



25 March 2020

To: CCMA Employees, Users and Stakeholders

ERRATUM: CCMA TO OPERATE ON MINIMISED SERVICES DURING COVID-19 LOCKDOWN

It is clear from developments that are unfolding locally as well as internationally in relation to the COVID-19 pandemic, that immediate, swift and extraordinary measures are necessary to prevent a human catastrophe of enormous proportions. It is with this in mind that the President Cyril Ramaphosa announced on 23 March 2020 a nation-wide lockdown for 21 days with effect from midnight on Thursday 26 March 2020.

This is a call that the CCMA shall abide by. The CCMA will cease full operations and services for the duration of the nation-wide lockdown, 26 March 2020 to Thursday, 16 April 2020 (both days included). Users requiring urgent assistance are encouraged to use electronic means such as email, fax, and CCMA social media accounts for labour related advice. Full details are available on the CCMA website www.ccma.org.za

In response to the several enquiries we have received regarding options available to the labour market in respect of Temporary Relief Scheme Services (TERS) and S189A applications, please note the below for clarity purposes:

1. TERS Applications:

The process for applying for relief in terms of participation in the Temporary Relief Scheme is retained in the current format. That is:

- A TERS agreement must be concluded
- The TERS application must be made in the prescribed format (form to be completed) with all supporting documentation to the following mail address with supporting documentation at TERSapplication@ccma.org.za
- The following criteria still applies:
 - *Business distress – drop in revenue as reflected in the audited financial statements or most recent management accounts and labour costs as a high percentage of operation costs*
 - *Employee distress – likelihood of retrenchment, short-time, and /or any other layoff*
 - *Operational distress – example, occasioned by prospective business (order book) that places the business and employees at risk in anticipation of new business such as re-tooling for new production lines etc.*
- Once the application is received, the application is then considered by the Single Adjudication Committee (SAC) for recommendation.

2. TERS Applications during Covid-19

The same process applies as above. This applies to scenarios that are brought about by the pandemic that could lead to:

- Business closure
- Retrenchments

All the qualifying criteria are still applicable and the administrative process for application remains the same. It is likely that applications will be made as a consequence of the adverse impact of Covid-19 in the next 4 to 6 months and thereafter. **Note: The TERS process is not applicable to the 21 days shutdown.**

Businesses and employers in distress wishing to apply for TERS are urged to email: TERSapplication@ccma.org.za

3. Essential Services

Users and Stakeholders requiring essential service related assistance or advice, kindly email: ZamangwevuM@CCMA.org.za or BeverlyR@CCMA.org.za.

4. Relief available during the period of shutdown – National Disaster Benefit (NDB)

This applies to employers who may, as a direct result from the current Corona virus (COVID-19) pandemic close their business for a particular period and send employees home. This constitutes a **temporary lay-off** and is not related to TERS at all. In the event that the employer is unable to pay employees, they may apply for the “National Disaster Benefit” from the **Unemployment Insurance Fund** in respect of:

- Reduced work-time;
- Illness; or
- Unemployment benefits.

The party making this enquiry will be directed to the nearest UIF (DEL) centre or will be required to access their website (<http://www.labour.gov.za/contacts>). **The CCMA has no role to play in this process.** In order to ensure that relief is considered, parties who have adequate reserves or contingency plans in place should be encouraged to delay any application so that the most urgent applications are attended to.

All efforts are geared towards safeguarding South African citizens against COVID-19. The health and, safety of our CCMA staff, Users and Stakeholders is of paramount interest.

Users and Stakeholders are urged not to panic-buy groceries or medical supplies due to COVID-19. Users are also encouraged to utilise available support provided by the government, and to keep abreast of developments on the spread of the virus. Please stay at home and abide by the precautionary measures announced.

The CCMA will resume its full operations 17 April 2020, unless otherwise advised.

Stay safe and take care

Thank you

Ends