in terms of this Policy, for purposes of considering valid and *bona fide* exemption applications.

Where the application for an exemption is refused / denied after consideration by the divisional *Vaccination Committee*, the following options may be considered as additional steps to encourage / facilitate the Employee's decision to vaccinate:

- counselling of the Employee through the Company's wellness programme to further assist the Employee with the decision to vaccinate;
- afford the Employee the opportunity to consult with a trade union representative, an Employee representative or make in-person representations to the divisional *Vaccination Committee*; and / or
- refer the Employee for further medical evaluation where the exemption application is on medical grounds and the relevant divisional *Vaccination Committee* requires to re-assess the matter, provided the Employee consents to same.

8. SUPPORTING APPENDICES / FORMS

ANNEXURE A: COVID-19 Vaccination Exemption Application

9. VACCINATION REQUIREMENTS

- 9.1 In line with Barloworld’s commitment to its core value of sustainability, Employee health and safety in the Workplace is of utmost importance. BWE as an employer is required to maintain a safe and healthy working environment and in accordance with applicable OHS and public health laws and regulations.
- 9.2 On this basis, and in accordance with the *Barloworld Worldwide Code of Conduct*, Employees’ conditions of employment, and other supporting Company policies, Employees are required to support the Company in complying with such requirements by executing their employment obligations in good faith and by exercising a duty of care towards themselves, their fellow Employees and other Barloworld stakeholders (such as customers and suppliers).
- 9.3 It is on these foundational principles that BWE is implementing this Policy which requires all Employees to be Fully Vaccinated. Employees who are partially vaccinated will be allowed to access the Workplace on condition that their next vaccination date is not overdue, and that they become Fully Vaccinated within a month of this Policy being implemented, failing which, they may subject to the requirements set out in **9.8.8** below.
- 9.4 Employees who are not vaccinated at least partially by **01 June 2022**, will not be permitted to enter the Workplace, unless an exemption has been formally approved in writing by the relevant divisional *Vaccination Committee* established in terms of clause 7 above.
- 9.5 Employees may apply for an exemption on justifiable *bona fide* medical or recognised constitutional grounds. Formal applications for exemption must be submitted to BWE within the communicated “grace period” before the implementation date of this Policy.

- 9.6 Employees must submit exemption applications on the prescribed template to the designated e-mail address which will be communicated to all Employees. Employees are prohibited from requesting an exemption based on reasons which cannot be legally or constitutionally justified, or which may be considered trivial or minor in the context of the collective health and safety and overall mutual benefit of the Company, Employees, and its stakeholders. Such applications will be automatically rejected as invalid.
- 9.7 **COVID-19** Vaccines are provided free of charge and may be obtained by Employees through their own medical aid service-provider or through the various authorised sites and clinics made available to the public by governments and applicable medical bodies.
- 9.8 To give effect to the requirements for vaccination as set out in this Policy, the following processes will be applied:
- 9.8.1 All Employees must disclose their **COVID-19** vaccination status and provide appropriate supporting documentation as proof of partial or Full Vaccination as requested by their Line Managers and / or Human Capital Business Partners or representatives.
- 9.8.2 This information will form part of the Company's Medical Surveillance programme where such records will be maintained in the medical files of the Company in accordance with applicable legislation, such as *Protection of Personal Information Act, 2013 (POPIA)*, *OHSA, Mine Health and Safety Act, 1996 (MHSA)*, (as applicable in RSA).
- 9.8.3 A standard questionnaire (or disclosure form) regarding vaccination may be requested as part of the Medical Surveillance programme or Risk Assessment to determine Medical Fitness for all Employees as applicable to BWE operations, regions, sites, and legal entities.
- 9.8.4 Acceptable proof of vaccination status includes any of the following:
- the record of immunization from a recognised / registered healthcare provider or pharmacy;

- a copy of the **COVID-19** vaccination record card or electronic certificate;
- a copy of other medical records confirming the **COVID-19** vaccination;
- a copy of immunization records from a public health, state, or tribal immunization information system; or
- a copy of any other valid official documentation that contains the type of **COVID-19** Vaccine administered, date(s) of administration, and the name of the healthcare professional(s) or clinic site(s) administering the vaccine(s).

9.8.5 The exemption process to determine whether BWE will be able to reasonably accommodate an Employee who is unable to be vaccinated against **COVID-19** on medical or other valid constitutional grounds (“affected Employee”) will be determined in a manner which is procedurally and substantively fair in accordance with the applicable labour legislation within the country of application.

9.8.6 BWE cannot reasonably accommodate an Employee requiring an exemption in terms of this Policy, if:

- the risk of **COVID-19** exposure to the Company, together with its Employees and stakeholders as a collective, is significantly higher than the individual risk / exposure relating to vaccination, and steps required by the Company to reasonably accommodate the affected Employee would undermine the objectives of this Policy to protect the collective in accordance with the foundational principles of this Policy;
- the Employee’s failure to vaccinate results in an unjustifiable hardship on the Company with a material adverse impact on business continuity of the specific operations, region, function, department or legal entity where the Employee is required to execute their employment duties;
- the Employee has not provided adequate supporting evidence of a Comorbidity that is adversely impacted by a **COVID-19** Vaccine, which must be independently confirmed by a medical practitioner registered with the *Health Professions Council of South Africa*, or equivalent statutory body in countries outside South Africa; and / or

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- the Employee’s current role is based at a customer site and the customer has a vaccination policy in place, which BWE must comply with as a contractual obligation with such customer.

9.8.7 To the extent that an affected Employee can provide a legally valid and *bona fide* reasons for not vaccinating, and the exemption application is duly approved by the divisional *Vaccination Committee*, BWE will then seek to reasonably accommodate the Employee as follows:

- temporary remote-working provisions: may be considered an option only to the extent that an Employee’s role is considered medium to low-risk in the context of the BWE operational environment, is not customer-facing and where duties can be executed independently without regular supervision, or a dependency on BWE systems or asset infrastructure. Accommodation for remote working applies strictly for purposes of considering valid exemption applications, and such reasonable accommodation may be revoked at any time at the discretion of the Company; alternatively,
- discretionary redeployment: BWE may, at its own discretion, consider redeploying the Employee to a suitable role that reduces their contact with other Employees, where such role exists in the division, and to the extent that the Employee is otherwise suitably qualified and experienced to fulfil such a role; or
- termination for incapacity: if it is operationally impossible or unsustainable to reasonably accommodate an affected Employee, then, as a last resort, BWE may consider termination of employment due to incapacity to perform the contracted duties in terms of the conditions of employment. Termination of employment will be in accordance with applicable employment legislation, Company procedures, and / or applicable collective agreements.

9.8.8 To the extent that an unvaccinated Employee fails to apply for an exemption within the stipulated time frames and on the permitted grounds, has their exemption application rejected and / or unreasonably refuses to become partially or Fully Vaccinated by **01 June 2022**, the Company reserves the right to place the Employee on suspension without pay or unpaid leave until the Employee complies with the requirement to become Fully

Vaccinated, failing which, the Employee will then be subject to corrective conduct procedures in accordance with the *BWE Disciplinary Policy*.

- 9.8.9 Potential candidates for employment must be notified of the requirements of this Policy prior to the commencement of employment, and as part of the recruitment process, by the relevant HC representatives. Roles identified as being high-risk for the spread of **COVID-19** must include the requirement for being Fully Vaccinated as part of the inherent requirements of the job specification.
- 9.8.10 All newly appointed Employees will be required to provide valid proof of their vaccination status prior to commencement of their employment. A failure to do as much within 30 days of commencement of employment may result in employment being terminated in accordance with the Medical Fitness provisions contained in the conditions of employment.
- 9.8.11 All records of vaccinations and approved exemptions will be maintained by the Human Capital function. Such records will not be included in the Employees' personnel files and BWE will comply with all the conditions for lawful processing under the relevant privacy / data protection laws or regulations when processing Employee personal information.
- 9.8.12 Employees who have received approval of their exemption applications will be required to submit a valid negative COVID-19 / SARS-CoV-2 RT-PCR (polymerase chain reaction) test result taken not more than seven (7) days earlier, to access the Workplace. Antigen tests are not allowed as proof in this case.
- 9.8.13 Where an exempted Employee has not reported to the Workplace for seven (7) or more days (e.g., if they have been on leave), they must be tested for **COVID-19** within 48 hours prior to returning to the Workplace. Such test results will be required prior to entry into the Workplace and the cost of such test will be for the personal account of the Employee. If an Employee does not provide documentation of a valid **COVID-19** test result as required by this Policy, they will be denied access to the Workplace until they provide a valid

negative **COVID-19** test result. The Employee may be placed on annual or unpaid leave until such time as a valid negative test result is submitted.

9.8.14 Employees who are partially or Fully Vaccinated and contract **COVID-19** after vaccination, will follow the prescribed protocols as required by both public health regulations and any specific divisional policies regarding leave management.

9.9 BWE has implemented the following ongoing support initiatives to support Employees in making informed decisions regarding **COVID-19 Vaccines**, which include but are not limited to the following:

- various educational and awareness initiatives on the importance of vaccination as well as the transmissible nature of **COVID-19**, through the Company's wellness programme;
- access to a medical doctor, who is invited on an ad-hoc basis to facilitate a **COVID-19** chatroom, through the Group Risk & Insurance Office;
- shared information on various vaccination sites, spread across the Company's operating sites and regions that permit walk-in vaccinations, on-site registration as well as medical-aid scheme affiliated support to assist with additional information that may be required prior to vaccination; and
- special **COVID-19** vaccination leave has been created to accommodate Employees who require time off work for vaccination. Vaccination leave will be managed in line with the *BWE Leave Management Policy*.

9.10 Workplace closures will remain aligned with government prescribed lockdown periods (to the extent applicable) and the risk-based regulations which are monitored and communicated by the Group and divisional Communication teams respectively on a regular basis.

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10. AUTHORISATION

This Policy has been approved by the BWE Divisional Executive Committee.

11. DOCUMENT REVISION HISTORY

Date	Rev	Compiler	Remarks
May 2022	0 (HOPP 4091)	V. Thovhala/V Panday	This is the first version of a new Company policy.

12. DEVELOPMENT TEAM

V. Thovhala

S. Gumede

V. Panday

ANNEXURE A: EXEMPTION APPLICATION TEMPLATE**1 EXEMPTION APPLICATION**

1.1 I, the undersigned, seek to apply for an exemption from the Company's Policy related to receipt of the **COVID-19** Vaccine.

1.2 The reason for this application for exemption from the vaccination policy is based on the following reasons:

1.2.1 *Indicate and explain the constitutional grounds justifying why you are unable to take the COVID-19 Vaccine*

Alternatively:

1.2.1 I have been advised against the taking of the **COVID-19** Vaccine by a recognised and registered medical practitioner, given that I suffer from the following Comorbidities:

1.3 [●][Note : insert full details]

1.4 I hereby attach the medical certificate as confirmation of the above. I agree that the Company appointed medical doctor may contact my medical practitioner whose details are reflected on the medical certificate to discuss and verify my medical condition.

Employee Name

Employee Signature

Date