



UNIVERSITY *of the*
WESTERN CAPE

UNIVERSITY OF THE WESTERN CAPE

RETURN TO CAMPUS RISK PLAN

JULY 2022

1. DEFINITIONS

In this Workplace Plan, unless the context indicates a contrary intention, the following words and expressions shall bear the meanings assigned to them below and cognate expressions bear corresponding meanings -

- 1.1. "**BCEA**" means the Basic Conditions of Employment Act, No. 75 of 1997, as amended from time to time;
- 1.2. "**Campus**" means all land and buildings owned, leased or controlled by the University, including but not limited to Student residences;
- 1.3. "**Code of Good Practice**" means the Code of Good Practice: Managing Exposure to SARS-COV-2 In the Workplace, 2022 issued on 15 March 2022;
- 1.4. "**Constitution**" means the Constitution of the Republic of South Africa Act, No. 108 of 1996;
- 1.5. "**Constitutional Rights**" means an Employee's or Student's rights as contained in Chapter 2 of the Constitution, and in particular an Employee's or Student's right to bodily integrity in terms of section 12(2) of the Constitution, and the right to freedom of religion, belief and opinion in terms of section 15 of the Constitution;
- 1.6. "**COVID-19**" means the SARS-CoV-2 virus including but not limited to all and any variants and mutations thereof;
- 1.7. "**COVID-19 Vaccine(s)**" means any COVID-19 vaccine approved by the South African Health Products Regulatory Authority for use in South Africa in terms of the Medicines and Related Substances Act, No. 101 of 1965, as amended from time to time;
- 1.8. "**COVID-19 Compliance Officer**" means the person appointed in terms of the OHS Act to ensure that COVID-19 measures are complied with and all directions in terms of hygienic conditions and limitation of exposure to persons with COVID-19 are adhered to;

- 1.9. **"Disaster Management Act"** means the Disaster Management Act, No. 57 of 2002;
- 1.10. **"Effective Date"** means **25 July** 2022, being the date on which this Workplace Plan comes into effect;
- 1.11. **"Employee(s)"** means all and any employees of the University and the term **"employee"** shall bear the meaning ascribed to it in the LRA;
- 1.12. **"Employer"** means the University;
- 1.13. **"Flexible Learning and Teaching Provisioning Policy"** or **"FLTP"** means the Flexible Learning and Teaching Provisioning Policy approved by the Council of the University of the Western Cape on 23 September 2021.
- 1.14. **"Government"** means the government of South Africa;
- 1.15. **"Hard Mandate"** means the principle that Students who are not vaccinated cannot register and are in effect excluded from registering in the relevant faculty or for the degree or module concerned and Employees within that faculty have to be vaccinated to enter the faculty;
- 1.16. **"HBA or Hazardous Biological Agents"** means a Hazardous Biological Agent such as Covid-19 as defined the Hazardous Biological Agents Regulations;
- 1.17. **"Hazardous Biological Agents Regulations"** means the Hazardous Biological Agents Regulations issued under section 43 of the OHS Act by the Minister of Employment and Labour on 16 March 2022;
- 1.18. **"Health and Safety Committee"** means the committee of the University established in terms of section 19 of OHS Act;
- 1.19. **"Information Technology Resources and Systems ("IT")"** includes but is not limited to the University's servers, desktop computers, laptops, tablets, mobile devices, 3G cards, Internet browsers and Internet access facilities, operating systems, business applications, off-the-shelf products, and user-developed applications and all IT infrastructure and IT services provided by

the University and its third party service providers, whether owned, supplied or administered by the University, connected to the University's IT systems and/or which are used for the business of the University;

- 1.20. "**LRA**" means the Labour Relations Act, No. 66 of 1995, as amended from time to time;
- 1.21. "**Office Equipment**" means, amongst others, desktops, office chairs, screens, printers and other University office property;
- 1.22. "**OHSA**" means the Occupational Health and Safety Act, No. 85 of 1993, as amended from time to time;
- 1.23. "**Ordinary Working Hours**" means the regular hours of the University which are 08h20 to 16h30;
- 1.24. "**PCR Test**" means a polymerase chain reaction test which detects the presence of the Covid-19 virus at the time of testing.
- 1.25. "**Personal Information**" means an Employee's or Student's information of a personal nature including special personal information as defined in POPI and including but not limited to an Employee's or Student's medical and Vaccination history and records;
- 1.26. "**POPI**" means the Protection of Personal Information Act, No. 4 of 2014, as amended from time to time;
- 1.27. "**PPE**" means personal protective equipment;
- 1.28. "**Regulations**" means regulations issued in terms of the Disaster Management Act;
- 1.29. "**Service Provider**" means any contracted individual, business entity or group that provides a paid service to the University and includes but is not limited to all of their employees and subcontracted service providers;
- 1.30. "**Sick Leave**" shall bear the meaning assigned to the term in the BCEA;

- 1.31. "**Social Distancing Protocols**" means the University's COVID-19 safety measures and protocols, as determined by the University's Health and Safety Committee from time to time and includes but is not limited to requiring individuals to take responsibility for their own health and safety as well as promoting voluntary reasonable physical distancing, wearing of face masks and sanitising of hands;
- 1.32. "**Soft Mandate**" means the principle that Students who are not vaccinated may register for their relevant degree or module;
- 1.33. "**SRC**" means the Student Representative Council of the University;
- 1.34. "**Stakeholders**" means Students, Employees, independent contractors and visitors to the University's Campus;
- 1.35. "**Student**" means a person registered for a qualification offered by the University;
- 1.36. "**Trade Union**" means The University of the Western Cape Employees Union;
- 1.37. "**University**" means the University of the Western Cape;
- 1.38. "**Vaccination**" means any and/or all vaccinations that may be deemed necessary to protect against pandemics and outbreaks as well as such booster or repeat vaccines as may be appropriate from time to time, as determined by the Government and "**Vaccinated**" shall mean one and the same as Vaccination;
- 1.39. "**Vaccination Card/Certificate**" means the vaccination card/certificate issued to an Employee or Student by the EVDS of the National Department of Health pursuant to receiving the COVID-19 Vaccine and/or the electronic vaccination certificate available on the EVDS online platform;
- 1.40. "**Vulnerable Employee**" means an Employee with known or disclosed health issues or comorbidities or any other condition that may place the Employee at a higher risk of developing complications from severe COVID-

19, or death if infected with COVID-19, Employees over the age of 60 years who are at higher risk of complications, developing severe COVID-19 or death if infected with COVID-19, or any Employee who meets the criteria and is determined to be at higher risk of complications, developing severe COVID-19 or death if infected with COVID-19 as determined by the World Health Organisation;

- 1.41. "**Work**" means the duties, roles and responsibilities undertaken by an Employee as set out in the Employee's contract of employment and/or letter of appointment and/or any other document that sets out the Employee's duties, roles and responsibilities;
- 1.42. "**Workplace**" means the Campus; and
- 1.43. "**Workplace Plan**" or "**Plan**" means the plan as contained in this document.

2. PREAMBLE

- 2.1. The University of the Western Cape ("**the University**"), a public university, is committed to providing and maintaining, as far as is reasonably practicable, a working and learning environment (including but not limited to residences) that is safe and without risk to the health of, amongst others, its Employees and Students.
- 2.2. The University notes the scientific consensus that there is a marked reduction in the risk of severe COVID-19 disease in 2022 due to increased population immunity, and that even though the risks persist; risk to life has reduced substantially
- 2.3. Taking the above into consideration and while being cognizant of the risks posed by COVID-19 on Campus, the University intends to phase in the return to Campus in 2022 incorporating the following
 - a) In terms of the academic program, the phased return shall form part of the University's Flexible Learning and Teaching Provisioning Policy and the flexible modes and approaches set out in the FLTP will be implemented , and

- b) In general, the return to Campus of Employees shall be based on operational requirements.

3. PURPOSE AND APPLICATION

- 3.1. The health and safety of all University Employees, Students, onsite Service Providers and visitors who attend at the University's Campus is of the utmost importance to the University.
- 3.2. The University also recognises that it has an obligation in terms of the OHSA to provide, insofar as is reasonably practicable, a safe working and learning environment.
- 3.3. The purpose of this Workplace Plan is, amongst others, to provide minimum mandatory safety guidance, to facilitate the seamless re-opening of the University's Campus in a safe and hygienic manner and to ensure that all stakeholders are aware of the health and safety protocols that should be followed upon a return to Campus.
- 3.4. It is recognised that COVID-19 is a highly contagious infectious disease. This Workplace Plan, amongst its provisions, sets out relevant guidelines for all University facilities to mitigate the spread of COVID-19 within the broader University environment.
- 3.5. This Workplace Plan applies to the Campus, all buildings wholly managed by the University as well as those buildings (or areas within buildings) and other property controlled by the University.
- 3.6. Compliance with the provisions of this Workplace Plan is mandatory and without exception. A failure to comply with this Workplace Plan will result in disciplinary action being taken, where appropriate.
- 3.7. This Workplace Plan is an extension of the consultative process which the University embarked upon with stakeholders and the Plan shall commence on 25 July 2022 and may be amended at any point.

4. GUIDING PRINCIPLES

- 4.1. The key guiding principles of this Plan include but are not limited to -
 - 4.1.1. mutual respect between the University and its Employees and Students;
 - 4.1.2. public health imperatives,
 - 4.1.3. the Constitutional Rights of groups and individuals;
 - 4.1.4. a return to in-person learning in terms of the FLTP Policy to accord with the University's mandate as an institution of in-person learning; and
 - 4.1.5. the efficient operation of the University's business or operations.
- 4.2. This Plan forms part of and flows from discussions or consultations with the SRC, the Trade Union, the University's Senate Executive Committee, Institutional Forum and Senior Management.

5. **RISK ASSESSMENT**

- 5.1. The University has a duty in terms of the OHSA and the Code to provide and maintain, as far as is reasonably practicable, a safe working and learning environment.
- 5.2. The University has assessed the risk of COVID-19 to all of its Stakeholders. This Workplace Plan reflects the measures that the University regards as being at a minimum necessary to avoid or minimise the spread of COVID-19 and to protect its Stakeholders and the University from the impacts of COVID-19.
- 5.3. Through its risk assessment process, the University has identified the following categories of high-risk Employees and Students -
 - 5.3.1. There are Vulnerable Students and Employees.
 - 5.3.2. There are Students and Employees who have comorbidities; and
 - 5.3.3. There are Employees aged 60 or above; and

- 5.3.4. There are Employees and Students who are involved in the medical field or are providing a service or receiving training in a Department of Health Facility.
- 5.4. This Workplace Plan together with any other COVID-19 associated documentation or policy adopted by the University from time to time constitutes the record of the risk assessment carried out by the University and the manner in which the University intends to implement and comply with the Code of Good Practice.
- 5.5. The University has performed the requisite baseline risk assessments at the various exposure areas in the Workplace including, but not limited to, entry points, food service areas, waiting areas, offices, lecture halls and other gathering areas. This Workplace Plan has been approved by the applicable Health and Safety Committee/s and contains the steps that the University has taken in order to address the issues identified herein.

6. **CORE STATEMENT**

- 6.1. The majority of Stakeholders have advocated the resumption of in-person learning. A return to Campus would accord with the University's mandate to provide in-person learning and serve the interests of its Students in enjoying all the benefits of in-person learning and campus life. This Plan seeks to achieve a return to in-person learning subject to its FLTP Policy whilst complying with its obligations to maintain a safe working and learning environment.
- 6.2. The University, having due regard to its obligation to maintain a safe working and learning environment while at the same time fulfilling its mandate to provide in-person learning, and taking into account the close proximity within which its Employees Work and within which Employees and Students interact with one another, has decided, that it is highly recommended that every Employee, Student, Service Provider or visitor wishing to enter Campus, be Vaccinated, wear masks and Social Distance.

- 6.3. Employees, Students, Service Providers and visitors will be allowed to physically enter the Campus without the need to present a Vaccination Card/Certificate or a negative PCR test at their cost.
- 6.4. The University will apply the FLTP Policy in most modules in 2022 and where applicable, accommodate Students online or via live streaming where it is deemed appropriate and practical by the relevant faculty, in its sole discretion.
- 6.5. For the remainder of the 2022 academic year, Students will generally be allowed to register irrespective of being Vaccinated or not, this was termed a Soft Mandate. The Senate via its SEC has approved the applications of the Dentistry, CHS and Science Faculties for the removal of all Hard Mandates. Hard Mandates shall no longer be applicable on Campus.
- 6.6. Notwithstanding having been Vaccinated or not, all individuals are encouraged to maintain all other relevant COVID-19 protocols whilst on Campus.

7. DISCLOSURE AND SUBMISSION OF VACCINATION CARD/CERTIFICATE

- 7.1. All Employees and Students are eligible to receive the COVID-19 Vaccine.
- 7.2. All Employees, Students and visitors must disclose their medical conditions and Vaccination status to a Health and Safety Representative or Health and Safety Officer when requested to do so.

8. POPI

- 8.1. The University is cognisant of the confidential and sensitive nature of its Employees', Students' and Service Providers medical records and Personal Information including but not limited to medical and Vaccination records and history. The University will endeavour to keep such Personal Information safe at all material times and will use it for its stated purpose. The University

will not disclose or divulge, directly or indirectly, such information to any third party without the prior written consent of the Employee or Student.

- 8.2. Despite what is stated in 8.1 above, Employees and Students are required to consent to -
 - 8.2.1. providing the University with their COVID-19 Vaccine card/certificate where applicable;
 - 8.2.2. the University keeping, storing and maintaining their medical and Vaccination records and history in written and/or electronic format.
- 8.3. The Employees and Students waive all their rights to claim and/or to litigate against and/or to undertake legal action against the University should they suffer any loss, harm or illness as a result of their Personal Information being disclosed to fellow Employees or Students, and/or third parties and/or their Personal Information becoming public, through any breach of the University's IT Resources and Systems.

9. **CONTINUED COMPLIANCE WITH SOCIAL DISTANCING**

- 9.1. This Plan is an extension of the University's Social Distancing Protocols and its health and safety measures as implemented by the University's Health and Safety Committee.
- 9.2. All stakeholders shall be responsible for their own health and safety on Campus and may request that individuals entering their personal workspace, exercise Social Distancing, wear masks and avoid close contact.

10. **DISCIPLINARY ACTION**

The University reserves the right to enforce this Plan. Non-compliance with this Plan may result in disciplinary action being taken against an Employee or Student.

11. PHASED RETURN TO CAMPUS

- 11.1. The provisions of this Workplace Plan and any other relevant policies applicable from time to time, shall be used to facilitate a phased return to Campus according to the different COVID-19 Alert levels and hotspots applicable from time to time.
- 11.2. Stakeholders are encouraged to wear masks indoors and must ensure that they comply with all of the University's health and safety protocols and the necessary social distancing rules applicable from time to time.
- 11.3. The University undertakes to do the following in order to ensure a safe phased return to Campus –
 - 11.3.1. Use floor markings and signage outside entry points to ensure that Stakeholders maintain a safe distance;
 - 11.3.2. Display information regarding COVID-19 and the benefits of Vaccination;
 - 11.3.3. Display the contact details of the compliance manager and members of the Health and Safety Committee at key points;
 - 11.3.4. Provide access to hand-hygiene products upon entry and exit points throughout the Campus.
- 11.4. The University's compliance officer will keep and maintain, on a confidential basis, a list of High-Risk Persons in order for the University to monitor their potential exposure to COVID-19 in the Workplace.
- 11.5. The University accepts that the physical environment, the practicalities of face to face engagement and the potential for onward transmission of any Hazardous Biological Agent (HBA) will differ from Faculty to Faculty and from department to department. In the circumstances, all faculties and departments are empowered to formulate their own Phased in Plan based upon set criteria set out below.

- 11.6. All Departments within a Faculty or any Faculty as a whole may submit its Phased in Plan to Senate via the Senate Academic Planning Committee and the full Senate or SEC may reject, amend or approve such a plan.
- 11.7. The criteria to be taken into account in developing and approving the Phased in Plan shall include but not be limited to the following:
- i. increased risk of exposure to an HBA
 - ii. vulnerability of individuals
 - iii. operational needs
 - iv. the need of a particular cohort of students to return to face to face engagement on Campus
 - v. the need for laboratory work or practical assessments in experiential modules
 - vi. the success or challenges of online presentation of a module in the hybrid or blended format
 - vii. interventions in high priority modules
 - viii. any other relevant factor properly motivated by a Faculty or department.

12. COMPLIANCE MANAGER AND HEALTH AND SAFETY REPRESENTATIVES

- 12.1. In compliance with the relevant regulations, the University's appointed compliance manager is Mr A Regal.
- 12.2. The details of the compliance manager are as follows -

Office of the Executive Director Finance and Services

Email : healthandsafety@uwc.ac.za

- 12.3. The compliance manager is responsible for, amongst other responsibilities, addressing Stakeholders or Workplace representative concerns and will consult with the University's Health and Safety Committee in relation to matters arising out of the Workplace Plan and any other COVID-19 related policy that may be in place.
- 12.4. In addition, the University has appointed several health and safety representatives. Stakeholders are required to contact their health and safety representative should they develop symptoms of COVID-19 while at the Workplace.
- 12.5. The names and contact details of the health and safety representatives or health and safety officer, shall be displayed by or communicated by the head of department or building manager, as the case may be.
- 12.6. The University will notify Stakeholders via email should there be a change in the compliance manager and/or health and safety officer/representatives.

13. HEALTH AND SAFETY COMMITTEE

- 13.1. The University has appointed a Health and Safety Committee to advise it on best practices in relation to the management of COVID-19 in the Workplace.
- 13.2. The Health and Safety Committee appointed in terms of Section 19 of OHSA shall include at least 2 (two) appropriately trained health and safety officers.
- 13.3. The Health and Safety Committee shall regularly report to the compliance manager on the effectiveness of the measures contained in this Plan.

14. CAMPUS HYGIENE PROTOCOLS

- 14.1. The University will engage with the service provider on an ongoing contractual basis to provide deep cleaning services, should the need arise as a result of exposure to COVID-19.

- 14.2. Where Stakeholders are required to return to the Campus, safety and hygiene measures will be implemented to minimise the risk of COVID-19 transmission.

15. **GENERAL COVID-19 PROTOCOLS**

- 15.1. Public health educational notifications should be displayed and/or made available educating the reader on safe and healthy habits, for example, coughing into the fold of ones elbow or in a tissue which must be safely discarded in a bin and then immediately wash hands with soap for at least 20 seconds afterwards; avoid touching eyes, nose and mouth with unwashed hands and even more so with gloved hands.
- 15.2. Central hand sanitiser dispensers with an alcohol content of 70% have been installed and made available at key points on the Campus. Awareness campaigns should encourage the use of sanitiser and promote safe hygiene practices.
- 15.3. The University's cleaning service providers must provide written confirmation that its cleaning staff has received adequate training in the handling of COVID-19 biohazardous waste and provide services daily to clean all critical surfaces such as tables, door handles, lifts, staircase rails, restroom taps, toilet cubicles and handles, and office workstations. They may be required to wear PPE.

16. **PERSONAL HYGENIE AND REDUCING CONTACT WITH SURFACES**

- 16.1. One of the most effective means of preventing the transmission of the COVID-19virus is by keeping ones hands clean. As a result, the University encourages all Stakeholders to wash their hands regularly for 20 seconds at a time during any period when they are present at the Workplace and/or on Campus.
- 16.2. Stakeholder are required to sanitise or wash their hands thoroughly in the following circumstances -
 - 16.2.1. immediately upon arriving at Campus; and

- 16.2.2. immediately prior to entering any area where food is made available and after leaving the area before entering the Campus.
- 16.3. The University recommends the wearing of masks indoors and that hands be sanitised or washed at least every 2 hours, alternatively whenever one has contact with any surface which may be frequently touched by persons such as balustrades, door handles, toilet facilities, offices or other communal equipment or any other surface which may carry a high propensity of being contaminated with COVID-19.
- 16.4. The University requests that all stakeholders consciously try to avoid hand contact, such as handshaking and contact with various surfaces throughout the buildings. Where it is unavoidably necessary to make contact with surfaces, the University requests Stakeholders to do so using a disposable tissue and to wash hands thoroughly afterwards.
- 16.5. As far as possible, personal use items such as pens, mobile phones, computer keyboards, and similar items should not be shared.
- 16.6. Furthermore, personal use items should be disinfected with alcohol, as appropriate, at regular intervals. Note that many personal use items are also capable of being washed without being damaged, including but not limited to many modern cell phones with which one makes physical contact throughout the day.

17. **SOCIAL DISTANCING**

- 17.1. Where appropriate and practical, all stakeholders should ensure minimal contact while working.
- 17.2. Social distancing includes but is not limited to the following -
- 17.2.1. maintaining some distance between persons while sitting in lecture venues, tutorial venues and other common spaces; and
- 17.2.2. as far as possible avoiding physical contact with other persons.

- 17.3. Social distancing should also be maintained in other confined common areas such as the elevators.

18. COVID-19 MEDICAL PROCESS

- 18.1. Stakeholders who contract COVID-19 may take a few days to display symptoms.
- 18.2. The prevailing protocol is that one can undergo testing if one meets specific criteria.
- 18.3. Any Stakeholders who have any of the serious COVID-19 symptoms must not come to the Campus and must contact their doctor immediately.
- 18.4. A Stakeholder must remain isolated and follow preventative practices until they are able to see a doctor or visit a medical facility.
- 18.5. The NICD COVID-19 protocols and the University's policies will apply accordingly.

19. PRE-SCREENING OF STAKEHOLDERS

- 19.1. All Stakeholders are required to voluntarily disclose any COVID-19 symptom and shall be obliged to disclose their health symptoms when questioned by a health and safety officer/representative or person designated by the compliance manager. If Stakeholders display or experience any COVID-19 symptoms, they will not be permitted to enter Campus or will be required to vacate Campus.
- 19.2. Stakeholders displaying symptoms of COVID-19 on Campus, must immediately notify a health and safety representative who will advise the Stakeholder to proceed to an allocated isolation area with PPE.
- 19.3. The health and safety representative will arrange for transport if the Stakeholder has travelled by public transport.
- 19.4. Stakeholders with private transport and who are well enough to drive to a doctor, must do so immediately.

- 19.5. The health and safety representative will arrange for the office space or possible affected surfaces to be disinfected immediately.

20. COVID-19 POSITIVE STAKEHOLDERS

- 20.1. If a Stakeholder is diagnosed with COVID-19 the following will apply -
 - 20.1.1. The Stakeholder will be required to immediately vacate Campus;
 - 20.1.2. The University will take reasonable measures (including anonymity of the Stakeholder) to prevent discrimination;
 - 20.1.3. Where required, the appointed compliance officer will regularly notify the Department of Higher Education and Training and other relevant governmental institutions on the number of confirmed COVID-19 infections amongst the Stakeholders of the University;
 - 20.1.4. The Stakeholder may only return to Campus after isolating for 1 week.

21. STAKEHOLDER COMMUNICATION

- 21.1. The COVID-19 Protocol together with information documents will continue to be available on the University's intranet portal, in the reception areas, lift lobbies, inside the lifts, bathrooms, entry doors and other high traffic locations.
- 21.2. Regular mass COVID-19 communication will also be done via email, SMS and webinars, as required.

22. REVIEW OF THE PLAN

The University management reserves the right to amend, delete and/or replace any of the rules, policies and/or procedures contained herein, in its sole discretion. In the event that the University elects to deviate from any specific rule, policy and/or procedure set out in this Plan, such deviation shall be binding on the University in respect of that instance only and shall not create any right or expectation that the University shall in future also be obliged to repeat such deviation.