

**6 May 2020**

**To: Industry Employers and Employees**

Under Level 4 of the Covid-19 restrictions, certain civils operations have been given the green light to return to work.

The regulations, however, do not make any reference to Bargaining Councils. As a law abiding and responsible institution, the BCCEI will, therefore, not open its offices and will not resume full-scale operations without a clear directive from the Department of Employment and Labour (DOEL) to do so. A letter has been sent to the DOEL seeking guidance in this regard.

The BCCEI needs a clear mandate and clarity as to whether the functions of the Council are deemed to be a related service under Level 4 of the Covid-19 restrictions and is therefore entitled to reopen. A directive will be provided to the industry, stakeholders and staff once certainty has been received.

While the BCCEI remains committed to prompt service delivery, such cannot be delivered at the expense of the health of employees, users and stakeholders. The BCCEI will, however, continue to assist and accept enquiries through non-contact methods such as email and telephone.

The BCCEI appeals for all companies to continue to observe and abide by all the BCCEI collective agreements and employment laws, requesting for humanity, relationship building, and collaborative problem solving during this difficult time.

I therefore, request that parties take note of the DEL - COVID-19 OCCUPATIONAL HEALTH AND SAFETY MEASURES IN WORKPLACES - COVID-19 (C19 OHS) guidelines that were published in the government gazette on 28 April 2020:

“DIRECTIVE BY THE MINISTER OF EMPLOYMENT AND LABOUR IN TERMS OF REGULATION 10 (8) OF THE REGULATIONS ISSUED BY THE MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS IN TERMS OF SECTION 27 (2) OF THE DISASTER MANAGEMENT ACT, 2002 (ACT NO. 57 OF 2002)” (*Click [here](#) for the regulations*)

**Nick Faasen**  
**BCCEI General Secretary**