

COVID-19 Vaccination Policy and plan (Mandatory)

1. POLICY

1.1. Preamble

The Company is required by law to ensure that its working environment is healthy and safe as it impacts employees, their families and the general public. This is a key component of the employee value proposition and the Company assures all employees of its continuing commitment to their health and safety, particularly in the context of the biological hazards such as COVID-19 which can be contracted and spread in the absence of a legally compliant vaccination policy and plan.

Various COVID-19 vaccines have been approved by the SA Health Products Regulatory Authority (SAHRPA) and are available for use and the Company is implementing a vaccination policy that includes mandatory vaccination requirements, subject to the procedural and substantive provisions of law which include the consideration of the following Constitutional Rights and relevant considerations –

- Freedom and security of the person
- Freedom of religion, belief and opinion
- Risk for severe C19 disease or death due to age or comorbidities.

Compliance with this policy is a condition of an employee's continued employment and the Company shall take reasonable steps to accommodate the employee as set out herein. This policy must be read along with other relevant Company policies and the COVID-19 workplace plan as appropriate and is not a substitute for other COVID-19 prevention measures. Hence, the requirements such as the Face Mask Policy, Social Distancing Policy, Screening Policy, Temperature Check and Health Screening Protocols, Cleaning and Sanitation Policy, Occupational Health and Safety Policy and others policies and standards still apply. All employees are required to fully comply and co-operate with the Company in this regard.

1.2. Exemption requests

Employees who are seeking exemption from mandatory vaccination requirements are required to make submissions to the designated HR official with the necessary evidentiary support and also with any suggestions that they may have. Submissions will only be considered in respect of the following matters -

- Freedom and security of the person (including the right to bodily and psychological integrity)
- Freedom of religion, belief and opinion (legitimate religious and similar considerations of employees with sincerely held religious beliefs, observances, or practices that conflict with getting vaccinated)
- Risk for severe C19 disease or death due to age or comorbidities (including medical reasons on a case-by-case basis for conditions including but not limited to pregnancy, breastfeeding, history of certain allergic reactions, and any other medical conditions that are a contraindication to the COVID-19 vaccine).

The Company will consider and where appropriate take measures to provide reasonable accommodation to individuals that enable them to perform their job duties. However, in the absence of the Company being able to make reasonable accommodation based on its operational requirements as well as a lack of other options, dismissal may result.

The employee may request a reasonable accommodation or other exemption from this policy by completing the appropriate form and returning it to the designated HR official. The Company reserves the right to request additional documentation supporting the need for an accommodation or request for any other exemption. It will keep confidential any medical information obtained in connection with the request for a reasonable accommodation or other exemption. The Company will make a determination about request on the merits of each case.

1.3. Vaccine Administration and Proof

The Company will make the necessary arrangements to ensure the COVID-19 vaccination is available to all employees and any other approved individuals by co-ordinating the end-to-end process and assisting employees in scheduling same. The approach will be as set out in the practice section of this policy.

Employees who have already been vaccinated must provide their **COVID-19 Vaccine Certificate** which can be downloaded from the South African COVID-19 Vaccine Certificate System Portal.

For more information, please visit: <https://www.gov.za/covid-19/vaccine/certificate>

1.4. Information About COVID-19 and Vaccines

The following information is publicly accessible in respect of the nature, extent and benefits of COVID-19 vaccines –

- **Official Government Regulations and Guidelines on COVID-19**

All official government regulations and guidelines are available at <https://gov.za/coronavirus/guidelines>

- **Official Resources**

NICD website: <http://www.nicd.ac.za>

COVID-19 information <https://sacoronavirus.co.za>

Coronavirus 24-hour hotline 0800 029 999

Coronavirus Whatsapp 060 012 3456

- ***Additional Resources***

www.gov.za

www.facebook.com/GovernmentZA

twitter.com/GovernmentZA

sacoronavirus.co.za

sacoronavirus.co.za/tag/vaccine-toolkits/

The Department of Health has promoted the benefits and safety of approved COVID-19 vaccines. It recommends that all individuals who can safely do so, get vaccinated against COVID-19. COVID-19 vaccines currently approved or in development do not contain the COVID-19 virus and will not make recipients sick with COVID-19 nor will getting the COVID-19 vaccine make recipients test positive for COVID-19. COVID-19 vaccinations have been shown to be highly effective at preventing recipients from getting sick with COVID-19. COVID-19 vaccines do not change DNA. COVID-19 vaccinations are an important tool in helping to stop the pandemic and are provided for free.

1.5. Amendments

The Company reserves the right to amend the provisions of this policy and practice document in its discretion and in any event, any amendments to statute and regulations shall apply and/or amend the provisions of this document automatically.

2. PRACTICE AND APPLICATION

2.1. Vaccination Directions and Guidelines

These refer to the Directions and Guidelines issued by the Department of Employment and Labour or other Ministry or similar Institution from time to time, insofar as they regulate COVID-19 vaccinations and related matters. This includes the provisions of the Consolidated Direction on Occupational Health and Safety. Any matters not specifically addressed in this document will draw on the provisions of the applicable statute.

2.1.1. Risk assessment and plans for protective measures (the identification of employees for mandatory vaccination and planning purposes)

The Company shall undertake a risk assessment, taking into account the specific circumstances of the workplace and the requirements of the OHS Act (and other applicable regulations such as the Hazardous Biological Regulations).

Based on the findings of the risk assessment, the Company will identify those employees who by virtue of the -

- (i) risk of transmission through their work; and/ or
- (ii) their risk for severe COVID-19 disease or death due to their age or comorbidities, ought to be vaccinated.

The Company shall develop a Workplace Plan including the Vaccination measures that the Company intends to implement. The vaccination measures that the Company takes will be in alignment with the provisions of the National Department of Health and other applicable guidelines and the plan shall include –

- o the identification of those employees set out in (i) and (ii) above;
- o the process that will be followed in order to ensure regulatory compliance;
- o the compliance with any applicable collective agreements.

COVID-19 Risk Assessment Report								
Site:			Sector*:			Date:		
Department:			Risk Assessor:		Name & Surname	Signature		
Work Area/s:			Area Supervisor:		Name & Surname	Signature		
Occupations in Area:			Health & Safety Representative:		Name & Surname	Signature		
Risk Assessment								
Source of Hazard	Route of exposure	Activities & tasks	Existing Control Measures	Control effectiveness	Risk classification	Additional Controls Required	Responsible person(s)	Due Date/s
Department of Employment and Labour Exposure Risk Classification								
Low Exposure Risk Lower exposure risk (caution) jobs are those that do not require contact with people known to be or suspected of being infected with SARS-CoV-2, nor frequent close contact with (i.e. within 2 metre of) the general public.		Medium Exposure Risk Medium exposure risk jobs include those that require frequent and/or close contact with (i.e. within 2 metres of) people who may be infected with SARS-CoV-2, but who are not known or suspected COVID-19 persons.		High Exposure Risk High exposure risk jobs are those with high potential for exposure to known or suspected sources of COVID-19.		Very High Exposure Risk Very high exposure risk jobs are those with high potential for exposure to known or suspected sources of COVID-19 during specific medical, post-mortem, or laboratory procedures.		

*Mining, Agriculture, Fishing, Forestry, Manufacturing, Services

2.1.2. Procedural provisions

The Company shall pursue the following procedural guidelines in giving effect to this policy and plan –

2.1.2.1. the risk assessment results will be used to develop the **Workplace Plan’s vaccination provisions;**

2.1.2.2. the outcome of the risk assessment and the contents of the above plan shall be **consulted on** with a representative trade union, the Occupational Health and Safety Committee (or in the absence of the Committee, with the OHS representative);

2.1.2.3. In respect of employees and/ or workplaces and/ or areas that have been decided on as requiring mandatory vaccinations, the following shall apply –

- 2.1.2.4. every employee identified by the Company for mandatory vaccinations shall be notified of the obligation to be vaccinated as and when the vaccine becomes available;
- 2.1.2.5. every employee shall be advised of his/ her right to refuse in terms of the grounds set out hereinabove;
- 2.1.2.6. employees shall be advised of their right to make submissions for exemption to the designated HR official;
- 2.1.2.7. employees shall be advised of their right to be counselled, or to engage with an OHS representative or trade union representative or official;
- 2.1.2.8. employee may be considered for referral for medical evaluation should there be a contraindication for vaccination.
- 2.1.2.9. If necessary, the Company may take steps to reasonably accommodate the employee in a position that does not require the employee to be vaccinated.

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 (e.g., work offsite or at home or in isolation within the workplace or a requirement that the employee wears a N95 mask, etc).

2.1.2.10. If the Company cannot reasonably accommodate an employee who refuses or fails to be vaccinated, it will only consider dismissal of the said employee if it can establish that it is **on grounds of operational requirements** in compliance with section 189 of the LRA and the provisions of this Policy.

2.1.3. ***Administrative measures***

The Company shall support the implementation of this policy with a comprehensive advocacy and **awareness campaign**, setting out the various vaccines available, their benefits, possible adverse effects and the like.

In addition, the Company shall provide administrative support to assist its employees to register on the **Electronic Vaccine Data System Registration Portal** for COVID-19 as well as give its employees paid time off to be vaccinated on the date that is allocated by the Portal if it is during hours that the employee is ordinarily work. The Company will also submit the necessary reports to the **National Institute of Health** as required.

2.1.4. ***Employees presenting with COVID-19 related symptoms***

If an employee presents with COVID-19-related symptoms that are commonly experienced between one to three days after having been vaccinated, the Company is not prohibited from allowing the employee access to the workplace and such employees will be required to attend work. If, however, the employee suffers adverse reactions as a result of a COVID-19 vaccination and is unable to work, the Company will in accordance with section 22 of the BCEA place the employee on paid sick leave. For the purposes of this situation, the Company will accept a COVID-19 vaccination certificate issued by and official vaccination site in lieu of a medical certificate.

2.1.5. *Transport*

The Company will, in its sole discretion, consider the need for the provision of transport to and from the vaccination site allocated in terms of the Electronic Vaccine Data System Registration Portal.

