

## STATE OF DISASTER: PROTOCOL FOR PRINCIPALS OF PUBLIC SCHOOLS IN RESPECT OF LEAVE FOR EDUCATORS AFFECTED BY COVID-19

### 1. OBJECTIVE

To provide for standard operating procedures for Principals of Public Schools in the arrangements for leave of absence for educators employed in terms of the Employment of Educators Act, 1998 (Act No. 76 of 1998), (EEA), who might need to self-isolate or quarantine. This follows, and is directly linked to, the outbreak of the Coronavirus (COVID-19) in South Africa, and the subsequent declaration of a national state of disaster.

### 2. AUTHORISATION

These standard operating procedures are issued in terms of regulation 1(3) of the Regulations promulgated in terms of section 27(2) of the Disaster Management Act, Act No. 57 of 2002 and published in Government Gazette No. 43107 of 18 March 2020.

### 3. DEFINITIONS

- 3.1 **'COVID-19'** means an infectious disease caused by the Novel Coronavirus, which emerged during 2019 and was declared a global pandemic by the World Health Organisation (WHO) in 2020.
- 3.2 **'Isolation'** Means separating a sick individual with a contagious disease from healthy individuals that are not infected with such disease in a manner that aims to prevent the spreading of infection or contamination.
- 3.3 **'National state of disaster'** means the national state of disaster declared by Government Notice No. R. 313 of 15 March 2020.
- 3.4 **'Quarantine'** means the restriction of activities or separation of a person, who was or may have potentially been exposed, to COVID-19 and who could potentially spread the disease

to other non-exposed persons, to prevent the possible spread of infection or contamination to healthy individuals.

- 3.5 **'Days'** means a consecutive number of days, inclusive of Saturdays, Sundays and public holidays as defined in the Public Holidays Act, Act No. 36 of 1994.

#### **4. PROTOCOL**

- 4.1 For the duration of the national state of disaster as a result of the COVID-19 outbreak, a Principal must grant leave for the duration of a quarantine or isolation of any educator to the extent provided herein.
- 4.2 It is the responsibility of the Principal of the school to determine the reason for absence of an educator and to ensure that the absence is reported by firstly recording such absence and secondly, ensuring that the necessary documentation (including adequate medical reports) is completed in order for the Principal to apply his or her mind as to whether or not to grant leave of absence. The confidentiality of the information must be maintained.
- 4.3 The following guidelines will assist the Principal during COVID-19 to determine whether or not leave should be granted, and if so the type of leave that should be granted.

##### ***Special Leave for COVID-19 for Purpose of Quarantine***

- 4.4 In line with paragraph H.7 of the Personnel Administrative Measures (PAM), a Principal may, as a precautionary measure, grant an educator special leave with full pay for COVID-19 if such an educator is screened or tested for COVID-19, because the educator –
- 4.4.1 displays symptoms of a respiratory illness, cough, sore throat, shortness of breath or fever;
  - 4.4.2 travelled abroad and there is reason to believe that the educator may be at risk of being infected with COVID-19;
  - 4.4.3 has been in close contact with a person confirmed to be infected with COVID-19;
  - 4.4.4 has been in close contact with to a person suspected of having COVID-19;
  - 4.4.5 attended a health care facility where patients with COVID-19 infections were being treated; and/or
  - 4.4.6 Attended an event where it has been proven that one or more other attendees of such an event have been confirmed to be COVID-19 positive.

### ***Eligibility Criteria for Special Leave***

- 4.5 An educator contemplated in paragraph 4.4 may be granted special leave of no more than fourteen (14) days for COVID-19, if that educator underwent screening or testing in accordance with the protocols established by the National Department of Health and the National Institute for Communicable Diseases (NICD).
- 4.6 An educator contemplated in paragraph 4.5 may be granted special leave of no more than fourteen (14) days for COVID-19 if a Principal assessed the application taking into account the inherent risk to the workplace, the service delivery needs of the department and the decision taken is supported by a written instruction by a medical practitioner.
- 4.7 In the interest of continuous service delivery, and if reasonable under the circumstances, an educator granted special leave for COVID-19 as a precautionary measure, may be requested to continue working remotely to perform specific functions while being quarantined.
- 4.8 Notwithstanding the provisions of paragraphs 4.4 to 4.6, special leave shall be terminated in the event that the educator tests negative for COVID-19.

The following has been indicated by the Department of Health as risk factors for severe COVID-19<sup>8-10</sup>

<b>Risk Factor</b>	<b>Detail</b>	<b>Definition</b>
Age	People 60 years and older with comorbidities	Aged 60 years or older with one or more disorders or conditions.
People of all ages with the following underlying medical conditions, particularly if not well controlled:		
Cardiovascular Disease	Moderate/ Severe Hypertension	Moderate hypertension: systolic BP 160-179mmHg and/or diastolic BP 100-109 mmHg. Severe hypertension: systolic BP ≥180 mmHg and/or diastolic BP ≥110 mmHg.
	Congestive cardiac failure or other serious cardiovascular disease	Confirmed clinical diagnosis of congestive cardiac failure or other serious cardiovascular disease

	Cerebrovascular disease, including stroke and transient ischaemic attack	Confirmed clinical diagnosis of cerebrovascular disease.
Respiratory Disease	Pulmonary Tuberculosis – untreated or in early treatment	People who have not completed the intensive phase or first two months of treatment in line with the National Department of Health Standard Treatment Guidelines.
	Moderate to severe asthma	Asthma which requires treatment with high dose inhaled corticosteroids plus a second controller (and/or systemic corticosteroids) to prevent it from becoming ‘uncontrolled’ or which remains ‘uncontrolled’ despite this therapy.
	Chronic Obstructive Pulmonary Disease (COPD)	Confirmed clinical diagnosis of COPD
	Other severe chronic lung pathology, including cystic fibrosis and bronchiectasis	Confirmed clinical diagnosis – irrespective of severity.
Kidney Disease	Chronic Kidney Disease	eGFR < 45
Pregnancy	Third trimester pregnancy	Estimated to be further than week 27 of pregnancy
Immunosuppression	Poorly controlled type II Diabetes Mellitus	HBA1c ≥7.5% within last 6 months
	Cancer undergoing active treatment	Currently undergoing chemotherapy and/or radiotherapy
	Human Immunodeficiency Virus with advanced immunosuppression	HIV positive persons with CD4 count <200 cells/mm <sup>3</sup> who are ART-naïve or who initiated ART within last 3 months
	Chronic immunosuppressant use	Chronic use of corticosteroids of >20mg prednisone per day or equivalent, methotrexate, biologicals or other immunosuppressants.
	Transplant	On chronic immunosuppressants
Metabolic syndrome	Severe obesity	Body mass index (MBI) of 40 and higher

### ***Educator Actions***

- 4.9 An educator granted special leave for COVID-19 as a precautionary measure is required to –
- 4.9.1 Remain at home and follow the advice from the National Department of Health or his/her medical practitioner.
  - 4.9.2 Avoid contact with other people in order to help prevent the spread of COVID-19 both in his/her home and community.
  - 4.9.3 Stay home, avoid other people and contact the National Department of Health as soon as possible, if he/she develops symptoms of COVID-19, even if mild.

### ***Special Leave for COVID-19 for Purpose of Isolation***

- 4.10 A Principal shall grant an educator sick leave if the educator presented with illness or symptoms and a medical practitioner has certified that the educator must be isolated to prevent the spread of COVID-19.

### ***Eligibility Criteria for Sick Leave***

- 4.11 An educator may be granted sick leave if the educator –
- 4.11.1 Underwent medical screening in accordance with the protocols established by the National Department of Health and NICD and a medical certificate is issued indicating the educator is not fit for duty.
  - 4.11.2 Underwent medical screening for COVID-19 and is diagnosed with any other illness that is not COVID-19 and a medical practitioner has issued a medical certificate declaring the educator unfit for duty.

### ***Benefit***

- 4.12 An educator may be granted sick leave or incapacity leave in accordance with the Policy and Procedure on Incapacity Leave and Ill-health Retirement processes, if the educator has exhausted his/ her normal sick leave.

### ***Educator Actions***

- 4.13 Educators granted sick leave for COVID-19 are required to –

4.13.1 Stay at home for the duration of the period certified by a medical professional until advised that the risk of spreading the virus to others has subsided; and

4.13.2 Avoid contact with other people to help prevent the spread of the disease in their home and community, particularly people at high risk of severe illness outcomes, such as older adults or medically vulnerable people.

### ***An Educator who Refuses to Report for Duty***

- 4.14 If an educator has not been granted permission to be absent from his/her place of work and refuses to attend, then such absence shall be regarded as unpaid leave and shall be dealt with in terms of the applicable Disciplinary Code.

## **5. IMPLEMENTATION OF THESE PROTOCOLS**

In the case where a Principal is not sure of how to treat a particular case, the Principal must contact the Human Resource Division of the Provincial Education Department to be provided with further guidance.