



**BEXGROUP (PTY) LTD**

**Registration Number: 2002/021088/07  
(the "Company"/ "BexGroup")**

**COVID-19 POLICY  
("the Policy")**

<b>Version</b>	<b>1</b>
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Implemented By		Date Implemented <sup>2</sup>	
BexGroup (Pty) Ltd Executive Committee on behalf of BexGroup (Pty) Ltd Board		10 February 2022	

<sup>1</sup> Effective immediately and ratifies the previously communicated position of BexGroup on Covid-19 vaccines.

<sup>2</sup> Refer footnote 1.

## **1 PURPOSE**

- 1.1 Employees', public service providers as well as customers/clients' health and safety are of utmost importance to BexGroup. BexGroup is therefore committed to protecting them and ensuring that risks posed by Covid-19<sup>3</sup> to their health and safety in the workplace are adequately managed and mitigated.
- 1.2 Taking into account the requirements and duties of the Occupational Health and Safety Act 85 of 1993, as amended (hereafter referred to as "the OHSA"), and specifically the requirements set out in section 8(1), section 9(1), section 12(1)(b) and section 14(a) and (c) of the OHSA, a Mandatory Vaccination Policy protects the health and safety of BexGroup and its employees and by implication the public who comes into contact with BexGroup and its employees.
- 1.3 The purpose of this Policy is to outline BexGroup's<sup>4</sup> requirements, regarding the Covid-19 vaccination<sup>5</sup> (hereafter referred to as "the vaccination"/ "the vaccine") of its employees, in line with its risk assessment<sup>6</sup> conducted, and best practice principles, based on the requirements of applicable laws and regulations, including the Department of Employment and Labour – Consolidated Direction on Occupational Health and Safety measures in certain workplaces<sup>7</sup> (hereafter referred to as "the Directive").
- 1.4 BexGroup strives to be of benefit to its employees and the public as well as to act in public interest and ultimately BexGroup is required to mitigate against any harm to its stakeholders, including employees as well as external stakeholders of the company in the interest of the broader community and for the common good.
- 1.5 This Policy provides guidelines concerning the vaccination of all employees and highlights why BexGroup believes the risk to employees and clients makes it necessary to require mandatory vaccinations for all employees. This Policy should be read in conjunction with the previously issued Covid-19 communication to employees.

## **2 SCOPE**

- 2.1 BexGroup is the holding company for several businesses in the agricultural and logistics value chain. This Policy applies to all business divisions, subsidiary, and related entities within BexGroup.
- 2.2 These business divisions, subsidiary and related entities may have additional Covid-19 protocols in place, considering the impact and likelihood of risks posed by Covid-19 to employees' health and safety. The aforementioned may be specific to the business division/ entity in question and/or may apply to the employee's relationship with BexGroup.

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<sup>3</sup> The SARS-Cov-2 virus, and all variants thereof, which causes Covid-19.

<sup>4</sup> Includes all business divisions, subsidiary, and related entities in the Group; and includes all employees under the aforementioned.

<sup>5</sup> Includes booster Covid-19 vaccinations as per recommendation from the National Department of Health.

<sup>6</sup> Covid-19 Risk Assessment.

<sup>7</sup> NO. R. 499 of 11 June 2021, issued by the Minister in terms of Regulation 4(10) of the National Disaster Regulations, read with applicable legislation and regulations referred to therein.

### 3 RESPONSIBILITIES<sup>8</sup>

<b>Executive Management Team</b>	Adopt a Covid-19 Policy and measures to mitigate any possible risks within the workplace. Verify whether measures are effective to maintain a safe working place.
<b>Human Resources &amp; Health and Safety Co-ordinator</b>	Inform all employees of the Policy and precautionary measures and ensure that regular awareness-raising efforts are being implemented. Inform all employees if anyone is suspected to be unwell/ill or possibly infected.
<b>All employees</b>	To adhere to the Covid-19 Policy and measures implemented to mitigate the risk of Covid-19 to persons in the workplace. Inform Human Resources & Health and Safety Co-ordinator if anyone is suspected to be unwell/ill or possibly infected.

### 4 OBJECTIVES

- 4.1 The objective of the Policy is to provide general principles to ensure that all of BexGroup are vaccinated in accordance with the guidelines set out in the Directive. Further, the objective is to ensure that BexGroup creates a safe working environment which seeks to reduce the spread of Covid-19 while supporting operational requirements.
- 4.2 The Policy aims to meet the following safe working environment objectives:
- 4.2.1 Compliance with the requirements of the OHSA;
  - 4.2.2 Sets out the Policy on vaccinations for BexGroup;
  - 4.2.3 Ensures that all BexGroup employees are vaccinated, subject to being exempted by the Mandatory Vaccination Committee;
  - 4.2.4 Provides guidance on vaccinations and how to register for vaccinations;
  - 4.2.5 Provides guidelines on how to disclose your vaccination status in line with applicable laws; and
  - 4.2.6 Provides guidelines for objecting to or refusing the vaccine and how to ensure the workplace is safe for all employees.

### 5 RISK ASSESSMENT

- 5.1 In accordance with the Directive, BexGroup has concluded a Covid-19 Risk Assessment (hereafter referred to as “the risk assessment”).

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<sup>8</sup> This should be read in conjunction with the recommendations issued by the National Department of Health from time to time.

- 5.2 The nature of employee-interaction and client-interaction is such that contact can be made with multiple employees and clients on any given day in situations where Covid-19 protocol<sup>9</sup> is not effective enough/ practically implementable.
- 5.3 Given the age profile of BexGroup's employees and clients the risk of adverse consequences of contracting Covid-19, is medium to high, should any of them be infected.
- 5.4 BexGroup has a low-risk appetite for Covid-19<sup>10</sup> given the size of BexGroup's daily transactions and the impact of an operational failure.
- 5.5 In balancing the collective right of the broader Bexgroup and surrounding community to health and safety, against individual rights to bodily integrity, freedom of religion, belief and opinion, the prevailing view is that of the collective right takes precedence and this is ultimately in the broader public interest and is reasonable, justifiable, and rational.

## **6 VACCINATIONS**

- 6.1 From international and national best practice, there is sufficient evidence that Covid-19 vaccines:
  - 6.1.1 Are safe and effective;
  - 6.1.2 Limit the spread of the virus;
  - 6.1.3 Reduce the risk of being infected with Covid-19;
  - 6.1.4 Prevents serious illness and possible death from Covid-19; and
  - 6.1.5 Is an effective intervention for the prevention of Covid-19.
- 6.2 To ensure and enhance the health and safety of BexGroup as well as our clients, and by implication the public, vaccinations have been made mandatory for all of BexGroup.
- 6.3 To register for vaccinations, all of BexGroup should enrol on the Electronic Vaccination Data System (EVDS) Self Registration Portal<sup>11</sup>.
- 6.4 BexGroup will assist all affected to comply with this Policy by:
  - 6.4.1 Providing communication on vaccinations in line with guidance from the National Department of Health;

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<sup>9</sup> Sanitising, wearing of masks and social distancing.

<sup>10</sup> Risk of infection, transmission, or cross-contamination of the virus between employees within the business.

<sup>11</sup> <https://vaccine.enroll.health.gov.za/#/>

- 6.4.2 Assisting in the registration of employees, where required;
- 6.4.3 Offering employees time off to be vaccinated; and
- 6.4.4 Providing employees with time off to recover where they are experiencing side effects after receiving the vaccine.

## **7 DISCLOSURES AND ACCESS TO THE WORKPLACE**

- 7.1 All employees affected will be required to disclose whether they have been vaccinated or whether they object to being vaccinated. This disclosure will be in the form of a declaration to Human Resources (hereafter referred to as “HR”) or the Health and Safety Co-ordinator. This information will be treated confidentially and in line with the applicable legislation<sup>12</sup>.
- 7.2 The information will be collected for the protection of the Health and Safety of all employees and clients and will only be used for this purpose. Accessibility will be restricted to the Mandatory Vaccination Committee. Information collected will be limited to whether an employee objected against the vaccine or to store proof of vaccination. Once the data is no longer required for these purposes or under any legal obligation, it will be destroyed in terms of the POPI Act.
- 7.3 To gain access to the workplace and facilities the employees of BexGroup will be required to submit their digital vaccine vaccination certificate to the BexGroup Health and Safety Co-Ordinator electronically as communicated from time-to-time to confirm their vaccination status. Confirmation of vaccination status will be linked to the employee’s permission to access to the workplace.

## **8 LEAVE**

- 8.1 Employees may undertake vaccinations in working hours and return to work on the same day upon completion of the vaccination, without having to take time off work. BexGroup may request proof of the vaccination upon returning to work or proof that the vaccination will take place during work hours.
- 8.2 Where employees experience any adverse side effects from the vaccine and fall sick, the employee is entitled to sick leave in terms of section 4(1)(k) of the Directive.

## **9 MANDATORY VACCINATION COMMITTEE AND EXEMPTION APPLICATIONS<sup>13</sup>**

- 9.1 Employees have the right to apply, in writing, to be exempted by the Mandatory Vaccination Committee from being vaccinated on medical<sup>14</sup> or constitutional grounds. Constitutional grounds can be seen as

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<sup>12</sup> Protection of Personal Information Act 4 of 2013 (hereafter referred to as “the POPI Act”).

<sup>13</sup> Refer Exemption Applications Flow Diagram on page 10.

<sup>14</sup> Includes all temporary or permanent exemptions on medical grounds, which will be assessed on a case-by-case basis, as per recommendations of medical practitioners.

right to life<sup>15</sup>, freedom and security<sup>16</sup>, privacy<sup>17</sup> and religion, belief, and opinion<sup>18</sup>. Employees who wish to apply will however be required to provide substantiating proof.

- 9.2 Where required, BexGroup reserves its right to refer the employee for further medical assessment to a designated medical practitioner at employer expense.
- 9.3 This committee, comprising of members which will be appointed by the Executive Committee ad-hoc from time-to-time, is established by BexGroup to:
  - 9.3.1 Consider applications for exemption from being vaccinated against Covid-19 on medical and constitutional grounds; and
  - 9.3.2 Monitor compliance with the prescripts of this document.
- 9.4 An employee has **5 (five) calendar days** from the implementation of this Policy to submit his/her written application for exemption to HR. All new employees will have **5 (five) calendar days** from commencement of his/her employment contract to submit his/her written application for exemption to HR.
- 9.5 When an employee has submitted his/her written exemption application on the basis of medical or constitutional grounds:
  - 9.5.1 HR will consult with the employee, within **5 (five) calendar days** from receiving the written exemption application, allowing the employee to confer:
    - 9.5.1.1 whether he/she wishes to address the Mandatory Vaccination Committee in person, together with his/her internal representative (if any), within **10 (ten) calendar days** on the submissions of such exemption application;
    - 9.5.1.2 alternatively, whether he/she wishes to address the Mandatory Vaccination Committee in writing of his/her reasons for such exemption application, within **10 (ten) calendar days**.
  - 9.5.2 On receipt of the employee's submissions in terms of clauses 9.5.1.1 or 9.5.1.2, the Mandatory Vaccination Committee will consider such submissions/reason(s) for exemption, whilst taking into account any external input where and if necessary and inform the employee within **5 (five) calendar days** of its decision.
  - 9.5.3 The Mandatory Vaccination Committee will consider, when making their decision, whether it is reasonably possible to accommodate the employee either at home or in isolation in the

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<sup>15</sup> Section 11 of the Constitution of the Republic of South Africa 108 of 1996 (hereafter referred to as "the Constitution").

<sup>16</sup> Section 12 of the Constitution.

<sup>17</sup> Section 14 of the Constitution.

<sup>18</sup> Section 15 of the Constitution.

workplace when it is not possible for the employee to perform his/her duties from home, in accordance with the Code of Good Practice: Employment of People with Disabilities, as published by the Employment Equity Act<sup>19</sup>.

- 9.6 Employees who are approved for exemption from vaccination by the Mandatory Vaccination Committee might be required to adhere to the protocols prescribed by such Committee on an ongoing basis, which will be determined on a case-by-case basis. These might include, but are not limited to:
- 9.6.1 At the employee's own cost, submit a negative Covid-19 PCR<sup>20</sup> test result, not older than 72 (seventy-two) hours, on a weekly basis to the BexGroup Health and Safety Co-ordinator;
  - 9.6.2 At the employee's own cost, wear a FFP2 medical face mask (also referred to as a N95 face mask) at all times and sanitise regularly in the workplace;
  - 9.6.3 Maintain a distance of 1.5 (one and a half) meters from other employees at all times in the workplace;
  - 9.6.4 Any eating or drinking without a face mask must occur at least 2 (two) meters away from others in the workplace; and
  - 9.6.5 No participation in work-related social activities and teambuilding events.
- 9.7 Employees who have not been exempted by the Mandatory Vaccination Committee; service providers employees of service providers; and visitors who elect not to vaccinated or who are unable to provide BexGroup with proof of vaccination will not be permitted access to the workplace premises or facilities and the necessary disciplinary proceedings against Employees may apply.

## 10 TESTING POSITIVE FOR COVID-19

- 10.1 BexGroup employees, irrespective of whether that employee has been vaccinated or exempted from being vaccinated by the Mandatory Vaccination Committee, who test positive for Covid-19 or have symptoms of Covid-19 and were at their place of employment during their infectious period (two days prior to symptom onset or test date if asymptomatic) should immediately notify HR or the Health and Safety Co-ordinator.
- 10.2 BexGroup employees, irrespective of whether that employee has been vaccinated or exempted from being vaccinated by the Mandatory Vaccination Committee, who test positive for Covid-19 or have symptoms of Covid-19 should stay at home and self-isolate and should not return to the workplace until:
- 10.2.1 At least **10 (ten) calendar days** have passed since symptoms first appeared; **and**

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<sup>19</sup> Act No. 55 of 1998.

<sup>20</sup> "PCR" means Polymerase Chain Reaction.



10.2.2 At least **24 (twenty-four) hours** have passed since fever went away without the use of fever-reducing medications and improvement in other symptoms.

10.2.3 **If the employee did not have symptoms but has a positive Covid-19 diagnostic test**, the employee can return to work after **10 (ten) calendar days** have passed since the date of the positive Covid-19 diagnostic test.

## **11 IMPLEMENTATION OF THE POLICY**

11.1 This Policy was approved on **3 February 2022**, by the BexGroup Executive Committee on behalf of the BexGroup (Pty) Ltd Board, for implementation on **10 February 2022**. This Policy is effective immediately and ratifies the previously communicated<sup>21</sup> position of BexGroup on Covid-19 vaccines.

11.2 Revision of the Policy will occur as and when amendments are deemed necessary.

11.3 Any proposed amendments to the Policy will be reviewed and approved by the Executive Committee on behalf of the Board of the Company.

## **12 CONSEQUENCE OF BREACH**

12.1 Should an employee breach this Policy, the necessary disciplinary action will be taken in line with the employee's employment contract, read together with the applicable rules and regulations in terms of Labour Law.

12.2 It is the employee's responsibility to contact management should he/she have any queries related to this Policy.

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<sup>21</sup> To employees, service providers and suppliers.

**EXEMPTION APPLICATIONS FLOW DIAGRAM**

