

## PROTOCOL FOR TRANSPORT OF ESSENTIAL WORKERS WHO RENDER SERVICE ON A SEASONAL BASIS IN THE AGRICULTURAL SECTOR

According to Regulation 16(4)(a) of the Regulations issued under the DISASTER MANAGEMENT ACT, 2002, on 29 April 2020, movement between provinces, metropolitan and district areas, is prohibited during the lockdown period, except in cases where essential workers must travel to and from work. Regulation 16(5) further provides for a once-off movement between provinces in order to return to one's place of work or residence under circumstances where it was not previously possible under the lockdown restrictions.

In these circumstances, it is proposed, taking into account Regulations 16(4) and 16(5), 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 comply with Annexure A, Form 2 to the Regulations and state the full name and surname of the essential worker, their place residence, the individual's identity number, and then certify that the worker is performing an essential service, namely the *Production and sale of any food product, including non-alcoholic beverages* and/or is employed in the agricultural industry, rendering an essential service in terms of Regulation 28(1) and Item A 1 of Table 1 to the Regulations. The permit must clearly indicate that the essential worker is returning to their usual home after rendering such seasonal work or is on their way to a specific farm for a seasonal activity away from his usual home. **The travelling essential worker/s must be screened by the employer before embarking on the trip.**

**NOTE:** In accordance with the Regulations, 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 the Regulations must be duly designated in writing in a form (permit) consistent with Form 2, Annexure A: Permit to Perform an Essential Service of the Regulations as published on 29 April 2020.

2. Every essential worker must have an identity document with him / her at all times.
3. Although not prescribed by law, it is recommended that each essential worker be screened before getting on the vehicle, and that proof of such screening be provided to the worker. This proof can be in the form of a note (with employer's stamp) 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;
  - the worker's fever at the time of screening; and
  - the name and signature of the person who performed the screening of the essential workers.
4. In accordance with the Transport Directions issued by Minister Mbalula on 4 May 2020 in Government Gazette No 43272:
  - a. Sufficient hand sanitizer must be available in each vehicle – at least one large bottle per taxi/minibus, with a content of at least 500 ml and containing at least 60% alcohol content.
  - b. All operators must ensure that public transport vehicles are sanitized before picking up and after dropping off passengers.
  - c. Operators must ensure that all public transport vehicles' doors and window handles, arm rest and hand rails are sanitized after every load;
  - d. Passengers must be encouraged to sanitise after they enter the vehicle and after getting off the vehicle;
  - e. Operators must ensure that all public transport vehicles are clean and tidy.
  - f. All public transport operators must provide disinfection information materials and procedures;
  - g. All drivers must wear a cloth face mask or a homemade item that covers nose and mouth;

- h. Any marshal or security officer who interacts with members of the public in a public transport facility must wear a cloth face mask or a homemade item that covers nose and mouth;
- i. All public transport operators must put measures in place to adhere to physical distancing to curb the spread of the virus.

In addition to the above:

- 5. Every driver of a vehicle carrying essential workers must be in possession of a permit indicating when he/she is leaving and when he/she must return back.
- 6. 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.
- 7. UI19 forms for each seasonal worker whose contract has expired must be available for inspection on route.
- 8. **UNDER NO CIRCUMSTANCES SHOULD SEASONAL WORKERS WHO ARE TESTED COVID-19 positive be allowed to travel from the Western Cape to neighbouring provinces or regions as per the health protocols. COVID-19 PATIENTS should as per the health protocols be isolated or in quarantine sites and not be allowed to travel.**

#### Carrying capacities

- 9. As per the Transport Directions issued by Minister Mbalula on 4 May 2020 in Government Gazette No 43272:
  - a. Public Transport Sedan vehicle is limited to carry not more than 50% of its permissible passenger carrying capacity, sedan vehicle with carrying capacity of 5 persons is allowed to carry two passengers plus a driver (3 persons).
  - b. E- hailing, meter taxis, shuttle services, chauffeur driven vehicles are permitted to carry not more than 50% of their permissible passenger carrying capacity as follows:

- i. vehicle with a permissible carrying capacity of 5 persons is allowed to carry two passengers plus a driver (3 persons);
    - ii. vehicle with a permissible carrying capacity of 7 passengers is allowed to carry three passengers plus a driver (4 persons);and
    - iii. vehicle with a permissible carrying capacity of 10 passengers is allowed to carry five passengers plus a driver (6 persons).
  - c. Mini and Midibus Taxi vehicles must not carry more than 70% of their maximum licensed passenger carrying capacity as follows:
    - i. A minibus licensed to carry 10 passengers, is limited to carry a maximum of 7 passengers plus a driver;
    - ii. A minibus licensed to carry 15 passengers, is limited to carry the maximum of 10 passengers plus a driver; and
    - iii. A midi -bus permitted to carry a maximum of 22 passengers, is limited to carry a maximum of 15 passengers plus a driver.
  - d. Busses are permitted to carry not more than 50% of their permissible passenger carrying capacity which includes both seating and standing passengers.
10. Furthermore, whilst the licensed capacity for LDV and Trucks are 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 un-laden weight) gives the carrying capacity of a freight vehicle and the carrying capacity, divided by 68kg (average weight per person), provides the number of people that may be carried legally.
11. However, during the lockdown, only 50% of the normal weight may be carried. See below a table of the capacity of various vehicles. Accordingly, the following table should be applied when dealing with transport of passengers by LDV or Trucks:

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

12. It is also important to at all times ensure sufficient space (social distancing) between essential workers traveling in this fashion as passengers to ensure their protection. As a guide, the space utilized should only be approximately 50% of what it could be if the vehicle were fully loaded.
13. 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.
14. 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.
15. 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 however, to note that there are significant safety risks involved in transporting employees in such a manner.
16. As a guideline, we would recommend that a maximum of 5 persons can be transported on the back of the bakkie, allowing for sufficient (social distancing)

space between workers and ensuring that the space utilized will be approximately 50% of what it could be if the vehicle were fully loaded.

17. **It is also recommended that essential workers (doing seasonal work) travelling from or to the Western Cape to and from neighbouring provinces should also undergo additional screening by the provincial health authorities of the receiving provinces at the provincial borders. This is an additional precautionary measure by the receiving provinces.**
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