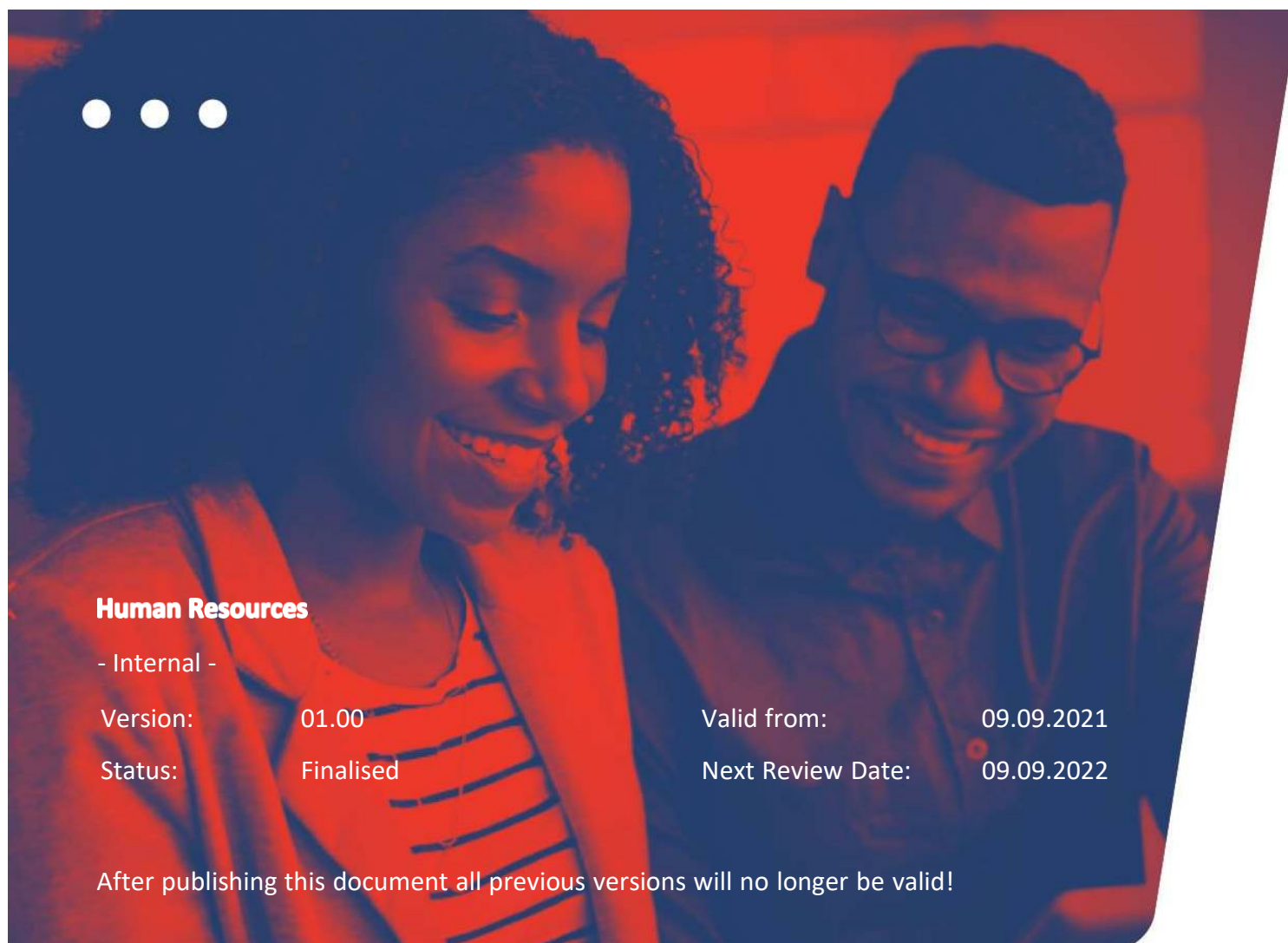


GIJ-POL-00187_COVID-19 VACCINATION POLICY

COVID-19 VACCINATION POLICY



Human Resources

- Internal -

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Brief Details

The purpose of this Gijima COVID-19 Vaccination Policy ("Policy") is to give clarity of the Gijima Group's stance regarding the vaccination of employees against the COVID-19 virus.

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DOCUMENT APPROVAL

Company: Gijima**Name:** Barbara Hlongwane**Position:** Chief Human Resources Executive**Date:** 08/October/2021**Signature:****Company:** Gijima**Name:** Maphum Nxumalo**Position:** Group Chief Executive**Date:** 08/October/2021**Signature:**

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ABBREVIATIONS AND ACRONYMS

Abbreviation	Explanation
COVID-19	Coronavirus Disease 2019
DEL	Department of Employment and Labour
OHSA	Occupational Health and Safety Act
SOP	Standard Operating Procedure

Table 1: Abbreviations and Acronyms

GLOSSARY OF TERMS

Term	Explanation
COIDA	Compensation for Occupational Injuries and Diseases Act
COVID-19	Means a mild to severe respiratory illness that is caused by a coronavirus (severe acute respiratory syndrome coronavirus 2 of the genus Betacoronavirus) is transmitted chiefly by contact with infectious material (such as respiratory droplets), and is characterized especially by fever, cough, and shortness of breath and may progress to pneumonia and respiratory failure. Derived for SARS-CoV-2.
Employee	Means a person employed by the employer and includes a Permanent Employee or a Contractor Employee but excludes an independent Contract Employee.
Gijima Group	Means Gijima Group Limited (registration number 1998/021790/06), a public company duly registered and incorporated according to the company laws of the Republic of South Africa, and its wholly owned subsidiaries and associated companies.
OHS	Occupational Health and Safety
OHSA	Occupational Health and Safety Act
Premises	As defined in the OHSA means any building, vehicle, vessel, train or aircraft.
Work	As defined in the OHSA means work as an employee and for such purpose an employee is deemed to be at work during the time that he/she is in the course of his/her employment.
Workplace	As defined in the OHSA means any Premises or place where a person performs Work in the course of his/her employment.

Table 2: Glossary of Terms

1 POLICY OBJECTIVES

The objectives of this Policy are to:

- (a) Minimise and prevent the transmission of COVID-19 in the Workplace;
- (b) Maintain COVID-19 related records as required by law for inspection by the relevant authorities; and
- (c) Comply with applicable laws, regulations, and directives.

2 POLICY STATEMENT

The vaccination of all Gijima employees will be compulsory in accordance with the COVID-19 Vaccination Risk Assessment. Employees who refuse to be vaccinated on any religious, constitutional, or medical ground will be counselled, referred for further medical evaluation to determine if there are medical contra-indication for vaccination, and, if necessary, steps will be taken to reasonably accommodate these Employees.

3 SCOPE

The scope of this Policy addresses the vaccination against the COVID-19 virus.

4 APPLICABILITY

- (a) This Policy is applicable to all Gijima Group Employees, including management, and directors of the Gijima Group;
- (b) This Policy is not applicable to Gijima visitors.

5 PREAMBLE

- (a) The Minister of Employment and Labour issued an amended COVID-19 Direction on Occupational Health and Safety Measures ("Amended OHS Direction"), which replaces the Direction that was published on 01 October 2020.
- (b) While most of the required health and safety protocols in Workplaces remain unchanged, the Amended OHS Direction deals with Workplace vaccinations.
- (c) Annexure C of the Amended OHS Direction contains guidelines that are intended to guide relevant parties (including employers and courts) in determining the fairness of a mandatory vaccination policy and its implementation. The guidelines do not prescribe binding rules and deviations may be justified in appropriate circumstances.
- (d) These guidelines emphasize the primacy of collective agreements (which must be honoured), as well as the importance of three key issues, namely:
 - (i) Public health imperatives;
 - (ii) The constitutional rights of Employees; and
 - (iii) The efficient operation of the employer's business.
- (e) Within the employment context, an employee's right to choose not to be vaccinated may, however, impact their right to employment, as an employer may cite the inherent requirements of the Work or genuine operational requirements. Thus, an employer may not force an Employee to be vaccinated, but under certain circumstances it may be fair to exclude an Employee from employment because of their failure to do so.
- (f) In an instance where the employer can show just cause as to why it is an inherent requirement of the job or it is an operational requirement of the business for Employees to be vaccinated, the employer may follow a process to ultimately terminate the Employee's employment, should no alternatives be available or no reasonable accommodation viable.

- (g) In summary, although vaccination for COVID-19 is not compulsory by law, mandatory vaccination policies may be implemented if it is justified in terms of an employer's operational requirements or an inherent requirement of the job. Employees shall however retain the right to choose whether to be vaccinated, but their choice may impact on their employment.

6 RATIONALE

Vaccinations is an effective tool against the spread of COVID-19.

7 PRINCIPLES

7.1 COVID-19 Vaccination Risk Assessment

- (a) In accordance with the Amended OHS Direction, Gijima risk assessment will be reviewed and updated to ensure that it identify and outline health conditions/comorbidities that increases risk of employees that may either be critically ill and or die in the event that they contract Covid-19.

7.2 Gijima's position on COVID-19 vaccination

- (a) Gijima's Executive Committee by means of this Policy hereby implement the mandatory vaccination of all employees. Every employee above the age of eighteen (18) are eligible to be vaccinated as part of South Africa's national program.
- (b) An Employee may refuse to be vaccinated on the following grounds:
- (i) Constitutional rights;
 - (ii) Medical grounds i.e., (Medical grounds for the contra-indication of vaccination are an immediate allergic reaction of any severity to a previous dose or a known diagnosed allergy to a component of the COVID-19 vaccine); and
 - (iii) Religious belief, practice, or observance.
- (c) Employees will be given paid time off to be vaccinated against COVID-19. This will be regarded as a form of special leave. The Employee will be required to provide proof that the vaccination has occurred during hours that the Employee ordinarily Works.
- (d) Assist employees with registering on the Electronic Vaccination Data System ("EVDS") where necessary.
- (e) Employees will be granted time off based on medically defined side effects related to the vaccination. The need for Time off must be discussed with the relevant line manager and or the area HRBP. A maximum of two (2) days additional sick leave may be granted.
- (f) If an Employee refuses to be vaccinated on any of the above grounds, Gijima will:
- (i) Counsel the Employee and, if required, allow the Employee to seek guidance from a Health and Safety Representative and or worker representative;
 - (ii) Refer the Employee for further medical evaluation should there be a medical contra-indication for vaccination; and/or
 - (iii) If necessary, take steps to reasonably accommodate the Employee in a position that ~~does~~ not require the Employee to be vaccinated depending on availability of such a position, failing which, the company shall follow the process as outlined under point 5: Preamble, with particular reference to points (e), (f) & (g).
- (g) Reasonable accommodation means any modification or adjustment to a job or to the working environment that will allow an Employee who fails or refuses to be vaccinated to remain in employment; this might include the following:

- (i) An adjustment that permits the Employee to work from home. The nature of the job will determine if working from home is applicable.
- (h) In the event that an employee has to be excluded on the above grounds and have to attend matter/s at a Gijima and/or client sites; the Company shall require the employee to provide a recent (not older than 3 days) negative Covid test result, prior to access being granted. The cost of test is for employee's account.
- (i) Where counselling and further medical evaluation indicate no reason not to be vaccinated and reasonable accommodation options are not available, refusal to vaccinate will lead to circumstances where the Employee cannot fulfil his/her duties and poses a risk to other Employees by nature of his/her Work, dismissal of the Employee may result after due course and process having been followed.
- (j) Proof of Vaccinated Employees will be required and will be sent to the HR Representative. Proof of Vaccination can be in a form of:
 - (i) Covid vaccine card; and/or;
 - (ii) SMS received as proof of being fully vaccinated.

8 ROLES AND RESPONSIBILITIES

8.1 Group Human Resources Executive

The Group Human Resources Executive is responsible for the following:

- (a) Establishing, maintaining, and updating the Policy.

8.2 Group COVID-19 Manager

The Group COVID-19 Manager is responsible for the following:

- (a) Conducting and maintaining the COVID-19 Vaccination Risk Assessment;
- (b) Establishing and maintaining the COVID-19 Vaccination Plan; and
- (c) Submitting the required records to the chairperson's of all Health and Safety Committees and keeping record of the submissions.

8.3 Chairpersons of Health and Safety Committees

The Chairpersons of all Health and Safety Committees are responsible for the following:

- (a) Making the required COVID-19 records available to members of the Health and Safety Committee.

8.4 Health and Safety Representatives

The Health and Safety Representatives are responsible for the following:

- (a) Providing guidance to Employees who are uncertain whether they want to be vaccinated against COVID-19.

8.5 Human Resources Business Partners

The Human Resources Business Partners are responsible for the following:

- (a) Ensuring that Employees are aware of and understand the contents of this Policy.

8.6 Group Manager: HR Payroll and Administration

The Group Manager: HR Payroll and Administration is responsible for the following:

- (a) Safeguarding copies of vaccination certificates in HR Employee Files.

9 BREACH

Where a breach of this Policy has occurred, appropriate disciplinary action will be taken in line with the Gijima Disciplinary Code Policy.

10 EXEMPTION

The Group Chief Executive has the sole right to exempt a person or application from this Policy, or part thereof. The exemption shall be null and void unless:

- (a) It is in writing;
- (b) It is signed and dated by the Group Chief Executive;
- (c) The Internal Audit Department is notified of the exemption; and
- (d) A record is kept of the exemption.

11 RELATED DOCUMENTATION AND RELEVANT LEGISLATION

The table below summarises documents that are related to this Policy:

Ref	Document Title	Document Type	Reference
1	Gijima COVID-19 Policy	Policy	TBA
2	Gijima Disciplinary Code Policy	Policy	TBA
3	Gijima COVID-19 SOP	Procedure	TBA
4	The Occupational Health and Safety Act, No. 85 of 1993	Gazette	Government
5	The Labour Relations Act, No. 66 of 1995	Gazette	Government
6	The Basic conditions of Employment Act, No. 75 of 1997	Gazette	Government
7	The Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993 & 7.1 The Constitution of the Republic of South Africa, No. 108 of 1996	Gazette	Government
8	The National Health Act, No. 61 of 2003	Gazette	Government

Table 3: Related Documentation and Relevant Legislation