Can an employer require an employee to be tested for covid -19?

1. An employer is obliged in terms of the Occupational Health and Safety Act 85 of 1993 read together with Employment Equity Act 55 of 1998, to maintain a safe and hazardous free working environment. In maintaining such a condition, the employees are also affected by such.
2. If the employee compromises the statutory obligation of the employer, the employer can refuse such an employee access to the workplace.
3. In addition, the employer can force the employee to undergo Covid-19 test in order to meet his statutory obligation in maintaining a safe working environment.
4. In terms of the South African Information Regulator, a person who has tested positive, has a duty to disclose his status to the government. This would enable the government to take appropriate steps to fight the spread of the corona virus.
5. It is clear from the above that the employer can refuse an employee who refuses to be tested, access to the workplace.
6. Yes, in line with the South African Information Regulator, an employer can force an employee to undergo a Covid-19 test.

Johannes Mokotedi, Van Velden-Duffey Inc