

 Eskom	HSE Specification	Group Capital
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1. Introduction

Eskom's responsibility and commitment is to ensure a safe working environment in line with its Safety, Health, Environmental and Quality Policy, along with legislative obligations.

Zero harm is one of ESKOM values. The aim of Eskom's adoption of Zero Harm as one of its values is to strive to, and achieve world class Safety, Health, and Environmental performance, where all Guardians (employees and Contractors) return home safely every day and without harm done to the environment we operate in.

This Health, Safety and Environment (HSE) requirement document is Eskom's minimum requirements which are required to be met for the specific contract and for the duration of the contract period by the Delivery Partner and where required, the delivery organisation.

The Delivery Partner shall be expected to develop HSE manual/system which complies with these requirements as well as the relevant applicable legislation. The Delivery Partner shall be expected to ensure compliance with legal requirements and Client HSE requirements by the EPC Contractor.

The Delivery Partner shall develop Environmental Management Systems (EMS) Manual inline with the environmental approvals, legislations and ISO 14001 Standard.

Eskom in no way assumes the Delivery Partner legal responsibilities. The Delivery Partner is and remains accountable for the quality and the execution of the Health, Safety and Environmental (HSE) improvement programmes for the project.

This HSE requirement reflects minimum requirements and shall not be construed as all encompassing. This document may not thoroughly address all hazards and aspects associated with any specialised activity or operation. In such situations, Delivery Partner shall be responsible for developing their own health and safety plans/procedures/manuals/work instructions to adequately address all activities and scope of the project.

The requirements of this specification should not be considered to be exhaustive, and the Employer reserves the right to add, delete or modify conditions where it is considered to be appropriate.

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2. Supporting Clauses

2.1 Scope

This document sets out the minimum legislative and organisational requirements for all activities under this Scope of Work at Medupi Power Station Project.

2.1.1 Purpose

To indicate to the Delivery Partner the minimum Health, Safety and Environment (HSE) requirements on the project, upon which their planning for the management of HSE shall be based and thus produce their HSE Manual/System, EMS Manual and related Procedures.

2.1.2 Applicability

This HSE requirement document is applicable to the Delivery Partner in all the activities and processes carried out for and on behalf of Medupi FGD Retrofit Project.

For best practice reasons, where the work scope does not fall within the definition of Construction Regulations 2014, then this requirement shall also apply as a minimum.

2.1.3 Effective date

This HSE requirements document shall be implemented from date of authorisation.

2.2 Normative/Informative References

Parties using this document shall apply the most recent edition of the documents listed in the following paragraphs.

Note: Where the date for revision of a document on the Eskom Document Centre website has passed, the document is still current, irrespective of its revision date having passed.

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2.2.1 Normative

- [1] ISO 9001: Quality Management Systems – Requirements.
- [2] ISO 45001: Occupational Health and Safety Management Systems – Requirements.
- [3] ISO 14001: Environmental Management Systems – Requirements.
- [4] Basic Conditions of Employment Act No 75 of 1997
- [5] The Labour Relations Act 66 of 1995
- [6] Occupational Health and Safety (OHS) Act 85 of 1993 and Regulations
- [7] National Environmental Management Act 107 of 1998
- [8] National Environmental Management: Air Quality Act 39 of 2004
- [9] National Environmental Management: Waste Act 59 of 2008
- [10] Compensation for Occupational Injuries and Diseases Act, No 130 of 1993 (COIDA)
- [11] National Road Traffic Act 93 of 1996
- [12] National Water Act 36 of 1998
- [13] 32-37 Eskom Substance Abuse Procedure
- [14] 32-726 Contract and Contractor OHS Management Standard
- [15] 240-62196227 Life- saving Rules
- [16] 32-95 Environmental, Occupational Health and Safety Incident Management Procedure.
- [17] 32-727 SHEQ Policy.
- [18] 32- 418 Working at Heights Procedure.
- [19] 240-43848327 Employees' right of refusal to work in an unsafe situation.
- [20] 240-62946386 Vehicle and Driver Safety Management Procedure.
- [21] 32-93 Eskom Vehicle and Driver Safety Management.
- [22] 32-345 Eskom Vehicle Safety Specification.
- [23] 32-520 Risk Assessment procedure.
- [24] 32-124 Eskom Fire Risk Management.

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[25] 32-123 Emergency Planning.

[26] 32-407 Behaviour Safety Observation Procedure.

[27] 32-1126 Eskom Smoking Policy.

[28] 240-150642762 Generation Plant Safety Regulations

[29] 348-681011 The Environmental Management Plan for the Medupi Coal-fired Power Station in the Lephalale Area, Limpopo Province – The Construction Phase

[30] 348 – 631731 Medupi Power Station Record of Decision

[31] 348-629765 Atmospheric Emission Licence 2020

[32] 348-860848 Medupi Environmental Policy

[33] 348-954407 Medupi FGD EA 2018

[34] 348-954407 Medupi FGD EA amendment 2018

[35] 14/12/16/3/3/1/2028 FGD Raw Water Pipeline

[36] 348-717685 Procedure for the handling of HSE Non-conformities and Corrective and Preventive Action

[37] 348-882048 Medupi EMS Scope and Manual

2.2.2 Informative

[38] Constitution of the Republic of South Africa No 108 of 1996.

[39] SANS 1186 Symbolic Safety Signs.

[40] Tobacco Products Control Act 83 of 1993.

[41] All relevant South African legislation-provincial, municipal by-laws.

[42] National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004)

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2.3 Definitions

Term	Explanation
Agent	Means a competent person who acts as a representative for a client.
Aspect	An element of an organisation's activity, product and service that can have a beneficial or adverse impact on the environment.
Baseline risk assessment	(32-520) baseline operational risks refer to the health and safety risks associated with all standard processes and routine activities in the business
Client	Any person for whom construction work is being performed.
Client Representative	(OHS Act) Eskom representative (Internal – Asset Owner), also referred to as the contract administrator/custodian or agent or project manager (as defined in the contract). He/she is the person responsible for ensuring that the works or services are executed in terms of the contract, as well as adherence to legislation pertaining to the contract.
Competent person	(OHS Act) means any person having the knowledge, training, experience, and qualifications, specific to the work or task being performed, provided that, where appropriate, qualifications and training are registered in terms of the South African Qualifications Authority Act, 1995 (Act No. 58 of 1995)
Construction Health and Safety Agent (CHSA)	Means a competent person who acts as a representative for a client as per the Construction Regulations (CR) of the Occupational Health & safety Act, No.85 of 1993, CR 5(6)(7) and the South African Council for the Project and Construction Management Professions (SACPCMP).
Construction site	Means a workplace where construction work is being performed

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Term	Explanation
Construction work	Any work in connection with a. the construction, erection, alteration, renovation, repair, demolition or dismantling of or addition to a building or any similar structure. b. the construction, erection, maintenance, demolition or dismantling of any bridge, dam, canal, road, railway, runway, sewer or water reticulation system or the moving of earth, clearing of land, the making of excavation, piling or any similar civil engineering structure or type of work.
Consultant	Means a person providing professional advice
Contract	Is an agreement with conditions between the Client and a Contractor where an adjudication authority has approved a scope of work to be completed in a specific time frame and within a specified value
Contractor	(OHS Act) means an employer as defined in section 1 of the Act who performs construction work and includes <i>Principal Contractors</i> . In relation to this document, where the word “ <i>Contractor</i> ” is used, it shall mean all or some of the following: <i>Principal Contractors</i> , appointed <i>Contractors</i> , suppliers, vendors, service providers and consultants
Controlled disclosure	Controlled disclosure to external parties (either enforced by law or discretionary)
Delivery partner	A qualified engineering resource appointed by the Client to supervise the execution of the work contracted for under the EPC Contract. The role is undertaken to protect the owner's interests by ensuring that the technical and build EPC Contractors are adhering sufficiently to the project specification. The Delivery Partner serves as an independent representative or advocate of the project owner.

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Term	Explanation
Designer	<p>Means any of the following persons:</p> <ul style="list-style-type: none"> • A competent person who: <ul style="list-style-type: none"> • Prepares a design. • Checks and approves a design. • Arranges for any person at work under his/her control to prepare a design, including an employee of that person where he or she is the employer, or designs temporary work, including its components, • Is an architect or engineer contributing to, or having overall responsibility for, the design • A Building services engineer designing details for fixed plant. • A Surveyor specifying articles or drawing up specifications. • A Contractor carrying out design work as part of a design and building project, or an interior designer, shopfitter, or landscape architect.
Duty of care to the environment	<p>(32-136) anybody who causes or has caused or may cause significant pollution or degradation of the environment shall take reasonable measures to prevent such pollution or degradation from occurring, continuing, or recurring. If such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, such person shall minimise and rectify such pollution or degradation of the environment</p>
Employee	<p>(OHS Act) means, subject to the provisions of subsection (2), any person who is employed by or works for an employer and who receives or is entitled to receive any remuneration or who works under the direction or supervision of an employer or any other person</p>

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Term	Explanation
Employer	(OHS Act) means, subject to the provisions of subsection (2), any person who employs or provides work for any person and remunerates that person or expressly or tacitly undertakes to remunerate him/her, but excludes a labour broker as defined in section 1(1) of the Labour Relations Act, 1956 (Act No. 28 of 1956)
Environment	(32-94) means: <ul style="list-style-type: none"> a. the land, water, and atmosphere of the earth, b. micro-organisms and plant and animal life, and c. any part or combination of (a) and (b) and the interrelationships among and between them, and the physical, chemical, aesthetic, and cultural properties and conditions of the foregoing that influence human health and well-being
Environmental Management plan	A detailed plan of action prepared to ensure that recommendations for enhancing or ensuring positive impacts and limiting or preventing negative environmental impacts are implemented during the life-cycle of a project. This Environmental Management Plan shall preferably form part of Eskom's Environmental Management System
Environmental Control Officer (ECO)	Environmental Control Officers are specialized individuals responsible for monitoring, evaluating, and enforcing compliance with environmental laws, regulations, and policies.
Environmental Risk Assessment	Means a systematic process of evaluating the potential risks that may be involved in projected activity or undertaking.
Eskom requirements	Eskom requirements flowing from directives, policies, standards, procedures, specifications, work instructions, guidelines, or manuals

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Term	Explanation
Fall protection Plan	(OHS Act) Means a documented plan which includes and provides for: a) All risks relating to working from a fall risk position, considering the nature of work undertaken, b) The procedures and methods to be applied to eliminate the risk of falling, and c) A rescue plan and procedures.
Hazard	(OHS Act) means a source of, or exposure to danger
Hazard identification	(OHS Act) means the identification and documenting of existing or expected hazards to the health and safety of persons, which are normally associated with the type of construction work being executed or to be executed.
Impacts	Any changes to the environment whether adverse or beneficial, wholly or partial resulting from environmental aspects.
Lifesaving Rules	(240-62196227) a rule that, if not adhered to, has the potential to cause serious harm to people.
Medical Certificate of fitness	Means a certificate valid for one year, issued by an occupational health practitioner, issued in terms of the regulations, whom shall be registered with the Health Professions Council of South Africa.
Medical surveillance	Means a planned programme or periodic examination (which may include clinical examinations, biological monitoring, or medical tests) of employees by an occupational health practitioner or, in prescribed cases, by an occupational medicine practitioner.
Method statement	Is a written document detailing the key activities to be performed, work procedures and sequences of operations to reduce, as reasonably as practicable, the hazards identified in any risk assessment.
On Site/Site	Any workplace where the contractor or his employees performs contract related work.

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Term	Explanation
Organisation	May be defined as a group of individuals (large or small) that is cooperating under the direction of executive leadership in accomplishment of certain common objects.
Permit to work	Means a written declaration on the permit to work form, signed by the appointed person and issued to the responsible person in charge of the work, informing the latter that the plant to be worked on has been isolated as detailed.
Provincial director	(OHS Act) means the provincial director as defined in Regulation 1 of the General Administrative Regulations under the Act.
Responsible Manager	Is a Manager of a department, section or operating/business unit who has been appointed as part of the Eskom delegation of authority process with the aim to assist the applicable 16(2) assigned person in executing his/her duties in terms of the Occupational Health and Safety Act.
Responsible Person	Means a person who has been authorised in terms of plant safety regulations to be responsible for ensuring that the work on the plant covered by a permit to work can be carried out and executed taking health and safety precautions into account and within the terms of these regulations.
Risk	The probability that injury or damage shall occur.
Risk assessment	Means a programme to determine any risk associated with any hazard at a construction site to identify the steps needed to be taken to remove, reduce, or control such hazard.
Safety Health and Environmental file	Means a file or other record in permanent form, containing the information on the SHE management system during construction including all information relating to construction phase after the handover to Client.

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Term	Explanation
Safety, Health, and Environmental Plan	Means a written plan that addresses hazards identified during the risk assessment process as well as the identified impacts in the SHE specification. This shall typically include safe work procedures to mitigate, reduce or control the hazards identified and is specific to each construction project undertaken. This is usually compiled by the Principal Contractor or contractor and approved by the Client/Agent for which contracting work shall be performed.
Safety, Health and Environmental (SHE) Specification	Including the base line risk assessment means a documented specification of significant residual SHE requirements for a construction site, which a competent and resourced Principal Contractor or contractor shall not have been aware of. This is to ensure the health and safety of employees and the direct and indirect communities, as well as duty of care for the environment. The Client/Agent compiles the SHE specification which shall be specific to each construction project.
Safety, Health and Environmental (SHE) requirements	Means comprehensive safety, health and environmental requirements for a contract, project, site, and scope of work. These requirements are intended to ensure the health and safety of persons, both workers and the public, and the duty of care to the environment. The requirements shall be specific to each contract, project, site, and scope of work.
Service provider	Any private person or legal entity that provides any service(s) to Eskom for compensation.
Site	(34-228) means an Eskom department, unit, complex, building, specific project, work site, or the site where agents, clients, principal contractors, contractors, suppliers, vendors, and service providers provide a service to Eskom, directly or indirectly.
Subsidiary	(32-94) an enterprise controlled by another (called the parent) through the ownership of greater than 50% of its voting stock.
Supplier	(32-1034) means a natural or legal person who renders a service and may include the following current or potential supplier vendor, contractor, consultant.

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Term	Explanation
Task	(34-227) a segment of work that requires a set of specific and distinct actions for its completion.
The Act	(OHS Act) means the Occupational Health and Safety Act No. 85 of 1993, as amended, and the Regulations thereto.
Visitor	Any person visiting a workplace with the knowledge of, or under the supervision of, an employer.

2.4 Abbreviations

Abbreviation	Explanation
CHSA	Construction Health and Safety Agent
COID Act	Compensation for Occupational Injuries and Diseases Act
CoC	Certificate of Compliance
CR	Construction Regulations of the OHS Act
DoEL	Department of Employment and Labour
DMR	Driven Machinery Regulations
EA	Environmental Authorisation
EAP	Employee Assistance Program
ECO	Environmental Control Officer
EIA	Environmental Impact Assessment
EMC	Environmental Management Committee
EMP	Environmental Management Plan
EMS	Environmental Management System
EO	Environmental Officer
EP	Emergency Preparedness
ERW	Environmental Regulations for Workplaces

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Abbreviation	Explanation
GAR	General Administrative Regulations
GSR	General Safety Regulations
HCA	Hazardous Chemical Agents
HIRA	Hazard identification and risk assessment
HS	Health and Safety
HSE	Occupational Health, Safety and Environmental Management
HV	High Voltage
EMP	Environmental Management Plan/programme
ISO	International Organisation for Standardization
LDV	Light Delivery Vehicle
LoGS	Letter of Good Standing (COID)
LTIR	Lost Time Incident Rate
LV	Low Voltage
SDS	Safety Data Sheets
NM	Near Miss
NEMA	National Environmental Management Act
NWA	National Water Act (Act No. 36 of 1996), as amended
OHNP	Occupational Health Nursing Practitioner
OHS	Occupational Health and Safety
OHS Act	Occupational Health and Safety Act and Regulations, 85 of 1993
ORHVS	Operating Regulations for High Voltage Systems
PPE	Personal Protective Equipment
RoD	Record of Decision
RP	Responsible Person
SABS	South African Bureau Standard

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Abbreviation	Explanation
SACNASP	South African Council for Natural Scientific Professions
SACPCMP	South African Council for the Project & Construction Management Professions
SANS	South African National Standard
SAQA	South African Qualifications Authority.
SAQCC	South African Qualification and Certification Committee
SHE	Safety, Health, and Environment
TETA	Transport Education Training Authority
WUL	Water Use License

2.5 Roles and Responsibilities

2.5.1 Client: Roles, Accountabilities and Responsibilities

2.5.1.1 Eskom General Manager:

The General Manager is accountable for the overall management of the project, including assurance that all duties of the employer as per OHS Act 85 of 1993, compliance to Medupi Power Station Project Environmental Approvals and related legislations and Eskom requirements are properly discharged.

2.5.1.2 Eskom Contract Manager:

The Contract Manager is responsible for managing the Delivery Partner and ensures that the HSE requirements are developed and issued with tender enquiries. The Discipline / Contract Manager shall ensure that all the environmental legal and statutory requirements and Eskom HSE requirements are always adhered to by Delivery partner.

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2.5.1.3 Eskom Engineering Manager:

The Project Engineer is the person responsible for ensuring that the Delivery Partner fulfils his professional and legal obligations with respect to the develop and implementation of design.

2.5.1.4 Eskom Health and Safety Manager/ Practitioner:

The responsibility of the Health and Safety Manager/Practitioner shall be to provide advisory, support, implementation of HS processes and further report to the Project management team on the health, safety and environmental performance.

The HSE Manager/Practitioner shall also be responsible for assisting in the development of project specific HSE requirements and ensuring that HSE requirements are issued with enquiry documents and implemented post contract award.

2.5.1.5 Eskom Environmental Manager/Officer:

The responsibility of the Environmental Manager/Officer is to provide assurance, advice, assistance, and support to the Eskom Contract Manager in the management of the environmental issues on the project which includes ensuring compliance to the Environmental Authorisation/Record of Decision (RoD), the Environmental Management Plan (EMP) and Environmental Management Systems. Ensure that Delivery Partner monitors compliance of the conditions in the environmental approvals and related legislation and Environmental Management System requirements.

2.5.2 Delivery Partner: Roles, Accountabilities and Responsibilities

- Delivery Partner shall ensure compliance to legal and other HSE requirements including Eskom HSE standards and procedure. He shall further ensure that EPC Contractor and Service Providers also complies.
- The Delivery Partner carries prime accountability and responsibility for the health, safety and welfare of the employees. No health, safety and welfare requirements specified by or imposed by the Employer (whether under the Contract or under applicable Law) shall be interpreted or operate, as between the Employer and the Contractor, to reduce the Contractor's accountability and responsibility for the health, safety and welfare of the Contractor's Personnel.
- The Delivery Partner shall be responsible for ensuring and monitoring compliance by the EPC contractor to all legal requirements and Client's requirements. Delivery Partner shall

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take the responsibility of developing and implementing improvement initiatives, strategies and Safety awareness promotions aimed at improving the HSE performance on the project.

- Delivery Partner shall ensure that EPC Contractor complies with the Occupational Health and Safety Act in terms of Construction Regulations of 2014, Regulations 6 and all other applicable Regulations, Standards, and legislations.
- The Delivery Partner shall ensure that the appointed employees or resources working on the project have the necessary competencies and training to perform their specific duties safely.
- The Delivery Partner appointed personnel shall be registered in their respective levels or categories as professionals in terms of the legislative requirements in accordance to SACPCMP and SACNASP
- The Delivery partner, always, considers itself to be the “employer” for the purposes of the OHS Act, and shall not consider itself under the supervision or management of the Client regarding compliance with the HSE requirements.
- The Delivery Partner carries primary accountability and responsibility for the health and safety of his/her employees and his/her suppliers within his/her working area, as contemplated by Section 37(2) of the OHS Act No. 85 of 1993 and Regulations as well as all the Environmental Management requirements as per NEMA 107, of 1998 and related legislation. None of the additional safety requirements specified by the Client reduces the Delivery partner’s accountability and responsibility for the health and safety of his employees and supplier employees within his working area.
- The Delivery Partner shall always be responsible for the supervision of its employees and assumes full responsibility and accountability for ensuring they are competent, aware of the SHE requirements and execute the works in accordance with the SHE requirements and legislative requirements.
- The Delivery Partner shall ensure that all statutory appointments and appointments required by the management system are in place, and that all appointees fully understand their responsibilities and are trained and competent to execute their duties. The Delivery Partner supervises the execution of their duties by all such appointees.
- The Delivery Partner shall have a disciplinary process and an organisational structured procedure to deal with employees who have transgressed organisational and legal requirements.

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- Every employee shall undergo SHEQ induction before commencement of the contracted work. Only once this induction has been received, shall each employee receive a site access permit.
- Where the Delivery Partner needs to introduce a new supplier/service provider, such suppliers shall, in every respect, meet the Client's SHE requirements, as well as applicable legal requirements.
- Delivery Partner shall ensure that during construction, all employees are made aware of their responsibilities.

2.5.2.1 Construction Health and Safety Agent (Pr. CHSA):

Delivery Partner shall appoint a Pr. CHSA and shall be responsible for ensuring compliance to Construction Regulations 2014, CR (5)

The Construction Health and Safety Agent shall:

- Be registered with the SACPCMP as a Construction Health and Safety Agent (Pr. CHSA).
- Submit CV and minimum qualification of National Diploma in Safety management/Environmental health related courses and over 8 years of experience in scope related experience.
- Knowledge of ISO 45001 Occupational Health, Safety and Management systems
- Experience in leading roles across areas of Health & Safety and Environmental, including Hygiene Management, Risk Assessment, Auditing, Inspections, SHE Culture Initiatives, Oversight and Reporting
- Ensure the integration of Occupational Health Safety and Hygiene aspects for the project life cycle.
- Prepare and provide a baseline risk assessment to identify hazards and risks relating to the design, intended construction work and control measures to control the risk. The assessment should be conducted before the inception of a new project and commencement of operations. The baseline risk assessment shall be developed by the cross-functional team.
- A multidisciplinary risk assessment needs to be performed during the planning or design phase of the project, to eliminate hazards and implement HSE engineering controls before the project is executed amongst other controls that shall enhance our ability to achieve the desired objectives. The baseline risk assessment should be submitted as part of the tender documents so that the potential contractor can make provision for the cost of health and safety measures during construction

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2.5.2.2 Construction Health and Safety Professionals (Senior Advisor)

The Delivery Partner shall appoint Health and Safety Professionals (senior advisor) for this scope of work.

The Health and Safety Professional(s) shall be registered with the SACPCMP and have a minimum qualification of a National Diploma in Safety management/Environmental health related courses with seven (8) years of experience in construction.

- Knowledge of ISO 45001 Occupational Health, Safety and Management systems
- Experience in leading roles across areas of Health & Safety and Environmental, including Hygiene Management, Risk Assessment, Auditing, Inspections, SHE Culture Initiatives, Oversight and Reporting
- Ensure the integration of Occupational Health Safety and Hygiene aspects for the project life cycle.
- Prepare and provide a baseline risk assessment to identify hazards and risks relating to the design, intended construction work and control measures to control the risk. The assessment should be conducted before the inception of a new project and commencement of operations. The baseline risk assessment shall be developed by the cross-functional team.
- A multidisciplinary risk assessment needs to be performed during the planning or design phase of the project, to eliminate hazards and implement HSE engineering controls before the project is executed amongst other controls that shall enhance our ability to achieve the desired objectives. The baseline risk assessment should be submitted as part of the tender documents so that the potential contractor can make provision for the cost of health and safety measures during construction

2.5.2.3 Construction Environmental Advisors/Specialists

The Delivery Partner shall appoint two (2) relevant Environmental Specialist as per EMP/EA and other Environmental requirements considering the nature and the scope of work being conducted.

The Construction Environmental Specialists shall:

- Be registered with the SACNASP
- Submit CV's and Minimum qualification of Degree/B-Tech in Environmental Management/Sciences with minimum of 8 years scope related experience
- Ensure the integration of Environmental aspects for the project life cycle

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- Experience in Environment management in construction field
- Knowledge of development, maintenance and implementation of the Environmental Management systems (SO 14001)
- Environmental Legislations (Local and International), Waste and water Management, Environmental Impact assessment.
- Experience in leading role in Environmental management at construction field, internal and external stakeholder liaison, including oversight and reporting, environment auditing and inspections, training and awareness, application and implementation of environmental approvals requirements across all the project life cycle stages
- Have in-depth knowledge of development and implement waste management strategies,
- Be fully conversant with all relevant environmental legislation and other requirements.
- Able to develop, implement and maintain the Environmental Management Systems for large scale project.
- Have demonstratable experience of stakeholder management.

Table 1: Raci Matrix

Process Step	Eskom GM	Eskom Contract manager	Eskom Engineer	Eskom HSE Personnel	DP Personnel
Approval of the DP contract HSE specification	A	R	C	R	N/A
Submission of specification to tender enquiry	A	R	C	C	N/A
Tender response incorporating SHE requirements	A	R	I	R	R
Compliance to Approved SHE Specification	A	R	C	R	R

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DP to Development and monitoring implementation of EPC HSE requirements	A	R	C	C	R
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2.6 Related/Supporting Documents

- 32-726 Contract and Contractor OHS Management Standard Occupational Health, Safety and Environmental requirements

3. SHE Specifications

3.1. Scope of work

Location: Medupi Power Station Project, Lephalale, Limpopo Province.

Project description/detailed scope of work: Medupi Power Station Project is a coal-fired power station and a National Key Point situated near Lephalale in Limpopo Province. The project is a construction site for a coal-fired power station with six units, which shall generate a total capacity of 4800MW of electricity. All six units are in commercial operation and the focus is on completion of Balance of Plant works/activities.

The project entails the appointment of Engineering and Project Management specialists as Delivery partners for the FGD project which will be delivered through the Engineering, Procurement and Construction (EPC) contracting strategy.

The services required by the Employer during the FGD Retrofit Project at Medupi Power Station from the Delivery Partner are categorized in the following five sub-areas:

- Project Management Services – to include, inter alia, developing and managing an integrated program scope, schedule, costs and project assurance.
- Engineering Services – to include technical planning and delivering by the Delivery Partner as both an Owners Engineer and an Architect Engineer. Quality services in various areas of technical specialization as included under Engineering services.
- Procurement and Commercial Services – to include procurement services, negotiations, strategy, and commercial services during execution such as legal and contract management.

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- Construction Management Services – primarily responsible for integrating the works during manufacturing, construction, commissioning and handover phase.
- FIDIC Engineer – to provide a nominated individual(s) and supporting team who will assume the role of the FIDIC Engineer in line with FIDIC Yellow Book (as amended), once the EPC contractor is appointed.

The objective is to provide technical assurance to the Employer and confirm that the EPC Contractor achieves the following goals:

- Design, engineer, and construct the facility in accordance with Employer's specifications, contractual agreements, and industry standards
- Provide a facility that can perform substantially as expected, regarding capacity, efficiency, and availability
- Design, engineer and construct the facility within the agreed-upon project baseline cost and schedule
- Provide for long-term O&M of the facility
- Comply with Employer's SHERQ requirements.

The FGD project is intended to comprise the following systems for the successful EPC *Contractor/tenderer's*:

- Sorbent and waste handling systems and, environmental systems.
- Engineering, procurement, supply, commissioning, construction oversight, and handover of the absorber island and auxiliaries.
- Integration with the existing DCS.
- Integration with the existing CBMS.
- Electrical (supply of electrical equipment and integration with existing electrical system).
- FGD waste plant.
- Site services and facilities.

The objectives of the FGD project are to ensure compliance with the National Air Quality Act 39 of 2004, Minimum Emission Standards for SO₂ and the conditions of the loan granted to the *Employer* for funding of the Medupi Power Station build.

The appointed *Delivery Partner* shall augment the *Employer's* Representative team and serve as an independent representative of the *Employer* to provide assurance that the EPC *Contractor* for the FGD retrofit plant delivers the project according to *Employer's* requirements.

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The main objective of the services to be provided by the *Delivery Partner* shall be to facilitate the timely and effective implementation of Medupi FGD Retrofit Project envisaged to be delivered utilising the EPC contracting strategy through assisting the *Employer* in:

- Ensuring the EPC *Contractors* compliance with the technical provisions of the EPC contract, advising the EPC *Contractor* of any non-compliance and any rectification actions to be undertaken and monitoring implementation of such actions
- Ensuring site SHEQ standards are adhered to by the EPC *Contractor*
- Monitoring and ensuring the standard of the construction and erection works conforms to international best practise
- Administration of the EPC contract and by advising the Employer with respect to aspects which, in the Delivery partner's professional judgment, may jeopardise the successful implementation of the Project
- Reviewing of the EPC contract schedule
- Reviewing and monitoring aspects of the EPC Contractor's work, including design, QA / QC / (manufacture, factory inspections and factory acceptance tests, and equipment delivery), construction and erection and commissioning and testing, as well as the associated documentation, health, safety and environmental issues and general contract administration

The EPC Contractor shall take liability and full responsibility for the design, manufacturing, construction, erection and commissioning and testing of all works required to substantially complete the project, including civil works, mechanical works, process/chemical works and control and instrumentation (C&I) works and electrical works, to the quality standards, schedule and budget as specified in the EPC Contract.

3.1 Legal requirements

The Delivery Partner shall comply with all relevant legislation pertaining to this project.

The applicable legislation shall include (where applicable), but not limited to the following:

- The Constitution of the Republic of South Africa (particularly Section 24 of the Bill of Rights)
- Occupational Health and Safety Act 1993 (Act 85 of 1993) and its Regulations
- Compensation for Occupational Injuries and Diseases Act 1993 (Act 130 of 1993) (COIDA)
- The Basic Conditions of Employment 1997 (Act 75 of 1997)
- The Labour Relations 1995 (Act 66 of 1995)
- National Environmental Management Act 1998 (Act 107 of 1998)

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- National Environmental Management: Waste Act (Act No. 59 of 2008)
- Environment Conservation Act 1989 (Act 73 of 1989)
- National Water Act 1998 (Act 36 of 1998)
- National Road Traffic Act 1996 (Act 93 of 1996)
- National Environmental Management: Air Quality Act 39 of 2004
- National Environmental Management: Biodiversity Act 10 of 2004
- Any other applicable South African legislation
- Applicable South African National Standards (SANS) – Delivery Partner shall use the relative standards applicable to the project
- Local Authority by Laws.

The Delivery Partner shall compile a SHE legal register listing all applicable legislation and standards that may have an impact on the scope of work on the Medupi Retrofit construction project. The register shall be kept updated and relevant as when required and be implemented. The register shall be communicated to all relevant stakeholders.

It is the duty of the Delivery Partner to ensure that they are familiar with the necessary SHE legislation required.

Note: When there is an amendment to the Acts and/or to the Regulations, the Delivery Partner shall implement the relevant amendment and ensure compliance thereof.

3.1.1 Section 37(2) Mandatory Agreement

A section 37(2) agreement shall be signed between Eskom and the Delivery Partner at the time of awarding the contract. A signed copy of this agreement is submitted to the Client prior to commencement of any activity on site.

3.1.2 Construction Work Permit

The Delivery Partner shall on behalf of the Client, be responsible for applying for construction work permit to as per requirements of construction regulation 3. The Delivery Partner shall keep the copy of construction work permit, ensure that it is displayed and avail it upon request.

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3.1.3 Rail Regulator Permit

Where applicable the Delivery Partner shall on behalf of the Client, be responsible for applying for rail regulator permits, implement the requirements and ensure compliance to the requirements thereof. He shall further apply for commissioning permit.

3.1.4 Hazardous work by children (Child Labour)

The constitution of the Republic of South Africa, in the “Bill of Rights” is clear on the rights of children, especially when it comes to:

17. being protected from exploitative labour practices.

18. not to be required or permitted to perform work or provide services that

i. are inappropriate for a person of that child’s age; or

ii. place at risk the child’s well-being, education, physical or mental health or spiritual, moral, or social development and the Basic Conditions of Employment Act, Chapter six Section 43 “Prohibition of employment of children”.

Before resorting to the use of child labour, due consideration shall be given to the rights of the child in terms of the constitution. Where work is being performed which is not prohibited in terms of the constitution, then such work shall be conducted in terms of the OHS Act “Regulations on Hazardous Work by Children in South Africa” with emphasis on paragraph 2 Purpose and Interpretation. Eskom does not condone the use of child labour and therefore all effort shall be exercised, and child labour shall not be used. Delivery Partner shall be responsible for ensuring compliance thereof.

3.1.5 OHS Act 85 of 1993 and Regulations

Delivery Partner shall be responsible for implementing and ensuring compliance to the OHS Act 85 of 1993 and applicable regulations. Delivery Partner shall have an up-to-date copy of the OHS Act 85 of 1993 and Regulations.

3.1.6 National Environmental Management Act (No 107 of 1998) as amended

Delivery Partner shall be responsible for implementing and ensuring compliance to the National Environmental Management Act (No 107 of 1998) as amended and applicable regulations.

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3.1.7 National Environmental Management: Air Quality Act 39 of 2004

Delivery Partner shall be responsible for implementing and ensuring compliance to the National Environmental Management: Air Quality Act 39 of 2004.

3.1.8 Compensation of Occupational Injuries and Diseases Act (COIDA) 130 of 1993

The Delivery Partner shall be registered with an appropriate employment compensation commissioner or a licensed mutual company or an equivalent of it (for international bidders). This cover shall remain in force during the contract and shall be the responsibility of the Delivery Partner to ensure validity. Delivery Partner shall submit proof of a valid registration through a certificate of good standing with the compensation fund or a licensed compensation insurer and ensure that all payments due to the Commissioner are discharged. The Letter of Good Standing shall reflect the name of the Delivery Partner organization.

Note: For international service provider, the equivalent from the country of origin of the service provider. For a service provider whose country does not issue such certificate equivalent to COIDA, the relevant legislation shall be submitted. However, if the service provider has offices in South Africa and has employed South African citizens, a COID certificate shall be submitted.)

3.1.9 Safety, Health and Environmental (SHE) Policy/SHEQ policy

A SHE /SHEQ policy is a statement of intent and a commitment by the organization's CE and senior management in relation to the relevant health and safety roles and responsibilities, the achievement of their strategic objectives, values of integrity, customer satisfaction, excellence, and innovation.

The Delivery Partner shall have a SHE/SHEQ Policy duly signed and authorized by their Chief Executive (OHS Act Section 16(1) appointee) that clearly states overall SHE/SHEQ objectives and commitment to improving Safety, Health, Environment and Quality performance and shall be displayed and shared with all stakeholders. It shall also include the description of the organization scope and the arrangements for carrying out and reviewing such policy.

Eskom has a SHEQ Policy (32-727) that clearly states the policy principles by which Eskom operates and the commitment to SHEQ excellence and is authorized by the Chief Executive.

Delivery Partner shall support Eskom SHEQ policy and also ensure support by the EPC Contractor.

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3.1.10 Provision for the Cost of Health and Safety measures within the Project

The Delivery Partner shall ensure that the submitted tender adequately made provision for the cost of Health, Safety and Environmental measures for the duration of the project.

Note: the costing for SHE shall be itemised based on the overall scope of the project (i.e., Training, provision of PPE, safety equipment purchases, medical surveillance (medicals), occupational health programmes and occupational hygiene surveys etc)

3.2 Eskom Requirements

Health and Safety Management

- Delivery Partner shall ensure compliance to all relevant legal and other requirements including Eskom SHEQ Policy, Specifications and HSE procedures.
- Delivery Partner shall compile and maintain an up-to-date legal register listing all applicable Law and standards as part of his HSE system.
- Delivery Partner shall ensure EPC Contractor also compliance to all relevant legal and other requirements, including Eskom SHEQ Policy and HSE procedures.
- Delivery Partner shall fulfil CR 5 duties and enforce CR 6 and 7 duties.
- Delivery Partner shall develop SHE plan in line with the specification and monitor implementation thereof.
- He shall be responsible for initiating and implementing improvement strategies to enhance HSE performance for the project. The Client expects the Delivery Partner to engage in safety culture initiatives in line with the Eskom SHEQ Policy and Eskom value - Zero Harm.
- The Employer requires that the management of safety, health and environmental issues shall be to a standard of excellence aligned with world class best practices.
- Manage the overall risk management pertaining to all stages of project life cycle.
- Safeguard the health and wellbeing of all employees, contractors, visitors and other stakeholders that may be affected by project activities.
- The Delivery Partner shall ensure that the appointed employees or resources working on the project have the necessary competencies and training to perform their specific duties safely.
- Where applicable the appointed resources should be registered with professional bodies.

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- The Delivery Partner shall ensure that the submitted tender adequately made provision for the cost for health and safety measures for duration of the project.
- Delivery Partner shall report, investigate all incidents and ensure implementation of corrective actions. Consideration of legal and Eskom procedures should be maintained.
- Delivery Partner shall where applicable ensure that Eskom documentation and record management systems are utilised.
- Delivery Partner shall manage works interface and coordination for all activities

3.2.1 Environmental Management

The Delivery Partner shall be responsible for the following:

- Provide overall assurance to Eskom that environmental issues are appropriately identified, addressed, and managed during lifecycle of the Project and ensure that appropriate reporting of environmental performance/issues takes place.
- Ensure that relevant interested parties are identified and continuously informed/updated on the project activities.
- Ensure experienced environmental team has Degree/B Tech in Environmental Management/Sciences.
- Establish, implement, and maintain the environmental management systems (ISO 14001:2015) for the project.
- Conduct gap analysis to establish required environmental approvals as per approved project scope of works, applicable environmental legislations, and lenders requirements.
- Eskom accepts no liability for any damage, loss, or inconvenience, of whatever nature, suffered as a result of/ amongst other things any force majeure event and environmental consequences arising from negligence or gap cause by decisions made by engineer and its implementors.
- Be fully conversant with the requirements of the NEMA Environmental Impact Assessment Regulations.
- Ensure that relevant environmental approvals are obtained and/or amended prior commencement of the construction activities as required by the environmental legislations.
- Be fully conversant with all relevant environmental legislation, Eskom environmental policies and procedures, funders requirements, and ensure all obligations specified are met.

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- Implement all conditions in the environmental approvals, lenders requirements, Eskom's policies and procedures and other environmental legislations related to the project scope of work. This amongst others include submission of records and/or reports to authorities.
- Develop a programme for hand over to Eskom this include end of documentation (this include as-built designs, operational manual, PE Certificates, Construction Completion Reports) must be submitted per infrastructure, management/maintenance plan and the agreement for infrastructure along with allocation of responsibilities.
- Ensure that the conditions of all environmental approvals/authorisations must be brought to the attention of all persons (employees, sub-consultants, contractors etc.) associated with the undertaking or implementation of the project. The Engineer must take measures that are necessary to bind such persons to the conditions of the environmental approvals and requirements of any applicable environmental legislation.
- Ensure that any person appointed as part of project implementation and/or acting on Engineers behalf, including but not limited to an agent, servant, contractor, sub-contractor and employee, consultant or person rendering services complies to the environmental obligations for the project.
- Appoint independent Environmental Control Officer (ECO) in advance before commencement for the duration of construction phase (as required in the environmental approvals) of the development that will have the responsibility to ensure that the mitigations and rehabilitation and recommendations referred to environmental approvals are implemented and complied to.
- Develop and maintain the legal register and continuously share with all parties involved in the project and ensure implementation thereof.
- Compile and implement the detailed environmental monitoring plan/programs (in accordance with specifications detailed in relevant approvals and standards) outlining all the activities from design planning phase, site establishment phase, construction phase to decommissioning/rehabilitation phase.
- Ensure that project compliance with the conditions of the environmental approvals, applicable environmental legislations and lenders requirements are audited in lined with SABS/International standards and within the competent authority expectations.

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- Ensure that the project pricing makes provision for environmental costs and account for Environmental Expenditure.
- Ensure that all required and relevant environmental roles are identified and filled with adequately suitable and qualified personnel. Environmental resources appointed must amongst others include an environmental manager with Degree/B-Tech on Environmental Management/Sciences with minimum of 5 years' experience related to the scope of works.
- Provide guidance, assistance, and input to the project with regards to environmental management on a strategic level and liaise or interact with authorities where required.
- Compile progress reports on a regular basis on environmental management performance for submission to Eskom and relevant stakeholders. Reports referred to amongst others include annual project carbon footprint report, annual project sustainability report, annual funders report and environmental compliance reports required under specific approvals/authorisations.
- Ensure implementation of the National Waste Management Strategy, 2020 and its amendment thereof. Relevant protocols including waste inventory and register for all waste licensed facilities to be used must be developed before commencement of construction activities.
- Waste must only be disposed of at authorised/licensed facilities. The records shall be kept in line with Eskom document control requirements to ensure that legislative requirements are fulfilled. All waste generated during project lifecycle must be managed in compliance with the requirements of NEM: Waste Act 59 of 2008 and its Regulations.
- Ensure that relevant international principles and strategies that aligns of the business are integrated and implemented throughout the lifespan of the project.
- Develop and implement the project environmental operational and communication strategy that include but not limited to, internal and external meetings, inspection, training and awareness, auditing, reporting and recordkeeping etc.

3.2.2 HSE Manual/System and EMS scope and manual

The Delivery Partner shall prepare a suitable and sufficient site specific HSE Manual/system and EMS scope and manual in accordance with the Health Safety and Environmental Requirement, submitted with tender documents that shall indicate to the Employer the level of compliance to the HSE Requirements. The Delivery partner's HSE Manual/system and EMS scope and manual shall

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be assessed for compliance to confirm compliance to the requirements in the *Client* HSE requirement.

The Delivery partner's HSE Manual/system and EMS scope and manual shall demonstrate the management process and procedures that shall be adopted to ensure compliance to requirements listed in this document and other contract documents requirements. The HSE Manual/system shall identify each activity to be undertaken by the Delivery partner, the foreseeable internal and external hazards, the specific precautions, and controls that shall be necessary to ensure that the works proceeds safely and without risks to health or adjacent operations.

3.2.3 HSE File

A HSE File means a file or other record in permanent form, containing the information about the safety and health management system during construction and all information relating to the post-construction phase after handover to the client, so that the client can maintain the works in a healthy and safe way.

The environmental file must include but not limited to:

- Declaration Letter of Compliance to Eskom Environmental Requirements.
- Qualification (Degree/B-Tech in Environmental Management/Sciences) and CVs for the Environmental advisors with proof of understanding of environmental management system, environmental law, incident management, waste management and auditing, leadership skills and stakeholder management.
- Comprehensive aspect and Impact register specific to the scope of works.
- SHE policy recently signed.
- Objectives and Targets covering environmental aspects signed by management
- Environmental management plan that addresses all the potential environmental risks as per aspect and impact register.
- Latest Environmental Legal Register.
- Environmental procedures or plans which include Environmental Monitoring Procedure , Non-Conformance and Incident Management Plans and Internal Auditing Procedure etc.
- Method statements that include environmental impact and mitigations measures. Include all activities in sequence as per the project scope and aspect and impact register.
- Training and Awareness procedure & Training matrix.
- Environmental Communication Strategy including client, authorities, EPC contractor and its employees and subcontractors/suppliers.

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- Scope related Operational Strategy It should include consideration of environmental approvals, EMPs and environmental monitoring.
- Environmental Resource plan including roles and responsibilities.
- Environmental costings and expenditures.
- Develop the project waste management strategy.
- Environmental Weekly and Monthly report template

Delivery Partner shall be required to keep a HSE File for the project site. The HSE File shall be maintained and shall be made available on request for audit and/or inspection purposes.

The HSE File shall consist of the requirements in terms of this document, the Delivery partner's HSE manual/system, as well as legal requirements.

On completion of contracted work on the project, the Delivery Partner shall hand over a consolidated HSE file and ECO closeout to the Contracts/Project manager. The Delivery Partner shall also hand over all drawings, designs, lists of materials used, and other applicable information about the completed structure, as well as the list of suppliers, the agreement, and the type of work completed.

3.2.4 ISO 45001 & 14001: OHS & Environmental Management Systems

Delivery Partner shall be responsible for ensuring that the project is certified to ISO 45001 & ISO 14001 - OHS & Environmental Management Systems and that the certification is maintained for the duration of the project. Delivery Partner to also ensure that the EPC contractor to execute the project is ISO 45001 & ISO 14001 certified. EPC contractor must ensure compliance to the client OHS Management System and Environmental Management Systems

3.2.5 Safety Culture

Eskom drives a safety culture of Zero harm. Zero harm means ensuring that the Eskom operational activities do not inflict harm on Eskom assets, its employees, contractors, service providers and members of the public affected by its operations, environment in terms of its environmental obligation. Zero harm is a value which Eskom shall strive towards operating within its compliance obligation, continual improvement against set intended outcomes and reduction of its environmental footprint by avoiding incidents

Zero harm is the first of our Eskom values, and a top priority in our business.

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Eskom thrives to ensure that zero harm befalls its employees, contractors, service providers, the public and the natural environment:

- Zero Fatalities
- Zero Injuries
- Zero environmental incidents
- Zero Tolerance
- Zero Defects

Delivery Partner shall be responsible to drive compliance to Eskom safety culture of Zero harm.

As a minimum, the following safety culture interventions shall be implemented across the project, and it is required that all Contractors participate in:

- Safety stand downs
- Management Plant Walk about (VFL)
- HSE campaigns.
- Rewards and discipline strategies and procedures to encourage appropriate HSE behaviours.

Delivery Partner shall furthermore develop and implement strategies aimed at improving occupational health, safety, and environmental performance on the project.

3.2.6 Behavioural Based Safety Observation (BBSO)/Visible Felt Leadership (VFL)

Delivery Partner shall drive BBSO or VFL programmes during the construction phase with the EPC Contractor.

The objective of behavioural safety observations is to assess and address the actual safe and unsafe behaviours of people in the workplace; as well as workplace conditions - which are caused by the actions or non-actions of employees, Contractors, Service Providers, or their personnel. (Refer to Eskom Behavioural Safety Observations procedure 32-407).

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3.2.7 Employee's right of refusal to work in an unsafe situation

Employees have a duty to take reasonable care of their own as well as other person's health and safety at work and to cooperate with the employer, carry out lawful orders, including reporting unsafe situations and incidents.

An employee does have the right not to work in any area or perform any task where that employee has reasonable justification to believe that the work situation presents a danger to his/her health and safety, organizational assets, or the environment.

Refer to Eskom Procedure 240-43848327- Employees' right of refusal to work in an unsafe situation. The aim of the procedure is to ensure that an environment is created that promotes zero harm by empowering employees and Contractors to take responsibility for their own safety and that of others.

Delivery Partner shall implement the right of refusal to work procedure with the EPC Contractor.

3.2.8 Police Clearance

Eskom Holding SOC Ltd as an entity is a State-Owned Company which is subjected to regulatory compliance as applicable to Government. Medupi Power Station FGD Project Site is designated as a National Key Point in terms of the National Key Point Act 102 of 1980.

Eskom is required to comply with the requirements of paragraph 5 of the Minimum Information Security Standard (MISS) that seeks to implement a criminal check/ screening process which intends to identify individuals who might through their actions and/ or behaviour, could pose a risk to the operation of Eskom Holdings SOC Ltd.

The Delivery Partner shall ensure that the employees are screened by means of criminal clearance verifications with the South African Police Service (SAPS) Criminal Record Centre (CRC) or accredited supplier linked to SAPS AFIS system and provide proof to Eskom security delegated team before access to site is granted. The Delivery partner's new applications for site access are required to produce the SAPS Clearance Certificate.

The screening process aims at ensuring a certain level of protection to the workforce, assets, and information in accordance with Minimum Information Security Standard (MISS) of 1996, National Key Point Act 102 of 1980, National Strategic Intelligence Act 39 of 1994 and Protection of Critical Infrastructure Protection Act 8 of 2019.

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If the Delivery Partner appoints a Contractor/service provider/supplier, the same provisions and measures shall apply to the appointed contractor/service provider/supplier.

For clarity, employees who were previously found guilty of offences in terms of the National Road Traffic Act 93 of 1996 and/or has paid guilt admission fines, will be exempted, and be allowed to access site.

Acceptance of this contract is subject to the condition that both the contracting company's management and its employees will provide Eskom with a clear criminal record not older than thirty (30) days from a reputable screening company.

3.2.9 Eskom Life-saving Rules

Eskom views health and safety in high esteem and encourages that any organisation who performs work for Eskom in Eskom adopted the same view.

Five Life-saving rules have been developed that shall apply to all Eskom Employees, agents, consultants, service providers and **contractors**. Failure to adhere to these rules by any Eskom employee or employee of a Contractor/Service Provider shall be considered a serious transgression. These rules are being implemented to prevent serious injury or death of any employee, labour broker or contractor/service provider working in any area within Eskom.

If any contractual work shall be performed on any Eskom premises (including delivery of any product), then the rules **shall be obeyed** by any contractor/service provider and their employees.

The rules are:

Rule 1	<p>OPEN, ISOLATE, TEST, EARTH, BOND AND/OR INSULATE BEFORE TOUCH</p> <p>Any person who performs work on an electrical installation shall ensure that it is isolated, tested and earthed before starting any work.</p> <p>(That is plant, any plant operating above 1000 V)</p> <p>With the aim to ensure a safe electrical work environment, no person may work/operate on, around or near any electrical network, line, or apparatus, electrically connected to the power system and/or electrically charged and/or not electrically charged unless:</p>
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	<ul style="list-style-type: none">a) He/she is trained and authorised as competent for the task to be done.b) There is a valid permit to work, where required.c) A pre-task risk assessment to identify all risks and hazards has been conducted prior to any work commencing.d) He/she follows the requirements on OPEN, ISOLATE, TEST, EARTH, BOND and/or INSULATE BEFORE TOUCH, correctly based on applicable/related standards, procedures and outcome of risk assessment fit for the type of work or task to be performed.e) The authorised person (team leader) has certified and physically shown all team members that the apparatus is safe to work on.f) He/she makes the specific electrical environment safe prior to performing the work; andg) All the appropriate PPE (including face shield and insulated gloves for low voltage work) are worn.
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Rule 2	<p>HOOK UP AT HEIGHTS</p> <p>Working at height is a significant part of work in Eskom Holdings and is regarded as a high-risk activity, and as a result all precautions must be taken to prevent incidents while working at height. Wherever reasonably practicable, preference must be given to the performance of work at ground level as opposed to work in an elevated position. Where work in an elevated position is necessary, the requirements below shall apply.</p> <p>No person may work at height where there is a risk of falling unless:</p> <ul style="list-style-type: none">a) He/she is medically fit to work at height.b) A pre-task risk assessment to identify all risks and hazards has been conducted prior to commencing any work of this nature.c) He/she is appropriately trained as determined by the risk assessment.d) He/she is appropriately secured during ascending and descending; ande) He/she is using an Eskom approved fall arrest system where applicable.
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Rule 3	<p>BUCKLE UP</p> <p>Where required, the proper wearing of seat belts for any driver, operator and passenger is mandatory in all vehicles/equipment when driving and/or travelling for Eskom business purposes. The driver is obligated to ensure that he/she as well as all passengers are properly seated and wearing their seatbelts always while being transported in the vehicle, as per Eskom specifications.</p> <p>No person may drive any vehicle on Eskom business and/or on Eskom premises: Unless the driver and all passengers are wearing seat belts (Seatbelts shall be always used whilst driving).</p> <p>Note: This rule is applicable on any road or parking lot, irrespective of the speed, and when the vehicle moves in a forward or backward direction.</p>
Rule 4	<p>BE SOBER</p> <p>No person who is under the influence or who appears to be under the influence of intoxicating liquor or drugs will be permitted to enter or remain on an Eskom site or conduct Eskom business or drive/operate a vehicle/equipment for Eskom business purposes.</p> <p>This includes any level of alcohol or the presence of any drugs, controlled substances, and/or illegal substances in the body that impairs or could impair mental and physical functioning, irrespective of when the substance was used.</p>

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Rule 5	<p>PERMIT TO WORK</p> <p>Where an authorisation limitation exists, no person shall work without the required Permit to Work (PTW), which is governed by for example the:</p> <ul style="list-style-type: none">a) Plant Safety Regulations; orb) Operating Regulations for High Voltage Systems (ORHVS); orc) Any other activity where a permit is required. <p>No plant is to be returned to service without the cancellation of all permits on that plant in accordance with procedure, unless permission is granted for a particular plant to be returned to service with permits still open, like in the case of redundant systems.</p> <p>Note: In the case of live work, a “live work declaration form” is to be completed by the authorised person, who is the person responsible for the safe execution of work according to relevant standards and procedures. Outline the key principles or rules to support the implementation of the standard statement.</p>
Rule 6	<p>ENSURE SAFE LIVE WORKING</p> <p>To ensure safe live work, each live worker shall:</p> <ul style="list-style-type: none">a) Ensure all live work basic principles are adhered to, as outlined (for the method being used) in the High Voltage Live Working Standard for the respective division.b) Observe and maintain the minimum approach distance (MAD).c) Only perform live work (never mix live and dead work on the same site at the same time – Refer to ORHVS Section 7 and 5 handouts respectively).d) Perform tasks they are authorised for and only undertake tasks that are documented in the respective Task Manual (TM). Only work on one potential (voltage) at a time.

Eskom shall take a stance of zero tolerance on these rules.

Non-compliance to a Life Saving rule shall be considered serious misconduct and shall lead to serious disciplinary action, which may include dismissal.

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This is to ensure that **every person** who works on or visits an Eskom site, **returns home safely to his or her family**.

Delivery Partner shall ensure compliance to life-saving rules by all employees working on the project. Delivery Partner shall implement disciplinary action on any non-compliance to a life-saving rule.

3.2.10 Appointments, Competencies and Training

For the duration of the contract, the Delivery Partner shall appoint competent employees who shall meet the requirements of the OHS Act. Where appointments are made, Delivery Partner shall ensure that the appointees have been suitably trained and or informed of their responsibilities before getting them to accept such appointment. The relevant statutory appointments shall be made in accordance with the requirements of the OHS Act which includes the requirement of a competent person being appointed in the relevant roles.

The Delivery Partner shall ensure that the resources to work on the project have the required related training, knowledge, and experience specific to the scope of work/services.

The competency/training for Delivery Partner resources shall include, but not limited to the following:

- Legal liability training (Refresher training shall be done every three years)
- HIRA
- Incident investigation
- ISO 45001 & ISO 45001 awareness
- Environmental law

Notes to the appointments listed above: Section 16(1) creates a legal presumption, and therefore no appointment is required. The Delivery Partner shall provide the full names, contact telephone number and business address of the Chief Executive Officer.

3.2.11 Delivery Partner organisational Structure

The Delivery Partner shall be required to compile their organisational organogram for the contract, with a proposed HSE resource plan, highlighting the reporting structure from their Senior Management (Chief Executive) down to their project employees. For each position, stipulate the

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position titles, names of appointees, qualifications, and competencies. The Delivery Partner shall ensure that all contractors/suppliers comply with this requirement.

All organograms shall be updated timeously when appointments are changed and filed in the project HSE File. The organogram shall be kept up to date, a copy of which shall be given to the client and copy filled in the relevant project HSE Files.

3.2.12 Substance Abuse

Alcohol and substance abuse poses a significant threat to any business, more so in industrial incidents and the driving of vehicles. Eskom is therefore, entitled to take reasonable steps to ensure that intoxicated persons are identified and prevented from entering Eskom.

General Safety Regulation 2A is clear on the legal stance regarding intoxication.

The alcohol and drug permissible level is 0%.

The Delivery Partner shall enforce compliance to Eskom's procedure 32-37 ("Substance Abuse Procedure"), considering that this is an Eskom Life-saving Rule number 4: (BE SOBER"), this means anyone entering the Eskom site shall be subjected to ad hoc alcohol testing.

3.2.13 Smoking

Smoking is only permitted at designated areas in accordance with the requirements of the smoking policy (32-1126: Eskom Smoking Policy). Smoking is not permitted indoors, at entrances to buildings or near air intake systems in accordance with Eskom Policy and legislation requirements.

Delivery Partner shall enforce compliance to Eskom Smoking policy 32-1126 and implement any other initiatives as necessary to ensure that smoking does not cause fire risks concern on site.

3.2.14 Cellular Phones

The Delivery Partner shall develop and implement a risk-based cell phone policy for project works areas.

The policy shall address the following as a minimum, but not limited to:

- Do not use Cellular phones in areas where cell phone usage is prohibited.

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- Texting and talking on the cell phone whilst driving and walking is prohibited.
- When taking calls or texting, stop and find a safer area.
- No taking of pictures (cellphone or a camera) shall be allowed without a prior written approval by Eskom Medupi Power Station General Manager.
- Disciplinary action shall be followed in case of any non-compliance.

Note: Application process for taking of photos/pictures on site shall be followed.

3.2.15 Occupational Health, Hygiene and Rehabilitation

The Delivery Partner shall drive all Occupational hygiene compliance issues using a competent hygienist(s). The Delivery Partner is required to develop an Occupational Health, Hygiene and Rehabilitation program. The program is intended to ensure that the risks to health are identified and controlled. Delivery Partner shall be responsible to ensure that a competent hygienist

3.2.15.1 Occupational Hygiene Management Program

Delivery Partner shall develop, implement, and maintain an occupational hygiene management programme to ensure that the occupational hygiene stressors are identified, assessed (monitored) and controlled. The occupational hygiene programme shall include, but not be limited to the following elements:

- Occupational health risk assessment as a background.
- Occupational health risk exposure profiles.
- Occupational hygiene monitoring program and ensure that monitoring is performed by an approved Inspection Authority.
- Communication of occupational hygiene results and requirements.
- Proof of awareness training and.
- Documentation and control of records (Records to be kept for 40 years).

Where there are occupational hygiene stressors, Delivery Partner shall ensure that programs are developed and implemented to address the said stressors. These programs may include but not limited to:

- Hearing Conservation Program.
- Respiratory Protective Program.
- Hazardous Chemical Agents Program.

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- Procedure for the use and management of radioactive sources and.
- Heat Stress Management Program.

Identification: The Delivery Partner shall identify the occupational stressors which could include exposure to chemical and biological hazards, noise, dust, vibration, heat, etc., to which any person may be exposed because of his work activities.

Risk assessment: Once the occupational stressors have been identified the risk shall be assessed in accordance with statutory requirements including manual handling, including the nature of the stressor, the work process, the exposure severity and duration, possible adverse effects etc.

Control measures: The Delivery Partner shall provide details of all control measures that shall be implemented to eliminate or reduce exposure to occupational stressors. Where mechanical means are employed, Delivery Partner shall provide details of how these shall be maintained to ensure that they operated at maximum efficiency.

Monitoring: The Delivery Partner shall provide and adhere to effective monitoring procedures. These procedures shall include the planning, carrying out and recording of the results of the measurement programme. This is to confirm the effectiveness of the implemented control measures and the results shall be made available to the Engineer/Client on request.

Delivery Partner shall report to the Department of Employment and Labour on the occupational hygiene milestones (e.g., crystalline silica). Evidence of reporting to the department of Employment and labour and copies of such reports shall be made available to Eskom Health and Safety Manager / Occupational Hygiene Practitioners.

The Delivery Partner shall establish a database of all occupational hygiene surveys and corrective plans.

3.2.15.2 Employee Health and Wellness Programme

Delivery Partner shall submit details of their Employee Health and Wellness Programme as part of their Health and Safety manual/system which shall include a Medical Surveillance Program and an Employee Assistance Program as detailed below. Delivery Partner shall be responsible for implementing employee health and wellness programme for the project.

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3.2.15.3 Medical Surveillance Programme

Note: Eskom shall only accept medical surveillances conducted by an Occupational Health Practitioner who holds a qualification in occupational health.

The Delivery Partner shall ensure that his employees and contractors/suppliers' employees are registered on a medical surveillance programme and are in possession of a valid medical fitness certificate. The certificate of fitness shall be relevant to the type of work (risk based) that the employee shall be exposed to. This shall require each employee to have a risk-based person job specification that shall be used as a basis for medical examination.

The Delivery Partner shall ensure that his employees and supplier's employees have undergone pre-entry medical examination before starting work on site, ***no employee shall access site without a valid medical fitness certificate.***

The certificate shall be renewed as required by the risk profile. On completion of the project an exit medical examination shall be conducted, unless otherwise advised by the Occupational Health Practitioner.

Delivery Partner to take note of the following:

- Delivery Partner shall ensure that their employees and their supplier employees have a medical surveillance program whereby their employees undergo entry, periodic and exit medical fitness examinations.
- For the appropriate medical examinations to be conducted, each employee shall have a man-job specification, which shall indicate the description of work, list of hazards and potential occupational exposure limits, physical hazards and required physical attributes.
- The Delivery Partner shall provide a documented process for managing those employees who are issued with a conditional certificate of fitness.
- All employees shall be issued with the required medical records to prove medical status at the time of exiting the construction project. Final payments will be withheld until the medical is completed.
- In instances where sick leave is taken for a period of one week or more, the Delivery Partner shall institute an arrangement that employees need to sign a declaration indicating that they did not suffer any illness or injuries which occurred in the period of absence, which may affect their ability to work on site.

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3.2.15.4 Employee Assistance Programs (EAP)

Delivery Partner shall establish EAP service for the project. Where the Delivery Partner do not have EAP service, then Eskom's EAP service is available to provide assistance. All costs shall be borne by the Delivery partner.

3.2.15.5 Rehabilitation

Delivery Partner shall establish a rehabilitation program. Where any employee is injured at work to the extent that they require rehabilitation, then this shall be provided, using the services of an appointed rehabilitation organisation.

3.2.16 Health Pandemics and Disaster Management

The Delivery Partner shall ensure proper management and control of any disaster and or pandemics that may come forth during the project contract. Delivery Partner to develop a health pandemic and disaster Management plan/procedure and conduct risk assessment to ensure that appropriate measures are in place.

3.2.17 Emergency Care (First Aid)

Delivery Partner shall take full responsibility for emergency arrangements in the project.

A list of emergency numbers shall be displayed at notice boards and public areas for ease of access to all employees and visitors. The Delivery Partner shall ensure that his employees are familiar with the emergency numbers. Emergency numbers shall also be part of the SHEQ induction.

Delivery Partner shall have one first aid box for the first five (5) persons and thereafter one for every 50 or team of workers on site or part thereof. There shall be a trained and appointed person to render first aid service when required. The first aider(s) shall be in possession of a first aid level two (2) training as minimum requirement as per Eskom Emergency planning procedure 32-123.

More first aid boxes shall be provided if the risks, distance between work teams or office space/workplace requirements require it (it shall be available and accessible for the treatment of injured persons at that office space/workplace).

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Minimum contents of a first aid box: (Refer to GSR 3 Annexure of the OHS Act). A content check list shall be available with all boxes and boxes shall be checked on a regular basis, kept clean and dust free.

A prominent notice or sign shall be erected in a conspicuous place at a workplace (SANS1186 approved signs to indicate location of first aid boxes), indicating where the first aid box or boxes are kept as well as the name and contact details of the First Aider of such first aid box or boxes.

Delivery Partner to take note of the following:

- The requirements of the OHS Act GSR 3 shall be observed.
- First aid appointments shall be made to meet the requirements, this includes construction sites. Appointees shall be trained to level 2. It is good practice for all employees to be trained to at least level 1.
- When appointing employees for work sites, cognisance shall be taken into account the type of work performed, the distance teams are working apart and the terrain to be covered if an emergency shall arise.
- For offices, signs indicating where the first aid box or boxes are kept as well as the name and contact details of the First Aider of such first aid box or boxes shall be erected.
- The Delivery Partner and their contractors/suppliers shall ensure that alternative arrangements be made for incidents occurring after working hours.

3.2.18 Emergency Preparedness and Response

3.2.18.1 Emergency Management

The art of emergency preparedness and response is to minimise the effects of any emergency and to restore normal activities as soon as practical. The Delivery Partner shall develop his own emergency response plan for both work areas and office areas. The Delivery Partner shall ensure that all personnel are aware of and trained in the execution of the emergency plan. Delivery Partner shall further ensure that Emergency response service is always available to attend to any emergency cases that may arise during the duration of the contract.

Periodic emergency drills shall be undertaken to test the effectiveness of the plan. Details of such drills shall be recorded, and such records shall be made available on request.

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The Delivery Partner shall be responsible for ensuring that his emergency plan is reviewed annually, and after every incident which caused the emergency plan to be activated. Any changes made shall be briefed to all persons affected.

The Delivery Partner shall be responsible for emergency management for the project.

Note: The Delivery Partner shall be responsible to familiarise himself with local municipal disaster management portfolios.

3.2.19 HSE Training

The Delivery partner, when making a bid for this project shall provide a breakdown list of the HSE training requirements and the costing of such requirements. Similarly, Delivery Partner shall ensure that similar requirements be implemented with the EPC Contractor.

Where legislative and Eskom recommended appointments are made, the relevant training shall be given to those appointees prior to the acceptance of those appointments.

When there is an amendment to the Acts and/or to the regulations and HSE requirements, all affected staff shall undergo the applicable refresher training.

Appropriate time shall be set aside for training (induction and other) of all employees. Records of all training and qualifications of all employees shall be kept on the HSE File.

The Delivery Partner shall ensure that the training providers are accredited and registered with SETA according to the relevant unit standards. The Delivery Partner shall have proof of this on site for verification.

3.2.19.1 Induction training

On annual basis or as when required, the Delivery Partner shall develop project SHEQ induction training and shall ensure communication to his employees and visitors as well as contractor's/supplier's employees/visitors.

The Delivery Partner shall ensure that all employees, Suppliers, and their employees have undergone the Eskom SHEQ induction training prior to commencing work on site. Attendance registers shall be completed of any induction training given, which shall indicate that they have received and understood the induction training.

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Prior to attending the induction training, all employees shall undergo a pre-employment medical examination and found fit for duty. A copy of the certificate of fitness shall be kept in the HSE File on site for the duration of the project.

All employees and visitors on site shall carry the proof of induction training.

3.2.19.2 Visitors to site induction

Visitors to the site shall be required to undergo and comply with the site SHEQ induction prior to being allowed access to site. All visitors shall remain in the care and custody of a person (host) who has been properly inducted. No visitors shall be permitted to undertake any construction work onsite, of any nature.

Visitors who have completed site induction shall be provided with a record of proof of Induction training.

3.2.19.3 General training

The Delivery Partner shall be required to ensure that before an employee commences work on the project, the respective supervisor informs the employee of his scope of authority, the hazards and environmental impacts associated with work as well as the control measures to be taken. This shall include man-job specifications, the discussion of any task procedures or hazardous operational procedures to be performed by the employee. The Delivery Partner is to ensure that the supervisor has satisfied himself that the employee understands the hazards associated with any work to be performed by conducting task/job observations.

3.2.20 Access and Security Control

Employees, Service Providers, Contractors, and visitors shall be subjected to induction training and substance abuse tests when entering Eskom sites, or as and when required whilst on Eskom sites.

It may be required that prior to access being granted that person(s) complete the required training e.g., plant access training, employee training, occupational health and safety training or any other prescribed training.

The following are prohibited items and shall not be allowed on Eskom sites unless the necessary authorisation for possession has been obtained:

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- Firearms and ammunition (exclude Eskom official firearms/ ammunition and firearms/ ammunition issued to the South African Security Forces).
- Liquor/ Alcohol.
- Dangerous weapons.
- Drugs (excludes items/ substances authorised for use and possession of medical centres or in possession under doctor's prescription) and.
- Any other items that may be declared prohibited.

3.2.21 Delivery Partner Site Establishment (where applicable)

Delivery partner's site facilities shall be always managed.

Prior to establishing a project site, site establishment method statement and a site plan is required to be drawn listing position of all buildings, amenities, storage and stacking areas. Where, working in the field and material is stored at the work sites, then proper stacking and storage shall be carried out.

When compiling the site plan, cognisance shall be taken to the establishment of the site camp, ablution facilities and dining area in relation to one another and away from stacking and storage areas.

3.2.22 Public Safety

Legislation requires that employers shall be responsible, as far as reasonably practicable, for safeguarding persons other than those in their employment who may be directly affected by their activities so that they are not exposed to hazards to their health and safety (Section 9 of the OHS Act).

Delivery Partner shall establish measures on how they intend safeguarding/ controlling any members of the public against the project construction activities during execution.

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3.2.23 Hazard Identification and Risk Assessment (HIRA)

It is a legal requirement in terms of Section 8 (2)(d) of the OHS Act for an employer to continuously carry out risk assessments, to establish which risks and hazards are attached to the health and safety of persons due to any work which is performed, any article or substance which is handled, stored, transported.

The Delivery Partner shall prepare a Baseline Risk Assessment as well as activity-based Risk Assessments.

A risk assessment is defined as an identification of the hazards present in an organisation and an estimate of the extent of the risks involved, taking into account whatever precautions are already being taken.

It is essentially a three-stage process:

- identification of all hazards.
- evaluation of the risks.
- Measures to control the risks.

Risk assessments shall be maintained. This means that significant changes to a process or activity, or any new process or activity shall be subjected to a risk assessment and that if new hazards come to light during the work process, then these shall also be subjected to risk assessments. Risk assessments for long term processes shall be periodically reviewed and updated. Baseline risk assessment shall be reviewed at least every six months, or as when required (i.e., changes to scope, incidents occurring, legislation etc.).

3.2.24 Site and Operational Hazards/Risks

The construction work is currently happening within the operational space where the electricity generating units are completed, commissioned and the power station is generating electricity. There is on-going outage and maintenance works by different contractors and service providers in different areas of the plant.

Delivery Partner to ensure work is planned and executed in a safe manner taking into consideration the below hazards/risks (not limited to the following):

- Operational and live systems around the site
- Electricity (live cable, powerlines, and connections)

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- Operational underground services (electric cables, water pipes, sewer lines, network/fibre cables, etc...)
- Fly ash dust
- Noise
- Work interface with other contractors and service providers (additional risks from other contractors/service providers)
- Maintenance works
- Commission works
- Moving construction machine and mobile plant (hauling of ash and coal, Interface with people/employees)
- Work at heights
- Different terrains or surfaces

Delivery Partner shall conduct assessment around site to ensure all site and operational hazards and risks are identified and mitigated.

3.2.25 Personal Protective Equipment Requirements

In terms of Section 8 of the OHS Act, the duty of the employer is to take steps to eliminate or mitigate (hierarchy of control measures) any hazard or potential hazard to the safety or health of employees before resorting to PPE.

Delivery partner's employees on site, including visitors, shall use SANS approved risk-based PPE, as a minimum:

- Head protection hard hat (with chin straps);
- Steel toe capped safety boots.
- Eye protection. Wearing of impact Safety Spectacles with side shields. Prescription glasses shall comply with the same standard or cover impact safety spectacles shall be worn over them.
- Long sleeved and long pants protective clothing.
- High visibility vests.
- Dust mask and/or Cloth masks where dust mask is not compulsory.

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- Refer to General Safety Regulation 2 of the OHS Act.

The Delivery Partner shall ensure that his employees understand why the personal protective equipment is necessary and that they use them correctly. Training shall be provided to employees on the use, care, replacement, and limitation of the provided PPE. Records of training to be kept and made available to the Client or inspector upon request.

Strict non-compliance measures shall be administered to any employee not complying with the use of PPE and that employee shall be removed from the Site.

All PPE arrangements shall be the responsibility of the Delivery partner.

Note: Certain areas shall be subjected to specific/extra PPE requirement.

3.2.25.1 Issue, Replacement and Control of PPE

The Delivery Partner shall provide a detailed procedure with a matrix on the issuing, maintenance, and replacement of PPE for all his employees and suppliers on site.

The Delivery Partner is required to keep an updated register of all PPE issued, including that of his employees and suppliers. PPE inspector shall be appointed in writing.

3.2.26 Private Vehicles and on-site driving Rules

All vehicles required to enter on site shall only be allowed on site once a permit application has been made and approved.

- Privately owned vehicles shall be limited on site.
- Drive professionally.
- Keep to the speed limits (taking weather conditions into consideration);
- Reverse parking is mandatory.
- Drive with your head lights switched on.
- Obey road signs and all safety signs.
- Always wear your seatbelt (Life-saving rule no.3 Buckle-up).
- Drive 10 km/h in all parking areas.
- Refrain from talking on cell phones or two-way radios whilst driving.
- Eskom reserves the right to search any vehicle on the premises or when entering or leaving the premises.

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- The following speed limits are applicable on site: 10km/h at the parking areas and speed limit as per posted signage shall apply at all other roads on site. A speed of 40km/h shall apply in all other roads where there is no posted speed limit sign.

Ensure that all drivers and passengers wear seatbelts, while travelling in a motor vehicle. Vehicles not fitted with seatbelts shall be retrofitted according to the vehicle manufacturer's specifications.

Ensure that no employees, when performing work for Eskom, shall be transported in the back of open vehicles. This applies both on and off-site.

3.2.27 Housekeeping and Order

The Delivery Partner shall maintain a high standard of housekeeping within the working space and enforce high standard of housekeeping across the site. Delivery Partner shall take the responsibility of developing and implementing initiatives and strategies aimed at improving housekeeping standard on site.

3.2.28 Workplace Signage

Symbolic safety signage shall be displayed where it is required by legislation. All symbolic safety signage used/displayed shall conform to the requirements of SANS 1186. Signs shall be positioned to be seen from most positions within the work sites / areas. All signage shall be always clear and be replaced timeously when worn out.

3.2.29 Hazardous Materials/Chemicals/Agents Management

HCA shall be managed in accordance with HCA Regulations of the OHS Act 85 OF 1993.

Prior to any HCA being brought onto the site or produced on the site, the following shall be in place:

- Safety Data Sheets (SDS) in accordance with the requirements of the OHS Act and regulations.
- Proposed arrangements for safe storage.
- Proposed methods for handling/usage.
- Proposed method of disposal and.
- Hazard communication / training plan.

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3.2.30 Work Co-ordination Process

Work coordination process is designed for monitoring and coordination of activities for Contractors working within the same area. It allows work to proceed without risk to the health and safety of Contractor personnel, visitors, and client personnel.

Delivery Partner shall take responsibility of co-ordinating the interface between construction activities by EPC Contractor and operational activities by Generation division. Delivery Partner shall ensure effective strategies to manage work interface are developed and implemented to avoid project delays and standing time.

3.2.31 Incident Management

The Delivery Partner shall report all incidents/accidents as required in terms of the legislation.

All incidents/accidents including near miss incidents; first aid; medical treatment; lost time incidents (disabling injuries & fatalities); OH&S Act Section 24 and 25 incidents; electrical contact; and major equipment damage Incidents shall be reported to the Contracts/Project Manager within 24 hours of them occurring or, before the end of the work shift. The Delivery Partner shall ensure that all incident reporting, classification, recording, and investigation requirements are done according to the requirements set out in the Eskom document 32-95 (Occupational Health and Safety Incident Management Procedure - latest revision). This may include investigation format or documentation requirements.

The Employer reserves the right to conduct an independent investigation of any accident/incident reported by the Delivery Partner or EPC Contractor over and above their own investigations and they shall co-operate fully with the investigation and implement any additional improvement measures.

3.2.32 Auditing

Eskom shall evaluate Delivery Partner Health and Safety and Environmental performance on an ongoing basis against the legal, Eskom requirements, HSE requirement and the Delivery Partner HSE Manuals/Systems and Environmental Management Systems.

Delivery Partner shall act as Employer representative in all third party legal and other applicable audits and ensure implementation of corrective action.

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3.2.33 Reporting and HSE Governance

Delivery Partner shall be responsible for managing the HSE meetings. Minutes of meeting shall be compiled and filed in the relevant HSE Files. All employees shall have access to these minutes. Attendance register shall be kept for all HSE meetings. The terms of reference shall be established for each governance structure on the project.

3.2.33.1 OHS and Environmental Performance Status Reports

The Delivery Partner shall provide HSE statistical and non-statistical reports, dashboards, presentations as per the Client requirements on weekly and monthly basis.

3.2.33.2 Emergency Coordinators Meeting

The Project Emergency coordinators meet on an agreed basis to discuss emergency activities, changes on the acts and bylaws and any other feedback from activities conducted by the Delivery Partner on Contractors as well as lessons learnt.

3.2.33.3 Statutory Health and Safety Committees

The Delivery Partner shall establish statutory health and safety committee in terms of Section 19 of the OHS Act, Act.

The Committee shall meet to discuss HSE issues concerning the current work being performed, training, upcoming work and HSE requirements, incidents and lessons learned, specific HSE problems, safety performance, audit findings action plans and other relevant HSE issues. Health and safety committees shall follow up on incident investigation recommendations and shall keep record of all recommendations made by the committee. Statutory health and safety committees may make recommendations for the revision of current standards, procedures, and practices.

Health and Safety representatives for a workplace shall be members of the relevant workplace safety committees (Refer to Section 19 (2) (a) of the OHS Act). The number of persons nominated by employer shall not be more than the Health and Safety Representatives on that specific statutory health and safety committee. (Refer to Section 19(2)(c) of the OHS Act)

A statutory health and safety committee meeting shall be held at least 3 monthly (where medium to high-risk work is involved, more frequent if required), and all appointed members of the committee shall attend the meeting.

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The chairperson of the health and safety committees shall be selected and appointed by the Delivery partner. The appointed chairperson shall be competent to chair meetings and be able to make informed decisions.

Minutes and record of action items shall be kept of all health and safety committee meetings. Action column with target dates and responsible person shall be clearly visible on the minutes and shall be completed during the meeting. The original copy of the minutes and record of the action items shall be signed by the chairperson.

3.2.34 HSE Performance Evaluation

Delivery Partner shall evaluate EPC Contractor's HSE performance on an on-going basis against the legal and Eskom requirements.

A post-contract review evaluation shall be conducted and shall be supported by the objective evidence documented during the term of the contract.

The following criteria (but not limited to) shall be considered for the review:

- Accident and injury data for the contract.
- HSE non-conformances.
- Duration and effectiveness in addressing and closing out HSE deficiencies/corrective actions.
- Legal compliance with HSE requirements.
- Number of behavioural safety observations conducted by contractor's management and supervisor's team.
- Close-out of Incident Investigations.
- Training and awareness
- Implementation of the environmental calendar.
- Waste Disposal records
- No. of staff members (incl. Service Providers and suppliers) who contravened the Eskom Life-saving rules.
- Prohibition and contravention notices issued by Department of Labour/Dept. of Mineral Resources notices, Department of Forestry, Fisheries & the Environment (DFFE) etc.
- Contributions and effort made to improve HSE performance.
- EPC contractor total number of incidents:

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- Fatalities.
- Lost-time injuries.
- reportable incidents (Department of Labour/Department of Mineral Resources/ Department of Forestry, Fisheries & the Environment (DFFE).

3.2.35 Work Stoppage

The aim of the section is to outline the conditions under which work shall be stopped and the process to be followed to ensure that the worksite is rendered safe.

Delivery Partner shall be responsible for initiating all work stoppages on the project in line with Eskom requirements and safety culture of zero harm.

The Delivery Partner may stop any activity where an unsafe act or unsafe condition that poses or may pose an imminent threat to the safety and health of an individual or create a risk of degradation of the environment. This includes any unauthorised work or service performed by, or legally or contractually non-compliant acts or omissions by, any EPC contractor.

The temporary stoppage of an activity/activities or task(s) may be because of HSE concerns, including the following circumstances which shall not warrant any financial compensation:

- Ad hoc safety intervention by Delivery partner/Eskom management: All work of a similar nature may be stopped as the result of an occurrence of a serious incident. The EPC Contractor shall be required to comply with, and/or verify, the conditions stipulated in the work stoppage instruction pack, and
- Ad hoc safety intervention by Delivery Partner or Client, especially HSE functionaries, may be due to unsafe work or unsafe behaviour by the EPC Contractor. The conditions that gave rise to the work stoppage shall determine the corrective measures to be taken urgently to protect the health and safety of employees and protect the environment and plant or equipment, etc...

The process to be followed is:

- The relevant activity shall be stopped.
- The Delivery Partner responsible Manager and EPC Contractor shall immediately remove the workforce from the work area and correct the health and safety deficiencies by allowing only the people in the area that is competent to make the area safe.

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- The EPC Contractor shall ensure that no other work is being performed during this time. Shall the estimated time from the outset to make the area safe where life threatening/imminent danger situations exist, then the area shall be barricaded, and a sign placed with the wording “Unsafe Area – Authorized Access Only”.
- The Delivery Partner responsible Manager shall review the affected parts/sections of the HSE requirement with the purpose of providing sufficient HSE information to the EPC Contractor.
- The EPC Contractor shall then revise the relevant sections in the HSE plans to accommodate the changes.
- The Delivery Partner responsible manager shall ensure that the revised provisions in the EPC Contractor HSE Plan are adequate and shall approve it before the work activity commences.
- Before the workforce is allowed back in the area, EPC Contractor shall ensure:
 - The area is re-inspected by EPC Contractor Safety Practitioner and supervisor and corrective actions taken, and
 - Declare the area safe for work by signing off on the “work stoppage” notice issued by the Delivery Partner responsible Manager.

NOTE: *Work stoppages that are initiated because of HSE concerns, non-compliance, or poor performance related to the EPC Contractor works or services shall not warrant any financial compensation claim lodged against Delivery partner/Eskom where the EPC Contractor has not met the requirements defined legally or contractually.*

Further note that Eskom do have two compulsory work stoppages per annum. Safety discussions shall be held on those days and no financial compensation claim lodged against Eskom. This is in line to support Eskom safety culture of Zero Harm.

3.2.36 Hours of Work

The requirements of the Basic Conditions of Employment Act, Chapter Two “Regulation of Working Time” shall be adhered to. Delivery Partner shall be required to maintain an accurate record of time worked by each employee.

3.2.37 Omissions from this HSE Requirements document

By drawing up this HSE requirement, Eskom has endeavoured to address the most critical aspects relating to HSE issues to assist the Delivery Partner in adequately addressing the health and safety management of persons on site as well as the environmental management.

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Should Eskom have not addressed all HSE aspects pertaining to the work that is tendered for, the Delivery Partner needs to include it in the HSE Manual/system and inform Eskom of such issues when submitting the tender. The Delivery Partner shall ensure that all applicable HSE requirements are identified and included in their HSE management system.

3.2.38 Project Close-out/Contract Sign-Off

On completion of the project, Delivery Partner shall close out the project documentation, HSE Files and site demobilisation plan and forward such to the Client. All required documentation including critical exit medical records to confirm medical status upon exit shall be submitted and handed-over using relevant medium (hard copy files as well as soft copies in hard drives/USB) as per Project procedure (Project Closeout and H&S documentation (348-9942695) and De-establishment and Rehabilitation Inspection Checklist (348-682304) or as amended.

A checklist shall accompany the submission to verify that all documents are submitted/or handed over to the client.

Delivery Partner shall be responsible for ensuring the close-out of the project and submission of required HSE files and documentation by the EPC Contractor.

No project shall be signed off before Business Unit or Department has given assurance that no environmental liabilities exist. The responsible person, project leader or environmental advisor shall carry out a physical inspection before acceptance of work done. The Environmental Control Officer will conduct a close out audit on all project authorisation and lender's requirements. Upon closure of the findings the ECO will issue site close out later.

No invoice shall be processed before work done is accepted.

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4. Process for Monitoring

4.1 Key Performance Areas and Indicators

Key Performance Area	Key Performance Indicator	Measure Frequency	Responsible	Record
Approval of the specification	SHE specification to comply with minimum Document control and quality requirements.	Inline with document management process	OHS/Environmental Officer	Signed SHE Specification
Submission of specification to tender enquiry	Communicate signed SHE Specification with tender documentation to market.	Inline with procurement process	Procurement Officer	Proof of Verification of tender documentation sent for enquiry
Tender response incorporating SHE requirements	Submission complying to SHE Specifications .	Inline with procurement process	OHS/Environmental officer	Evaluation Report
Compliance to Approved SHE Specification	Monitor the implementation of the SHE Specification	Inline with approved SHE specification and related legal requirements.	OHS/Environmental personnel/Contract Management/DP Personnel.	Audit Reports and Approved SHE plan
Development and monitoring implementation of EPC HSE requirements	Ensure Development, Approve and implementation of the EPC HSE Specification.	Inline with the approved SHE specification and related legal requirements.	DP Personnel	Signed HSE Specification for EPC.

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4.2 Document Review and Self-Assessment

4.2.1 Document Self-Assessment

The “Process Owner” identified on the front page of this document along with departmental personnel and the project QMS Engineer shall undertake a “self-check” review of the process defined in this document at six monthly intervals, commencing from the effective date of this document, to check:

- a) the process / procedure operational integrity
- b) process efficiency
- c) the level of stakeholder knowledge and implementation.

Participants and results of the “self-check” review shall be documented by the Process Owner in the “Self-Assessment Checklist” (**Template No. 348-10040454**) included as an Appendix to this document which shall be submitted via SharePoint to Medupi Documentation Department Help Desk by the Process Owner once completed.

Process Owner shall proceed with any revision requirements in line with Medupi Procedures, **348-653867** “Development and Change of Medupi QMS Documents” and **348-10040452** “Document and Record Management”.

4.2.2 Review Period

All QMS documents shall undergo a 3-yearly compulsory review.

4.3 Training Requirements

No project specific training required to implement the process documented in this document beyond normal job function.

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5. Acceptance

This document has been seen and accepted by:

Name	Designation
Ntali Khuzwayo	HSE Manager
L. Ndlovu	Quality Assurance Manager
Zandi Shange	General Manager

6. Revisions

Date	Rev.	Compiler	Remarks
July 2025	2	T. Kgobe	Review to align new terminology and template
July 2023	1	P Sumbana	Final review on first draft (new document).
July 2023	0	P Sumbana	First draft HSE requirement for new scope of work.

7. Development Team

The following people were involved in the development of this document:

- Ntali Khuzwayo
- Pauline Malindi
- Dovhani Mudzielwana
- Thabang Kgobe
- Sakutanya Mamabolo
- Phathutshedzo Sumbana

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Appendix A: Eskom Document Hierarchy

Annexure A	Eskom OHS Act Section 37 (2) Agreement (240-77037682)
Annexure B	SHEQ Policy (32-727)
Annexure C	Incident Management Procedure (32-95)
Annexure D	Contract and Contractor OHS Management Standard(32 -726)
Annexure E	Life Saving Rules Procedure (240-62196227)
Annexure F	Smoking Procedure (32-1126)
Annexure G	Substance Abuse Procedure (32-37)
Annexure H	Working at height Procedure (32-418)
Annexure I	Employees' right of refusal to work in an unsafe situation Procedure (240-43848327)
Annexure L	Acknowledgement Form for Eskom SHE Rules and Requirements (Annexure B) (240-77471499)
Annexure M	Environmental Incident Management Procedure (240-133087117)
Annexure N	32-245: Waste Management Standard
Annexure O	32-736 Eskom land and Biodiversity Policy
Annexure P	348-954407 Environmental Management Programme for the Medupi FGD Retrofit Project (14/12/16/3/3/2/1060/AM1)
Annexure Q	32-249 Environmental Liaison Committee Performance Indicator Reporting Procedure
Annexure R	32-246 Work instruction for Reporting on Environmental Expenditure and Income
Annexure S	32-477 Safety, Health and Environment Training and Development Procedure
Annexure T	Eskom Personal Protective Equipment
Annexure U	32-520 OHS Risk Assessment
Annexure V	348- 9990544 Project Closeout and handover
Annexure W	348- 880771 Handling of Non-Conformances

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Annexure X	348-954407 Medupi FGD EA 2018
Annexure Y	348-954407 Medupi FGD EA amendment 2018

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Appendix B: Process Self-Assessment Checklist

Discipline: Health and Safety		Applicable Document No.: 348-10041673				Self-Assessment Date: DD / MM /YYYY	
Item No	Ref Section	Self-Assessment Question	Compliant			Comment	
			Yes	Part	No		
1	2.5.1.2 & 2.5.1.4	Was the HSE Requirement issued with the enquiry for the project?					
3	3.3.1	Is the 37(2)-agreement entered & signed between Eskom and the Delivery partner?					
5	3.3.8	Does the Delivery Partner have a valid letter of Good Standing?					
6	3.4.2	Did the Delivery Partner prepare and submit a HSE Manual, and is the Manual approved?					
7	3.4.24	Did the Delivery Partner prepare and provide a Baseline Risk Assessment?					
7							
Comments:							
Self-Assessment by:		Name:	Position:		Revision Required? (Yes / No)	Planned Revision Date:	
Attendees:							

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