

	GENERATION COAL FIRE STATIONS OHS SPECIFICATION FOR LOW RISK ACTIVITIES/SERVICES	Template Identifier	32-726-11T	Rev	1
		Document Identifier	30872	Rev	1
		Effective Date	30 June 2022		

Project Name: For provision of CCO on an as and when required basis for a period of five (05) years at Matla Power Station

Project Address: Matla Power Station

Scope of the project: For provision of CCO on an as and when required basis for a period of five (05) years at Matla Power Station

Eskom Contract's Manager

Name: Lucas Nyambe

Signature: 

Date: 13/10/2023

Eskom's Procurement Officer

Name: Germinah Mahlangu

Signature: _____

Date: _____

Eskom's OHS Manager

Name: Isaak Mokoena

Signature: 

Date: 11/10/2023

Eskom's OHS/SHE Officer

Name: Lynton Mudau

Signature: 

Date: _____

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1. INTRODUCTION

Eskom's responsibility and commitment is to ensure a safe working environment is in line with its Safety, Health, Environmental, and Quality (SHEQ) Policy and applicable legislative obligations. This OHS specification is Eskom Generation's minimum requirements which are required to be met for the duration of the contract period by contractors/suppliers and, where required, the delivery organisation. The contractor is expected to develop an OHS plan that meets these requirements as well as all the relevant applicable legislation that they conform to. Eskom in no way assumes the contractor's legal responsibilities and liabilities. The contractor is and remains accountable for the quality and execution of their health and safety programme for their employees and appointed contractor employees. This OHS specification reflects minimum requirements and should not be construed as all-encompassing.

Note 1: All the requirements listed hereunder are in relation to the contract and do not supersede or replace any organizational OHS requirements.

Where requirements listed are already in place, then the organizational requirements must be taken cognisance of and listed in the respective OHS plans. If there are any additional Eskom and/or legislative requirements listed in the OHS specification, then these must be addressed.

2. SUPPORTING CLAUSES

2.1 Scope

This OHS specification lists the legislative and Eskom requirements and, where applicable, any requirements pertaining to local authorities, municipal by-laws, or environmental legislation that must be met by the contractor.

2.1.1 Purpose

This document will provide a standardised approach to the compilation of OHS specifications throughout Eskom Generation business for contracts, standards, and NEC 3.

2.1.2 Applicability

This OHS specification is applicable to any contracting organisation that intends to respond to Eskom Generation's tender/enquiry with the intention of entering into a contract.

2.2 NORMATIVE/INFORMATIVE REFERENCES

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

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2.3 DEFINITIONS

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Definition	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 TES (ex labour broker) as defined in section 1(1) of the Labour Relations Act 1956 (Act No. 28 of 1956)
Eskom requirements	Eskom requirements flowing from directives, policies, standards, procedures, specifications, work instructions, guidelines, or manuals
Occupational Health and safety file	(OHS Act) means a file or other record in permanent form, containing the information required in relation to the contract.
Health and safety plan	(OHS Act) means a document plan that addresses hazards identified and includes safe work procedures to mitigate, reduce, or control hazards identified
Occupational Health and safety specification	(OHS Act) means a document specification of all health and safety requirements pertaining to associated to a contract, so as to ensure the health and safety of persons.
Occupational Health and safety requirements	means comprehensive health and safety requirements for a contract, project, site, and scope of work. This specification is intended to ensure the health and safety of persons, both workers and the public, and the duty of care to the environment. The health and safety requirements must be specific to each contract, project, site, and scope of work
Lifesaving Rules	(240-62196227) a rule that, if not adhered to, has the potential to cause serious harm to people
Medical Certificate of fitness	(OHS Act) 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
National Enquiries/contracts	sourcing of services providers/contractors at the divisional level and not at BU level thorough tendering, request for price etc
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
Main contractor	(In the text of this document) Means an employer, as defined in section 1 of the OHS Act, who intends to tender for or has signed a contract with Eskom for services rendered.
Provincial director	(OHS Act) means the provincial director as defined in Regulation 1 of the General Administrative Regulations under the Act
Risk assessment	(OHS Act) means a programme to determine any risk associated with any hazard at a construction site in order to identify the steps needed to be taken to remove, reduce, or control such hazard

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Abbreviation	Description
LoG	(COID) Letter of Good Standing
SABS	South African Bureau Standard
SANS	South African National Standard

2.5 RELATED/SUPPORTING DOCUMENTS

Section 37(2) of the OHS Act requires Eskom to sign an agreement and include it in the OHS file for evaluation prior to the start of work. OHS department will issue the 37(2) agreement to the project manager/end user who will facilitate the signing of the document by Eskom and contractor representatives

3. DOCUMENT CONTENT

3.1 SCOPE OF WORK

For provision of CCO on an as and when required basis for a period of five (05) years at Matla Power Station

A copy of the scope of work must be retained by the contractor

Note. The contractor who will be awarded this contract will be known as the “**Main contractor**”

3.2 LEGAL COMPLIANCE

3.2.1 Section 37(2) (Legal) Agreement

A section 37(2) agreement must be signed between Eskom and the main contractor at the time of submitting the safety file. The main contractor must ensure that a section 37(2) agreement is compiled between the main contractor and all their appointed contractors for the contract. The original copy of the section 37(2) agreement must be retained by the contractor, and a copy must be retained by the responsible project manager/end user. A copy of all the agreements must form part of the respective contractor’s OHS file.

3.2.2 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

- 1 *being protected from exploitative labour practices*
- 2 *not be required or permitted to perform work or provide services that*
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3.3 ESKOM REQUIREMENTS

All contractors shall, before commencement of the project ensure that all their employees are familiar with the relevant Eskom OHS documentation that is applicable to contract services.

3.3.1 Appointment of a Contractor

The Main contractor will be appointed by Eskom on the awarding of the contract and will be responsible and accountable for all legislative and Eskom requirements for the duration of the contract

3.3.2 Appointment of sub-contractors

The Main contractor may appoint contractors to assist in the contract. All appointments shall be done in writing and will form part of the SHE plan that is required to be submitted to Eskom. Adequate training and instruction must be given to the appointees and the Main contractor must ensure that all the appointed contractors understand their roles and responsibilities

Note: Copies of contractor appointments must be kept in the respective SHE file

3.3.3 SHEQ Policy

SHEQ policy is a statement of intent and a commitment by the organization's CE and senior management in relation to the relevant OHS roles and responsibilities, the achievement of their strategic objectives, and values of integrity, customer satisfaction, excellence, and innovation. The main contractor and all appointed contractors, if not already in place, will be required to compile an organisational SHEQ policy in line with their OHS responsibilities. The policy must be signed by the organisation's CE or the appointed assistant to the CE, OHS Act Section 16(2). The policy must be displayed in a prominent place within the workplace. A copy of the policy must be filed in the contractor's OHS files and attached as an annexure to the OHS Plan.

3.3.4 Covid -19 policy

Due to the current pandemic the contractors are required to submit the Covid policy signed by the most senior person. The policy must be displayed in a prominent place within the workplace. A copy of the policy must be filed in the contractor's OHS files and attached as an annexure to the OHS Plan

3.3.5 Covid -19 requirements

Covid-19 costs are not for profit making purpose and Eskom reserves the right to accept and/or decline the list of PPE which will be listed in the detailed Covid-19 costs. Due to the current pandemic the contractors are required to provide Eskom with a Covid-19 risk assessment and a detailed plan on how to prevent the spread of the virus and what control measures will be put in place to protect Eskom employees and members of the public. The

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Noncompliance to Life-saving rules is regarded serious misconduct and will result in serious disciplinary action, which may include dismissal

This is to ensure that everyone who works on or visits an Eskom facility returns home to their families safely

3.3.7 Substance abuse

- 1 Alcohol and substance abuse are serious threats to any business, especially when it comes to workplace accidents and car driving. As a result, Eskom has the right to take reasonable procedures to identify and prohibit drunk people from entering the company.
2. General Safety Regulation 2A specifies the legal position on intoxication.
3. The allowable alcohol and drug level is 0%
4. All contractors must follow Eskom's procedure 32-37 ("Substance Abuse Procedure"), taking into account that this is an Eskom Life-saving Rule number 4 (BE SOBER), and anyone entering the Eskom site will be subjected to ad hoc alcohol testing if the BU has self-alcohol testing equipment.
5. Contractors are invited to develop their own manual and test their own employees for alcohol on a regular basis
6. Test results must be marked "Confidential" and kept in the employee's personal file.
7. Eskom's life-saving rules must be included in the induction process.
- 8 All employees involved in the scope of work must sign the Life-saving rule pledge before commencement of work.

3.4 CONTRACTOR ORGANISATIONAL STRUCTURE

3.4.1 Main Contractor Organogram

The Main contractor must provide an organisational organogram related to this contract, depicting all the levels of responsibility from the CE down to the supervisors responsible for the contract. List the relevant positions held, names of appointees and legal appointments.

The Main contractor must ensure that all appointed contractors comply with this requirement. The Main contractor is responsible for keeping copies of all the organograms' as well as submitting them with the OHS plan. All organograms shall be updated timeously when appointments are changed.

This diagram must be signed off by the 16.1 or 16.2 and kept up to date and filed in the project OHS files

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3.5.2 Contractor induction training

The Main contractor shall ensure that all his / her employees and appointed contractor employees undergo site specific work induction with regard to the approved project OHS plan, hazards prevalent on the work site, scope specific risk assessment, rules and regulations, and other related aspects.

3.5.3 Visitors to site induction

- 1 Visitors to the site shall be required to undergo and comply with the Eskom site-specific safety induction prior to being allowed access to site
2. All visitors must remain in the care and custody of a person (host) who has been properly inducted. No visitors are permitted to undertake any work onsite, of any nature.
- 3 Visitors who have completed site induction must be provided with a record of proof of Induction training

3.6 HOUSEKEEPING AND ORDER

- 1 All contractors shall maintain a high standard of housekeeping within their work area and vehicles for the duration of the contract.
- 2 Prompt disposal of waste materials, scrap and rubbish is essential and be stored temporarily in a designated waste area, awaiting disposal
- 3 Materials/objects shall not be left unsecured in elevated areas – falling objects may cause serious injuries/fatalities
4. Nails protruding through timber shall be bent over or removed so as not to cause injury
5. All packaging material including boxes, pallets, crates, etc to be removed from the work area immediately
- 6 On completion of his / her work, the contractor is responsible for clearing his / her work area of all materials, scrap to the satisfaction of the client
- 7 In cases where an inadequate standard of housekeeping has developed, compromising safety and cleanliness, anyone has the responsibility to bring it to the attention of the Main contractor in the first instance and the Eskom project/contract manager in the second instance.
- 8 The Eskom project/contract manager has the right to instruct the Main contractor and appointed contractors to cease work until the area has been tidied up and made safe. Neither additional costs nor extension of time to the contract shall be allowed as a result of such a stoppage. Failure to comply with this requirement will result into site cleaning by another cleaning contractor company at the cost of the Main contractor

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3.11 RISK ASSESSMENTS

It is a legal requirement in terms of Section 8 (2)(d) of the OHS Act for an employer to 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. A risk assessment is defined as an identification of the hazards associated with the scope of work 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 are required to be maintained. This means that significant changes to a process or activity, or any new process or activity should be subjected to a risk assessment and that if new hazards come to light during the work process, then these should also be subjected to risk assessments. Risk assessments for long term processes should be periodically reviewed and updated. Method statements or written safe work procedures are an effective method as information and record of the way jobs / tasks must be performed. Daily or issue based or task specific or on the job risk assessments must be conducted at the place where work is to be performed/ conducted to allow managers and employees to assess any inherent risks that could have been overlooked during the initial risk assessment or any changes that might have occurred in a period of absence. For example, if a job / task is extended over a day or halted due to inclement weather

3.12 PERSONAL PROTECTIVE EQUIPMENT REQUIREMENTS

1. The Main contractor shall provide PPE free of charge. The issued PPE must be risk based
2. All contractors shall comply with the requirements of GSR 2 of the OHS Act
3. All contractors shall ensure that their visitors wear and use the correct PPE whilst on worksites
6. Where PPE is required and visitors are not in possession of, then it is the individual contractor's responsibility to provide the PPE.
7. All PPE purchased and used by all contractor employees including visitors must comply with the relevant SANS standards.
8. Monthly inspection records of PPE must be kept in the Safety file where contractors are onsite for three months or more
9. The contractor shall provide training to his/her employees on the correct use, care and maintenance of PPE and keep the record.

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3.16 OHS FILES

- 1 OHS file means documents or records in permanent form, containing the information about the safety and health management system from inception, execution to completion of works
- 2 All contractors are required to keep the OHS file on every project site. If there is more than one site per project, a file per site shall be kept at that site. Contractors may keep additional files at their head office as additional records
3. The OHS file shall consist of the OHS documentation/information in line with the OHS requirements/specification, legal and other requirements.
- 4 The sequence of filing the documentation must be kept in the same sequence as listed in this OHS requirements /specification and the OHS plan
- 5 Each record shall be separated by partitions to afford easy identification and access
Each partition must be labelled

3.17 WORK STOPPAGE

- 1 Any person 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
2. Work stoppages that are initiated due to OHS concerns, non-compliance, or poor performance related to the contractor's works or services shall not warrant any financial compensation claim lodged against Eskom where the contractor has not met the requirements defined legally or contractually.
3. Where the work stoppage is initiated while the supplier is on Eskom premises, the supplier shall not claim any financial compensation against Eskom for time lost.

3.18 HOURS OF WORK

The requirements of the Basic Conditions of Employment Act, Chapter Two "Regulation of Working Time" must be adhered to. All contractors are required to maintain an accurate record of time worked by each employee

3.18.1 Normal work

All work conducted on site shall fall within the legal requirements in accordance with the Basic Conditions of Employment Act. Contractors will notify their Eskom Supervisor or project manager of any work that needs to be performed after hours according to the agreed arrangements. (The application needs to be submitted timeously) Where applicable, the notification should include proof of application, for overtime, to the Department of Employment and Labour and /or the letter of approval from the Department of Employment and Labour.

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3.21 CONTRACT SIGN OFF

On completion of the project, all Eskom team must conduct the final audit, inspections, and housekeeping to identify defects, outstanding actions, and open incident cases, and present their findings to the contractor and Eskom contract manager, who must facilitate the closeout. Once the contractor has closed all findings the Eskom's team will verify and sign off prior to issuing a completion certificate and final payment

3.22 ESKOM'S RIGHT TO TERMINATE THE CONTRACT

The contractor/supplier shall at all times comply with Eskom's occupational health and safety (OHS), legal and other requirements as amended for the duration of the contract. In addition, the contractor shall comply with the requirements contained in the OHS Specification. Eskom reserves the right to terminate the contract in the event that the contractor has built up a history of poor performance or non-conformance in relation to matters of Eskom OHS and legal compliance. No work may commence until the health and safety file has been approved by Eskom OHS personnel

4. AUTHORIZATION

TI Mokoena

L Nyambe

5. REVISIONS

Date	Rev.	Compiler	Remarks
August 2015	0	F Pooe	This provides the initial SHE specification requirements that must be met by the relevant contractors who have been awarded a contract for the work to be performed for Eskom
June 2022	1	F Pooe	This provides the initial OHS specification requirements that must be met by the relevant contractors who have been awarded a contract for the work to be performed for Eskom.

6. DEVELOPMENT TEAM

1. Lynton Mudau

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