

**Ministry**

**Employment & Labour**

**Republic of South Africa**

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**NATIONAL ASSEMBLY**

**WRITTEN REPLY**

**QUESTION NUMBER: 1973 [NW2206E]**

**1973. Mr S L Ngcobo (IFP) to ask the Minister of Employment and Labour:**

(1) What is the policy position of his department on providing incentives for the uptake of COVID-19 vaccinations in the workplace;

(2) whether his department has (a) a system in place that protects the rights of workers and (b) proper channels to report abuses of workers by their employers on issues of COVID-19 vaccinations; if not, what is the position in this regard; if so, what are the relevant details;

(3) what is the long-term policy goal of his department on the uptake of COVID-19 vaccinations to reach herd immunity? NW2206E

REPLY:

1. To ensure that there is uptake of COVID-19 vaccination in the workplace, the Department of Employment and Labour issued the Direction on Occupational Health and Safety Measures, which was gazetted on 11 June 2021. The Direction requires employers to give employees paid time off to be vaccinated against COVID-19; and to recover from the side effects of being vaccinated.

Should an employee suffer the side effects as a result of the vaccination, the Direction states that the employer must in accordance with section 22 of the Basic Conditions of Employment Act place its employee on sick leave. They further state that once the sick leave has been exhausted, employees should be given further paid time off if they’re still ill; or a claim may be lodged for compensation in terms of the Compensation for Occupational Injuries and Diseases Act of 1993 (COIDA). In terms of the sick leave, the guidelines state that an employer may accept a COVID-19vaccination certificate issued by an official vaccination site in lieu of a medical certificate.

2. Yes, the Department of Employment and Labour has Health and Safety inspectors who their role is to enforce compliance with the Occupational Health and Safety Act, including with the COVID-19 Directions issued under this Act.

3. The Department of Employment and Labour believes that the Directions, which were widely consulted with organised business, organised labour and community constituency are suffice as measures in dealing with the challenges posed by COVID-19 and further encourages all workers to vaccinate.

Secondly, in the workplace where COVID-19 may be found to be causing serious challenges, the Directions encourage employers to work together with the employees to analyse carefully, deeply and soberly the danger that they may all be facing, if the situation is left unattended, and without appropriate actions being taken. Approaching it in this manner is to tap on the democratisation of the workplace to work for the benefit of all.