

South Africa

Disaster Management Act, 2002

Directions regarding call centres providing essential services

Government Notice R459 of 2020

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Directions regarding call centres providing essential services

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[Repealed by Amendment of Regulations and Withdrawal of Directions Relating to the COVID-19 National State of Disaster (Government Notice R667 of 2020) on 11 June 2020]

We, Dr Zwelini Mkhize, Minister of Health, and Mr Ebrahim Patel, Minister of Trade, Industry and Competition do hereby publish the Directions set out in the Schedule hereto in terms of and under Regulations 10(1)(a), 10(6) (b) and 11B(4A)(b) of the Regulations issued by the Minister of Co-operative Governance and Traditional Affairs in terms of section 27(2) of the Disaster Management Act, 2002 (Act No. 57 of 2002) and published on 18 March 2020 in Notice No. 318 of Government Gazette No. 43107 and amended on 25 March 2020 in Notice No. R.398 of Government Gazette No. 43148. and on 26 March 2020 in Notice No. R.419 of Government Gazette No. 43168.

Dr Zwelini Mkhize Mr Ebrahim Patel

Minister of Health Minister of Trade, Industry and Competition

1. Interpretation

In this direction, unless the context indicates otherwise, any word or expression has the meaning assigned to it in the Disaster Management Act, 2002 (Act No. 57 of 2002) or the Regulations issued in terms of section 27(2) of the Disaster Management Act, 2002 and published on 18 March 2020 in Notice No. 318 of Government Gazette No. 43107 and amended on 25 March 2020 in Notice No. R.398 of Government Gazette No. 43148 and on 26 March 2020 in Notice No. R.419 of Government Gazette No. 43168 and —

- 1.1 **"BPESA"** means the Business Processing Enabling South Africa, a non-profit industry body and trade association for call centres serving, amongst others, international markets.
- 1.2 **"call centre"** means a call centre which provides health, safety, social support, government and financial services;
- 1.3 **"CEO"** means the Chief Executive Officer of a business operating a call centre which provides essential services;
- 1.4 **"Disaster Management Act"** means the Disaster Management Act, 2002 (Act 57 of 2002);
- 1.5 **"Ministers"** means the Minister of Health and the Minister of Trade, Industry and Competition;
- 1.6 **"occupational health practitioner"** means an occupational medical practitioner or a person who holds a qualification in occupational health recognised by the South African Interim Nursing Council; and
- 1.7 **"Regulations"** means the Regulations referred to above.

2. Purpose of these Directions

The purpose of these Directions is to clarify the extent, and the conditions upon which, call centres may operate during the lockdown.

3. Background

- 3.1 Regulation 11B (1)(a)(ii) provides *inter alia* that for the period of lockdown every person is confined to his or her place of residence, unless strictly for the purpose of performing an essential service.
- 3.2 Regulation 11B (1)(b) provides that during the lockdown, all businesses and other entities must cease operations, except for any business or entity involved in the manufacturing, supply, or provision of an essential good or service, save where operations are provided from outside of the Republic of South Africa or can be provided remotely by a person from their normal place of residence.
- 3.3 Item B. 30 of Annexure B to the Regulations provides that call centres necessary to provide health, safety, social support, government and financial services is an essential service.
- 3.4 The spread of the COVID-19 virus in call centres is of particular concern.
- 3.5 Regulations 10 (1)(a) and 10(6)(b) authorise the Ministers to issue directions to address, prevent and combat the spread of COVID19.
- 3.6 The COVID-19 virus is an international pandemic.
- 3.7 Sections 7 (2)(c)(i) and (ii) of the Disaster Management Act contemplates South Africa's co-operation in international disaster management and regional co-operation in disaster management in Southern Africa.
- 3.8 Regulation 11B4A(b) provides that services in relation to international markets and which provide or maintain essential services as it relates to health, social support, Government and financial services, which the Cabinet Members responsible for Health and Trade, Industry and Competition are satisfied are crucial to such services, may be provided for in Directions issued by the Cabinet members.

4. Call Centres providing essential services to international markets

The call centres referred to in item B.30 of Annexure B of the Regulations include call centres that provide health, safety, social support, government and financial services to international markets.

5. Conditions applicable to call centres

- 5.1 All relevant regulations and directives contained in the Regulations and the Directives issued in terms of the Disaster Management Act apply to call centres.
- 5.2 Without limiting the contents of paragraph 5.1, the following applies—
 - 5.2.1. Only necessary personnel which provide these essential services are entitled to leave their places of residences.
 - 5.2.2. The CEO, or his or her designate, must identify the essential staff in writing through completion of the form contained in Annexure C of the Regulations.
 - 5.2.3. All regulations and directions in respect of hygienic workplace conditions and the potential exposure of employees to COVID-19 must be adhered to, including but not limited to the following—
 - 5.2.3.1 Each call centre must conduct a risk assessment in the call centre to identify, mitigate and eliminate potential exposure to Covid-19 transmission.
 - 5.2.3.2 The social distance standard of at least one and a half square metres between any two employees must be maintained in all call centres and their precincts. Arrangements for employees relating to clocking-in and the use of canteen facilities must be organised to maintain social distance.

- 5.2.3.3 The number of persons at any time in any room must be limited with due regard to social distancing, personal hygiene, disinfection and other safety measures.
- 5.2.3.4 There must be proper ventilation.
- 5.2.3.5 Dispensers of alcohol-based hand sanitiser must be provided and displayed prominently in the call centres premises for use by all persons within the call centre and its precinct.
- 5.2.3.6 Each employee must have access to his or her own dispenser.
- 5.2.3.7 Surfaces and equipment in the call centre and its precinct must be cleaned and disinfected before the start of a new shift and at least every four hours.
- 5.2.3.8 Access points with biometric contact must be disabled.
- 5.2.3.9 Employees may not share equipment, stationary, utensils or similar items.
- 5.2.3.10 Employees should monitor themselves for symptoms of Covid-19 infection (coughing, chills, sore throat, shortness of breath, body pains, diarrhoea, fever) and report their symptoms to a supervisor or occupational health practitioner before entering the call centre in order for a decision to be made on whether the employee may attend work.
- 5.2.3.11 Employees must be advised that they should report during the course of a shift whether they are exhibiting any of the symptoms stated above. If they report this may not be permitted to stay on the premises. They must be sent for self-quarantine and provided with a surgical mask.
- 5.2.3.12 Designated and adequately trained health and safety officers must take each employee's temperatures using appropriate equipment or instruments at the start of a shift and every four after the shift commences. Records of the temperatures of each employee must be kept. Any employee whose temperature is 37,5 degrees or above should immediately be moved to an isolated observation room for a second measurement. If the second test measurement also exceeds 37,5 degrees, the employee must be returned home for quarantine, provided with a surgical mask and not be permitted to enter or stay on the premises.
- 5.2.3.13 Designated health and safety officers must check with employees, when they enter the premises, whether they have experienced the following symptoms in the past 24 hours. Employees who state that they had or who demonstrate having any of the symptoms referred to in paragraph 5.2.3.10, must not be granted entry to the premises.
- 5.2.3.14 In terms of the guidelines published by the Department of Health or the National Institute of Communicable Diseases, employees who are suspected of having COVID-19 must be immediately isolated from the other employees and reported to the Department of Health.
- 5.2.3.15 No facility should have more than one third its normal workforce during the period of the lockdown
- 5.2.3.16 Employees should as far as possible remain within the premises during work hours.
- 5.2.3.17 Call centres must implement any additional requirements for employees regarding personal protective equipment, including, but not limited to, face masks, as may be directed by the National Department of Health.
- 5.3 A copy of these Directions must be prominently displayed in the premises of each call centre and a copy given to each employee.
- 5.4 The CEO or his or her designate must report in writing on a weekly basis to the BPESA on the following—

- 5.4.1. staff numbers;
- 5.4.2. staff wellness;
- 5.4.3. service activity;
- 5.4.4. compliance; and
- 5.4.5. the measures taken to limit numbers, ensure personal hygiene and disinfection and enforce social distancing.
- 5.5 The BPESA must provide a consolidated report in writing on a weekly basis to the Ministers.
- 5.6 Law Enforcement Officials and Inspectors may inspect the call centre premises at any time in which the centre is in operation.

6. Commencement

These Directions come into effect on the date that they are published in the *Government Gazette*.