

	Annexure B: Eskom Acknowledgement Form for OHS legal and other requirements	Template Identifier	240-43921804	Rev	5
		Document Identifier	240-77471499	Rev	3
		Effective Date	May 2021		

Annexure B: Acknowledgement Form for Eskom OHS legal and other requirements

NOTE: the supplier/contractor/tenderer has to ensure that he/she understands the OHS requirements listed hereunder.

<p>1. The supplier/contractor/tenderer is expected to comply to the following documents when working at/rendering a service to Eskom but not limited to the following:</p> <ul style="list-style-type: none"> a. OHS specification/requirements provided b. Occupational Health and Safety Act 85 of 1993 c. Compensation for Occupational Diseases and Illnesses Act 130 of 1993 d. Occupational Health and Safety Act 85 of 1993 and all applicable regulations e. Mine Health and Safety Act (where applicable) f. Eskom SHEQ Policy 32-727 g. Eskom Occupational Health & Safety Risk Assessment Procedure 32-520 h. Eskom Life Saving Rules Procedure, 240-62196227 and Eskom Life Saving Rules Acknowledgment Form, 240-4392180. i. Eskom Occupational Health & Safety Incident Management Procedure, 32-95 j. Eskom Employees Right of refusal to Work in an Unsafe Situation Procedure 240-43848327. k. Eskom Vehicle and Driver Safety Management Procedure, 240-62946386 l. Eskom Vehicle Safety Specification, 32-345 m. Eskom Work at Heights, 32-418 n. Eskom Personal Protective Equipment (PPE), 240-44175132 o. Eskom Protective Equipment for Work at Heights Specification, 240-100979499 p. Eskom Substance Abuse, 32-37 q. Eskom Behavioural Safety Observations, 32-407 <p>Note: Please note that after contract award, it is your responsibility to fully align the company's processes to Eskom's OHS requirements (policies, procedures, standards etc). The contractor shall be expected to comply with site specific OHS Requirements.</p>
<p>2. Cost allocation for OHS Compliance</p> <p>The Contractor shall ensure that the submitted bid adequately made provision for the cost of all Occupational Health and Safety measures based on the overall contracted scope of the project.</p> <p>Note, the costing for OHS shall be detailed and itemised based on the overall contracted scope of the project in the Bill of Quantity (BoQ).</p>
<p>3. Penalties shall be enforced on the main supplier for non-conformance/s (identified for the main supplier and/or its contractor and/or supplier) pertaining to Eskom and/or Statutory OHS requirement/s.</p>
<p>4. Induction</p>

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Eskom NTCSA shall endeavour to provide induction where reasonably practicable based on mutual arrangement the specific site (contractor) and the client. Where physical contact not possible, the client will provide the induction virtually.

NB! The principal contractor/supplier shall conduct their own induction to its own employees/visitors/suppliers. Company's induction

5. Medical Surveillance Programme

The Contractor (Incubates) shall ensure that his employees are registered on a medical surveillance programme and are in possession of a valid medical fitness certificate (Annexure 3).

The certificate of fitness should be relevant to the type of work (risk based) that the employee will be exposed to. This will require each employee to have a risk-based person job specification that will be used as a basis for medical examination.

The Contractor must ensure that his employees have undergone pre-entry medical examination on commencement of the project.

The frequency to renew the medical fitness certificate shall be determined by the risk profile and/or as per the recommendation of the medical practitioner.

On completion of the project an exit medical examination shall be conducted, unless otherwise advised by the Occupational Health Practitioner.

Eskom will only accept medical surveillances conducted by an Occupational Health Practitioner who holds a qualification in occupational health within the borders of the Republic of South Africa.

6. Management of Contractors/ Suppliers

The main contractor/supplier:

- a) Has to demonstrate to Eskom the process and selection criteria applied when appointing contractors and suppliers.
- b) Has to provide notification to Eskom, prior to the appointment of contractors or suppliers for the commencement of work.
- c) Has to ensure that contractors/ suppliers have adequate resources and competencies.
- d) Is accountable for the management of its contractors/ suppliers in order to ensure that the applicable legal and Eskom requirements (that are applicable to the main supplier during contract execution) are complied with by the contractors or suppliers.
- e) The main supplier shall monitor contractors or suppliers through audits and assessments with regard to OHS compliance during the execution of the work.
- f) The grounds for the termination of work done by contractors/suppliers shall be provided by the main supplier.
- g) All non-conformances/non-compliance by the contractors/suppliers (all tiers) to the main supplier shall be dealt with directly with the main contractor/supplier in terms of performance and penalty processes.
- h) Eskom reserves the right to verify this when deemed necessary. The contractor may be instructed to provide copies of testimonials/references and the contact detail of clients (including Eskom) for whom the Company has done previous work of a similar nature

7. Training

The Contractor/Incubates 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 (task to be executed).

8. Compensation of Occupational Injuries and Diseases Act (COIDA)

The Contractor/Incubates shall submit proof of registration and letter of good standing with the compensation fund or with a licensed compensation insurer for his company; based on South African legislative requirements. This must remain valid for the duration of the contract. The Letter of Good Standing shall reflect the name of the Contractor.

9. OHS Audits

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Eskom reserves the right to monitor and conduct unannounced audits to ensure compliance and provide assurance to the Client representatives and their key stakeholders. Eskom shall evaluate contractor/incubates OHS performance on an on-going basis against the legislative and Eskom requirements.

10. Incident Investigation

The Contractor/incubates shall report all incidents/accidents as required in terms of the legislation.

All OHS incident reporting, recording, classification and investigation will be done according to the requirements set out in the Eskom document 32-95 (latest version)

11. Emergency Care

The contractor/incubates shall prepare and emergency preparedness plan for site, plan and schedule the drills thereafter share the report with the Client. This is in line with the Emergency Planning standard 32-123.

12. Risk Assessment

The Contractor/incubates shall prepare, provide, maintain and update (at defined intervals) a Risk Assessment in line with their scope of work and, in alignment with Eskom 32-520 procedure and/or acceptable methodology.

13. OHS Performance Status Reports

The Contractor/incubates shall provide an OHS Statistical and Non-Statistical Reports, dashboards, presentations as per the Client requirements.

Reporting must be in accordance with agreed date.

I, the undersigned, hereby acknowledge that I have obtained copies of the above documents and confirm that I fully understand them and the consequences of non-compliance.

Signed at on day of 20.....

Company/Supplier Name:

.....

Name of Authorised person (CEO/Director/ Managing Director)

.....

Signature **Date**

Witness 1

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Witness 2

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