



COMMISSION FOR CONCILIATION, MEDIATION & ARBITRATION

Revolutionising Workplace Relations

17 March 2020

To: CCMA Users, CCMA Staff and part time Commissioners, Bargaining Councils and Private Dispute Resolution Agencies

Dear All,

URGENT DIRECTIVE IN RESPECT OF THE RESPONSE TO COVID 19

1. The spread of the Coronavirus is growing exponentially. To date 179 978 cases of the COVID 19 Coronavirus have been reported globally, with 7 100 deaths and 78 326 people having recovered from the virus. South Africa has 62¹ reported cases to date. The CCMA, on the presumption that everyone is equally likely to get/have COVID19 coronavirus, acknowledges the exposure of its employees and users.
2. In issuing this directive, the CCMA has had regard to the following instruments and other directives:

¹ As at 16 March 2020, 14H00

CCMA Head Office:

28 Harrison Street, Johannesburg, 2001 - HO Reception Tel: (011) 377 6600
Web: www.ccma.org.za - e-mail: ho@ccma.org.za - Fraud Hotline: 0860 666 348

Regional Offices:

Eastern Cape – East London

Eastern Cape – Port Elizabeth

Free State – Bloemfontein

Free State – Welkom

Gauteng – Ekurhuleni

Gauteng – Johannesburg

Gauteng – Tshwane

Gauteng – Vaal

KwaZulu-Natal – Durban

KwaZulu-Natal – Newcastle

KwaZulu-Natal – Pietermaritzburg

KwaZulu-Natal – Port Shepstone

KwaZulu-Natal – Richards Bay

Limpopo – Polokwane

Mpumalanga – Nelspruit

Mpumalanga – Witbank

Northern Cape – Kimberley

North West – Klerksdorp

North West – Rustenburg

Western Cape – Cape Town

Western Cape – George

- The directive issued by the President of the Republic of South Africa, Honourable Cyril Ramaphosa;
 - The Guidelines for the containment of the Coronavirus in the public service issued by the Department of Public Service and Administration;
 - The directives and guidelines issued by the Department of Health; and
 - The protocols issued by the National Institute for Communicable Diseases.
3. The CCMA has had further regard to the actions taken by the High Court, Labour Court and the Labour Appeal Court. Also importantly, we have taken guidance from the CCMA risk assessment report on the outbreak of the COVID19 Coronavirus.
 4. There are two important preventative health principles, namely maintaining high levels of hygiene and practicing social distancing, which help in containing the spread of the virus.
 5. This directive will apply with effect from 18 March 2020 until 14 April 2020, both dates inclusive.
 6. The CCMA hereby directs as follows:
 - 6.1. **All contact processes** involving face-to-face interaction with users are hereby postponed subject to paragraph 7 (*exceptions*).

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 Gauteng – Vaal
 KwaZulu-Natal – Durban
 KwaZulu-Natal – Newcastle
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 Mpumalanga – Witbank
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 North West – Kimberley
 North West – Rustenburg
 Western Cape – Cape Town
 Western Cape – George

6.2. All matters set down between 18 March 2020 up to and including 14 April 2020 are hereby postponed, subject to paragraph 7 (exceptions) below.

6.3. No persons will be allowed to walk into any of the CCMA offices for the purposes of enquiries and serving/delivering any processes or documents. The CCMA will only accept referrals received through other non-contact methods such as email or fax, as contained in rule 7 of the CCMA Rules. Users are encouraged to use these alternative methods of serving.

6.4. All discretionary functions as provided in section 115 of the Labour Relations Act 66 of 1995 (LRA) such as conferences, training etc. are postponed, unless otherwise advised.

7. EXCEPTIONAL CIRCUMSTANCES

7.1. In an attempt to strike a balance between the continuation of cases and protecting lives and health of our users and our staff, we have created the following exceptions:

7.1.1. The pre-conciliations process will continue because it is conducted by means of telephone;

7.1.2. Conciliations may continue if to be conducted telephonically and agreed to by Parties, CCMA and Commissioner;

7.1.3. Commissioners may attempt to resolve disputes using telephonic or online methods prescribed and approved by the CCMA;

Regional Offices:

Eastern Cape – East London

7.1.4. In terms of discretionary functions, large scale dismissals processes (189A of the LRA), Inquiry by Arbitrator processes (188A of the LRA), and identified matters of public interest, the CCMA may approve that these matters be set down in venues other than the CCMA offices, subject to the following strict conditions:

Eastern Cape – Port Elizabeth

Free State – Bloemfontein

Free State – Welkom

Gauteng – Ekurhuleni

Gauteng – Johannesburg

7.1.4.1. all Health and Safety conditions as contained in all instruments referred to in this directive are met (see paragraph 2 of this directive); and

Gauteng – Tshwane

Gauteng – Vaal

KwaZulu-Natal – Durban

7.1.4.2. the parties, CCMA and the Commissioner agreeing in writing.

KwaZulu-Natal – Newcastle

KwaZulu-Natal – Pietermaritzburg

8. The CCMA encourages you to make use of the National Institute for Communicable Diseases Coronavirus Emergency 24-hour hotline number 0800 029 999 or WhatsApp number 060 012 3456 and to visit their website at www.nicd.ac.za if required. For those who are tested at independent laboratories, remember that these are preliminary results. All positive results must be verified by the National Institute for Communicable Diseases.

KwaZulu-Natal – Port Shepstone

KwaZulu-Natal – Richards Bay

Limpopo – Polokwane

Mpumalanga – Nelspruit

Mpumalanga – Witbank

Northern Cape – Kimberley

9. The CCMA will continue to monitor the situation actively and take appropriate measures or additional precautions if necessary.

North West – Joricksdorp

North West – Rustenburg

10. We will keep communicating with you as the situation unfolds.

Western Cape – Cape Town

Western Cape – George

11. All enquiries concerning anything relating to this directive, especially in terms of the exceptions as outlined in paragraph 7, should be directed to following email address: covid19enquiries@ccma.org.za or call 011 377 6956.

Regards,



Cameron Sello Morajane
Director: CCMA

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