

CAP-POL-28

COVID-19 VACCINATION POLICY

Document review and approval

Revision history

Version	Author	Date	Revision
1	Cheryl Baxter and Marietjie Geldenhuys	27 August 2021	
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This document has been reviewed by

	Reviewer	Date Reviewed
1	Prof Kogieleum Naidoo	8 September 2021
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This document has been approved by

	Policy Authority	Date
1	CAPRISA Board of Control	20 September 2021
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1. REGULATORY FRAMEWORK

Occupational Health and Safety Act 85 of 1993 as read with the Consolidated Guidelines on Occupational Health and Safety in certain workplaces (“the Guidelines”)
Labour Relations Act
Disaster Management Act Regulations
Constitution of the Republic of South Africa

2. PURPOSE OF THIS POLICY

- 2.1 The purpose of this policy is to establish minimum standards and expectations of employees in relation to COVID-19 vaccinations.
- 2.2 CAPRISA has an obligation in terms of the Occupational Health and Safety Act to provide, insofar as is reasonably practicably possible, a safe working environment, and this Policy is an extension of its obligation.
- 2.3 The serious threat posed by the COVID-19 pandemic and the availability of COVID-19 vaccines, CAPRISA has resolved to record its position in this Policy pertaining to vaccinations.
- 2.4 In light of the COVID pandemic with specific reference to the evolving nature of the COVID-19 virus and the important role vaccines play in combating the spread of the illness amongst employees, clinic study participants and all those stakeholders of CAPRISA who interact, on a regular basis with the organisation, CAPRISA is required to implement this policy. CAPRISA is committed to maintaining a healthy and safe working environment for all its employees in relation to COVID-19.

3. OBJECTIVES

The objectives of this policy are:

- 3.1 to clarify CAPRISA’s position in relation to the COVID-19 Vaccine(s) and Vaccination of Employees;
- 3.2 to promote the rights of all Employees to a safe working environment, the right to life and the right to human dignity;
- 3.3 to fulfil CAPRISA’s obligations in terms of the OHS Act and other relevant legislation to create a safe working environment;
- 3.4 to promote, enhance and encourage the COVID-19 vaccination drives being carried out by Government; and
- 3.5 to ensure that Employees are safe at all times and do not pose an undue risk to fellow Employees, particularly Vulnerable Employees and/or third parties in respect of COVID-19.
- 3.6 to re-iterate that CAPRISA is committed to the well-being and religious and cultural freedoms of all Employees and to ensure the rights of all its Employees are balanced in the implementation of this Policy.

4. RATIONALE FOR MANDATORY COVID-19 VACCINATION

- 4.1 CAPRISA has undertaken a risk assessment of the Workplace to inform the decision on a vaccination policy.
- 4.2 CAPRISA is a research organisation that delivers essential frontline services. Employees at CAPRISA have contact with vulnerable people who are participating in clinical studies,

including those living with HIV or infected with tuberculosis, with external service providers, and with the community through recruitment, community engagement and advocacy. Employees based in the CAPRISA laboratory also process and test infectious samples.

- 4.3 CAPRISA is therefore a high-risk work environment for both exposure to and for transmitting COVID-19 to patients and colleagues, including colleagues who have direct patient contact.
- 4.4 According to Section 8(1) of the Occupational Health and Safety Act and the Guidelines, CAPRISA has an obligation to create a safe working environment for all its employees and patients. To fulfil this obligation, CAPRISA is implementing a mandatory COVID-19 vaccination policy.
- 4.5 COVID-19 vaccines have been shown to provide both individual benefit by reducing disease and death as well as a population benefit by reducing transmission. The vaccines available in South Africa, i.e., Pfizer-BioNTech (BNT162) and Johnson & Johnson (Ad26.COV2-S), have been shown to be both safe and effective, particularly for the prevention of severe illness and death^{1,2}.
- 4.6 While there are higher breakthrough clinical infections with the Delta variant than previous variants, both vaccines have also been shown to remain effective against the Delta variant, that is currently dominant throughout the world^{3,4}.
- 4.7 In many parts of the world, vaccine mandates are being implemented in high-risk settings, especially health care and congregate settings. The Occupational Health and Safety Act and the Guidelines make provision for mandatory vaccination as a reasonable measure to create a safe working environment for its employees.
- 4.8 This policy requires:
 - 4.8.1 Education and consultation with unvaccinated employees to address vaccine hesitancy and address any concerns /grounds for exemptions.
 - 4.8.2 All CAPRISA employees to have had at least one vaccine dose by **15 October 2021**.
 - 4.8.3 All new employees to have had at least one dose of the vaccine before being allowed to commence employment.
 - 4.8.4 CAPRISA to facilitate access to vaccinations should an employee not be able to access them.
 - 4.8.5 All CAPRISA employees to complete the recommended vaccine schedule and disclose their vaccination status to the site clinician.
 - 4.8.6 CAPRISA to record (whether in written or electronic format) to save and/or store the medical and vaccination history and/or records of its Employees.

5. VACCINATION OBJECTION

Limited grounds for objection or exemptions may apply and should an employee refuse to be vaccinated and/or has an objection on the grounds listed in the Consolidated Guidelines on Occupational Health and Safety, the following process must be followed:

¹ Johnson & Johnson. Press release: Johnson & Johnson Announces Single-Shot Janssen COVID-19 Vaccine Candidate Met Primary Endpoints in Interim Analysis of its Phase 3 ENSEMBLE Trial. available from: <https://www.jnj.com/johnson-johnson-announces-single-shot-janssen-covid-19-vaccine-candidate-met-primary-endpoints-in-interim-analysis-of-its-phase-3-ensemble-trial>. accessed: 9 February 2021.

² Polack FP, Thomas SJ, Kitchin N, et al. Safety and Efficacy of the BNT162b2 mRNA Covid-19 Vaccine. N Eng J Med 2020;383:2603-15.

³ Jongeneelen M, Kaszas K, Veldman D, et al. Ad26.COV2.S elicited neutralizing activity against Delta and other SARS-CoV-2 variants of concern. bioRxiv : the preprint server for biology 2021:2021.07.01.450707.

⁴ Nasreen S, He S, Chung H, et al. Effectiveness of COVID-19 vaccines against variants of concern, Canada. medRxiv 2021:2021.06.28.21259420.

- 5.1 The employee will need to submit a written motivation, with relevant supporting documentation i.e. medical certificate or report which should specify the Employee's medical reasons or religious creed etcetera, for being unable to take the COVID-19 Vaccine.
- 5.2 The objection will be considered by a committee, comprising external medical experts and key internal role players including the compliance officer and/or appointees from the Health and Safety Committee in line with the Guidelines, who will make a determination on whether the grounds for non-vaccination are justified.
- 5.3 Should the committee not support the application, the employee will be provided with the reason/s and be counselled accordingly and given 14 days to obtain their 1st dose of vaccination.
- 5.4 Should employees still refuse to be vaccinated, they will be required to produce a negative COVID-19 test result, at their own cost, every Wednesday before reporting to work.
- 5.5 Should employees still refuse to comply with these requirements i.e. in refusing the vaccination or to undergo the weekly test, the process will be managed based on fair labour relations guidelines, which could involve exploration of alternative options within CAPRISA, failing which it could result in termination of employment.

6. POLICY STATEMENTS

CAPRISA will strive to continuously improve the occupational health, safety and environmental performance by adhering to the following principles:

- 6.1 To take steps to eliminate or mitigate, as far as practicable, any hazards or potential hazard to the safety or health of employees, which includes implementing mandatory vaccination.
- 6.2 To provide information and counselling, as may be necessary to ensure, as far as practicable, a healthy and safe working environment for all employees.
- 6.3 To continue to apply all recommendations and requirements of the Disaster Management Act Regulations and the Consolidated Guidelines on Occupational Health and Safety in ensuring that all other methods designed to keep employees and stakeholders safe such as the use the masks, social distancing and the like, remain in force.

7. SCOPE

This Policy applies to all CAPRISA employees.

8. DEFINITIONS APPLICABLE TO THE POLICY

None.

9. RELATED POLICIES

CAP-POL-16: Health and safety policy
CAP-POL-17: Industrial Relations Policy

10. POLICY AUTHORITY

Effective Date: 15 October 2021
Policy Owner: Head of HR
Policy Manager: Head of HR

Confirmation of Approval



Professor SS Abdool Karim
Director