

## **PROTOCOL FOR TRANSPORT OF ESSENTIAL WORKERS WHO RENDER SERVICE ON A SEASONAL BASIS**

According to Regulation 11B (1)(a), issued under the DISASTER MANAGEMENT ACT, 2002, movement is prohibited during the lockdown between provinces, metropolitan and district areas, except in cases where essential workers must travel to and from work (See Regulation 11B (1)(a)(iii)).

In these circumstances, it is proposed, taking into account Regulations 11B and 11C, that the following documentation accompanies essential workers when transported to other provinces for seasonal work (harvest, pruning, thinning, etc.) and/or in circumstances where they must return to their primary homes in other provinces, specifically after the completion of their contract with regards to seasonal work:

1. A permit that is completed by the employer for each essential worker rendering seasonal work. The permit must state the full name and surname of the essential worker, together with the individual's identity number, and then certifies that the worker is performing an essential service, namely the *Production and sale of any food product, including non-alcoholic beverages*. The permit must clearly indicate that the essential worker returns to his usual home after rendering such seasonal work or is on his way to a specific farm for a seasonal activity away from his usual home.

**NOTE:** In accordance with Regulation 11B(2), the head of each institution must determine which essential services are to be performed and indicate the essential personnel necessary for performing the essential service. Persons performing an essential service in terms of Regulation 11B(2) must be duly designated in writing in a form (permit) consistent with Form 1, Annexure C: Permit to Perform an Essential Service of the Regulations as published in Government Notice 318 of 18 March 2020.

2. Every seasonal worker must have an identity document with him / her at all times.
3. Proof that each seasonal worker's fever was taken before getting on the vehicle. This proof can be in the form of a note on the transport permit and must show the following information:
  - the date / time (hour and minute) at which the seasonal worker's fever was taken; and
  - the name and signature of the person who took the seasonal worker's fever.
4. Sufficient hand sanitizer in each vehicle - at least one large bottle per taxi/minibus, with a content of at least 500 ml.
5. Each seasonal worker must wear a face mask of suitable material that can serve as protection during transport.
6. Every driver of a vehicle carrying seasonal workers must be in possession of a permit indicating when he/she is leaving and when he/she must return back.
7. Every seasonal worker returning to his/her usual home must have his/her employment contract with him/her indicating the date of termination of employment.
8. UI19 forms for each seasonal worker whose contract has expired.

**NOTE:** The applicable section of Regulation 11(C) must be complied with as follows:

**11C.** (1) *All commuter transport services including passenger rail services, bus services, taxi services, e-hailing services, maritime and air passenger transport are prohibited, except bus services, taxi services, e-hailing services and private motor vehicles necessary for purposes of rendering essential services, obtaining essential goods or services, seeking medical attention, funeral services and for collecting payment of grants and pensions: Provided that—*

(a) bus services and e-hailing services shall not carry more than **50%** of the licensed capacity;

(b) taxi services shall not carry more than **70%** of the licensed capacity; and

(c) private vehicles shall not carry more than **60%** of the licensed capacity,

**and that all directions in respect of hygienic conditions and the limitation of exposure of persons to COVID-19, are adhered to.**

(2) Where a person rendering essential services is unable to travel to and from his or her place of employment, the employer must make the necessary transport arrangements: Provided that no more than **50%** of the licensed capacity of the vehicle or vessel is exceeded and all directions in respect of hygienic conditions and the limitation of exposure to persons with COVID-19, are adhered to.

## VEHICLE SPECIFICATIONS

The licenced capacity for LDV and Trucks is not stated as a passenger capacity as it is for private and other public transport vehicles.

The difference between the GVM (total maximum loaded weight) and the Tare (total unladen weight) gives the carrying capacity of a freight vehicle. The carrying capacity, divided by 68kg (average weight per person), provides the number of people that may be carried legally.

However, during the lockdown, only 50% of the normal weight may be carried. See below a table of the capacity of various vehicles.

Capacity (KG)	KG/person	People	50% capacity
5000	68	74	37
4000	68	59	29
3000	68	44	22
2000	68	29	14
1000	68	15	7

It is also important that there is sufficient space between workers to ensure their protection. As a guide, the space utilised should only be approximately 50% of what it could be if the vehicle were fully loaded.

Please note that bakkies have a stated passenger capacity as well as a stated weight carrying capacity. Accordingly, they will only be permitted to carry 50% of their licensed passenger capacity as well as 50% of their stated weight capacity. Accordingly, if the specified vehicle is only licensed to carry 3 people within the cab of the bakkie and, under the Regulations, it cannot exceed 50% of its licensed capacity, it will not be permissible to travel with more than one 1 person (the driver) in the cab of this vehicle.

The regulations do not prohibit the transportation of passengers on the back of a bakkie but this would be subject to the following rules:

- Cannot exceed 50% of the licensed capacity (see above table).
- Passengers must be seated at least 350mm below the sides and tailgate of a bakkie.
- No goods or tools are to be transported alongside your workers in the load bed.
- Sufficient space is allowed between workers to ensure their protection

While the lockdown regulations are silent on conditions that apply where passengers are transported on trucks or bakkies and it is not illegal to convey workers in such a manner, it is important to note that there are significant safety risks involved in transporting employees in such a manner.

As a guideline, we would recommend that a maximum of 5 persons can be transported on the back of the bakkie, allowing for sufficient space between workers and ensuring that the space utilised will be approximately 50% of what it could be if the vehicle were fully loaded.