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|  | <b>Manual</b> |  |
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## Content

|   | Page |
|---|------|
| 1. Introduction.....  | 3    |
| 2. Supporting clauses .....   | 3    |
| 2.1 Scope .....   | 3    |
| 2.2 Normative/informative references .....                            | 3    |
| 2.3 Definitions .....   | 4    |
| 2.4 Abbreviations .....   | 7    |
| 2.5 Roles and responsibilities .....                                  | 7    |
| 2.6 Process for monitoring.....                                       | 10   |
| 2.7 Related/supporting documents .....                                | 10   |
| 2.8 Eskom services risk category .....                                | 10   |
| 3. Document content .....   | 10   |
| 3.1 SHE specifications .....  | 10   |
| 3.2 Process for developing SHE specifications.....                    | 11   |
| 3.3 SHE plan .....  | 11   |
| 3.4 SHE file .....  | 11   |
| 3.5 Requirements for sending tender enquiries/awarding contracts..... | 12   |
| 4. Acceptance.....  | 12   |
| 5. Revisions.....   | 12   |
| 6. Development team .....   | 12   |
| 7. Acknowledgements .....   | 13   |

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## 1. Introduction

Eskom's responsibility and commitment is to ensure a safe working environment for its principal contractors, appointed contractors, suppliers, vendors, service providers and consultants in line with its Safety, Health, Environmental and Quality Policy and with applicable legislative obligations. This philosophy is entrenched in Eskom's Zero Harm vision.

Any contractors who have an existing contract and wish to include any SHE specification and/or SHE requirements from the new specification to incorporate it in their current SHE plans, may make amendments to their existing SHE plans to accommodate any additional SHE requirements. In so doing, no claims can be instituted against Eskom for the additional safe practices introduced.

Effective alignment of Eskom's and contractors' safety values and goals must be an integral part of the project or contract. Contractor SHE plans must incorporate the intent of Eskom's objectives and must focus on key hazards and systems as well as on how their plans will be monitored and reviewed during the execution phase.

## 2. Supporting clauses

### 2.1 Scope

There is a requirement to have a standardised approach to contractor health, safety and environmental aspects when any form of contract for work to be performed for Eskom Holdings SOC Limited is being awarded.

This manual will provide a guideline and sample for contract custodians, responsible managers, SHE professionals and environmental professionals to develop a SHE specification.

#### 2.1.1 Purpose

To avoid a fragmented approach to the compilation of SHE specifications, this document lays down the requirements for a standardised approach to the compilation of SHE specifications and provide guidance on an approach to develop project specific SHE plans. It will also provide guidance in the compilation of the required SHE files.

#### 2.1.2 Applicability

This manual is applicable to Eskom Holdings SOC Limited's divisions, subsidiaries and entities in which Eskom has a controlling interest.

#### 2.1.3 Effective date

Date of signing

## 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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### 2.2.1 Normative

- [1] ISO 9001 Quality Management Systems
- [2] Eskom 32-1034: Eskom Procurement and Supply Management Process
- [3] Eskom 32-726: SHE Requirements for the Eskom Commercial Process
- [4] Eskom 32-136: Contractor Health and Safety Requirements Standard
- [5] Eskom 240-59678141: OHS Act, Section 37(2) Agreement
- [6] Eskom 32-727: Eskom Safety, Health, Environment and Quality Policy
- [7] 240-62582234: Roles and Responsibilities and Statutory Appointments
- [8] Occupational Health and Safety Act and Regulations, Act 85 of 1993

### 2.2.2 Informative

- [1] Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993
- [2] Constitution of the Republic of South Africa Act, No. 108 of 1996
- [3] ISO 14001:2004 Environmental Management Systems
- [4] National Environmental Management Act, No. 107 of 1998
- [5] OHSAS 18001 Occupational Health and Safety Management Systems – Requirements
- [6] Any other relevant legislation and Eskom documentation that will be applicable to the requirements will be listed in the SHE specifications of the specific project, job or task

## 2.3 Definitions

**Note:** Where there are no listed Eskom definitions, the definitions listed in the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993: OHS Act) and the National Environmental Management Act, No. 107 of 1998, or their regulations, should be referred to.

**2.3.1 Baseline risk assessment:** Baseline operational risks refer to the health and safety risks associated with all standard processes and routine activities in the business. (Refer to 32-520.)

**2.3.2 Business unit (BU):** Any defined unit within the Eskom environment, operating as a business. In the context of this document and in terms of health and safety, any reference to an OU/BU includes a defined unit within any Eskom division and its subsidiaries. (Refer to 240-62582234.)

**2.3.3 Competent person:** 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 National Qualifications Framework Act, 2000 (Act No. 67 of 2000). (Refer to the OHS Act, 1993.)

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**2.3.4 Contractor:** An employer as defined in section 1 of the Act who performs construction work and includes principal contractors. For the purpose of this manual, it also means any employer or person who has been awarded a contract with Eskom Holdings SOC Limited. (Refer to the OHS Act, 1993.)

**2.3.5 Contract custodian:** The person defined in a contract as the Eskom representative, for example the project manager/end user, that is, the person responsible for managing the contract and ensuring that the works or services are executed in terms of the contract.

**2.3.6 Construction work:** Any work in connection with:

- a) the construction, erection, alteration, renovation, repair, demolition, dismantling of, or addition to, a building or any similar structure; or
- 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, the clearing of land, the making of an excavation, a piling or any similar civil engineering structure or type of work. (Refer to the OHS Act, 1993.)

**2.3.7 Employer (section 1 of the OHS Act):** Any person who, subject to the provisions of subsection (2) of the OHS Act, 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 (TES) as defined in section 1(1) of the Labour Relations Act, 1956 (Act No. 28 of 1956).

**2.3.8 Fall protection plan:** A documented plan that includes and provides for:

- a) all risks relating to work from a fall risk position, considering the nature of work undertaken;
- b) the procedures and methods to be applied in order to eliminate the risk of falling; and
- c) a rescue plan. (Refer to the OHS Act, 1993.)

**2.3.9 Hazard:** A source of, or exposure to, danger. (Refer to the OHS Act, 1993.)

**2.3.10 Hazard identification:** The identification and documenting of existing or expected hazards to the health and safety of persons that are normally associated with the type of construction work being executed or to be executed.

**2.3.11 Health and safety file:** A file or other record containing the information in writing required by these regulations (the Construction Regulations). (Refer to the OHS Act, 1993.)

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**2.3.12 Health and safety plan:** A site-, activity- or project-specific documented plan in accordance with the client's health and safety specifications. (Refer to the OHS Act, 1993.)

**2.3.13 Health and safety specification:** A site-, activity- or project-specific document prepared by the client pertaining to all health and safety requirements related to construction work. For the purpose of this manual, it also means any contract with Eskom Holdings SOC Limited. (Refer to the OHS Act, 1993.)

**2.3.14 Health and safety requirements:** 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 includes the duty of care to the environment. The health and safety requirements must be specific to each contract, project, site and scope of work.

**2.3.15 Joint venture:** A strategic alliance between/among two or more parties to undertake economic activity together. The parties agree to create a new entity (incorporated or unincorporated) together by means of each party's equity contribution, and they then share in the profits, losses and control of the enterprise. The venture may be for one specific project only or a continuing business relationship. (Refer to 32-136.)

**2.3.16 Life-saving Rules:** Rules that, if not adhered to, has the potential to cause serious harm to people. (Refer to 240-62196227.)

**2.3.17 Medical certificate of fitness (OHS Act CR 7(1)(8)):** A valid medical certificate of fitness specific to the construction work to be performed and issued by an occupational health practitioner.

**2.3.18 Medical surveillance:** 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. (Refer to the OHS Act, 1993.)

**2.3.19 Principal contractor:** An employer as defined in section 1 of the Act who performs construction work and is appointed by the client to be in overall control and management of a part of, or the whole of, a construction site.

**2.3.20 Responsible manager:** A manager of a department, section or operating or business unit who has been appointed as part of the Eskom delegation of authority process, with the aim to assist the applicable Section 16(2)-assigned person in executing his/her duties in terms of the Occupational Health and Safety Act.

**2.3.21 Safety professional:** Any appropriately qualified person who is employed to perform OHS-related activities as his/her primary role and job function. (This would exclude statutory health and safety representatives.)

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**2.3.22 Zero Harm:** Eskom will strive to ensure that Zero Harm befalls its employees, contractors, the public and the natural environment. This includes zero fatalities, zero injuries, zero environmental incidents, zero tolerance and zero defects.

## 2.4 Abbreviations

| Abbreviation   | Explanation   |
|----------------|---|
| <b>COID</b>    | Compensation for Occupational Injuries and Diseases Act |
| <b>NEC3</b>    | New Engineering Contract                                |
| <b>OHS ACT</b> | Occupational Health and Safety Act                      |
| <b>PMCoE</b>   | Project Management Centre of Excellence                 |
| <b>RFI</b>     | Request for information                                 |
| <b>RFP</b>     | Request for proposal                                    |
| <b>RFQ</b>     | Request for quotation                                   |
| <b>SHE</b>     | Safety, Health and Environment                          |
| <b>SHEQ</b>    | Safety, Health, Environment and Quality                 |

**Note:** This document supports the Eskom Standard 32-726 (“SHE Requirements for the Eskom Commercial Process”) at the pre-tender stage and post-contract awarding Eskom Document 240-59678141 (“Section 37(2) Agreement”), Eskom Document 32-136 (“Contractor Health and Safety Requirements”) and any RFI, RFP, RFQ, and NEC3 documents.

## 2.5 Roles and responsibilities

### 2.5.1 Contract custodian, responsible managers and PMCoE

#### 2.5.1.1 Role of the project manager relating to the SHE specification

All responsible or appointed contract custodians, when requiring a task, project or job to be performed by a department other than their own, will be required to compile an SHE specification specific to such task, project, or job as well as conducting a baseline risk assessment with the support of the SHE functionary.

If any designs are to be carried out, both the SHE specification and baseline risk assessment shall be forwarded to the project designer for inclusion in the project design.

When compiling a SHE specification, all the relevant SHE requirements must be addressed. These requirements will not be limited to the OHS Act and Eskom requirements, but will also include requirements in terms of any local-authority or municipal by-laws, international standards, best practices, SANS codes and environmental legislation.

The project custodians are responsible for managing the contract and ensuring that the project-specific SHE specification, baseline risk assessment, Acknowledgement of Eskom SHE rules form (32-726), applicable Eskom procedures, 32-136 standard and evaluation criteria shall be issued with the tender enquiry documents.

During the contract execution phase, contract custodians shall ensure that all the requirements specified in the SHE specifications are adhered to by the principal contractor and his/her appointed contractors.

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Where additional contractors are appointed, contract custodians shall ensure that the SHE specification and baseline risk assessment are made available to the appointed contractors.

The project custodians are responsible and accountable for the successful and safe completion of the project or contract.

#### **2.5.1.2 Role of the Contract Custodian relating to the SHE plan**

The contract custodian shall ensure that the principal contractor develops a project-specific SHE plan. When a tender has been awarded, it is the contract custodian's responsibility to ensure that the SHE plan of the principal contractor is evaluated and approved prior to the commencement of work and also (post-contract award) within 30 days of the start of the project to ascertain that the plan is still in line with the project SHE specifications and that the deliverables are met.

The contract custodian is responsible for ensuring that the SHE plan of the principal contractor and any appointed contractor is audited throughout the execution of the project for compliance from a legislative and occupational health and safety point of view.

#### **2.5.1.3 Role of contract custodian relating to the SHE file**

Once the contract has been awarded, the contract custodian is responsible for ensuring that the SHE file is evaluated for compliance. Once satisfied that the contents of the SHE file meet the requirements, a letter of acceptance shall be issued to the contractor. Refer to "Related/supporting documents" for a letter of acceptance.

The contract custodian shall ensure that the cross-functional team take part during the project close-out meeting. When the team is satisfied with the contents of the files and the site inspection is completed, all the parties will sign off the project completion evaluation checklist. Once the above-mentioned requirements have been successfully completed, the contract custodian will hand over the project completion certificate to the principal contractor. Refer to "Related/supporting documents" for a handover letter template.

### **2.5.2 Designing the project**

The designer shall ensure that the SHE requirements applicable to the project are incorporated in the design and consider the associated risks as listed in the project-specific SHE specification and baseline risk assessment.

The identification and analysis of hazards must form part of the design process. This is mostly applicable to, but not limited to, high-risk services. Environmental issues as they may affect the site/project shall be identified, assessed, controlled and monitored for compliance and effectiveness.

### **2.5.3 Eskom SHE professionals**

#### **2.5.3.1 SHE specification**

SHE professionals are challenged to promote a culture where health and safety is a prime value that will not be compromised to achieve goals and objectives.

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The SHE professional providing a service to the appointed contract custodian will be responsible for helping to compile a project-specific SHE specification and baseline risk assessment. The SHE specification, baseline risk assessment, Acknowledgement of Eskom SHE rules form (32-726), applicable Eskom procedures, 32-136 standard and evaluation criteria shall be issued with the tender enquiry documents.

A protected SHE specification sample is linked to this document, along with a SHE specification template.

#### **2.5.3.2 SHE plan**

SHE professionals are responsible for assisting the project custodians to evaluate and approve SHE plans during the pre-contract stage and within 30 days of the start of the contract work. The SHE plan shall be rejected if it does not meet or satisfy the SHE specification requirements.

#### **2.5.3.3 Auditing**

SHE professionals are required to audit the SHE plans and all the contents of the SHE file of the principal contractor and any appointed contractor for compliance.

#### **2.5.4 Eskom environmental control officer**

The environmental control officer is required to assist the responsible manager or project manager to compile the SHE specification related to the specific project from an environmental point of view.

Where appointed, the environmental control officer is required to audit the environmental management plan and environmental file of the principal contractor and any appointed contractor for compliance.

#### **2.5.5 Principal and appointed contractors**

The principal contractors who wish to respond to the tender advertisement are required to compile tender returnables in accordance with the SHE requirements and applicable legislation stated in the tender enquiry documents. All SHE documents that are submitted in response to the tender advertisement must be internally approved by the authorised personnel or most senior person in the company, e.g. SHE Plan, Baseline Risk Assessment, etc.

Principal contractors and appointed contractors are required to compile a set of files that will contain all records that are required to be kept in terms of legislative and Eskom requirements. Original documents may be kept at the contractor's head office. If this is done, copies of the relevant site's information must be kept at that work site.

Once the contract has been awarded, prior to starting work, the principal contractor is required to develop a SHE file and submit it to the contract custodian for evaluation.

For ease of assessment, auditing and standardisation, it is recommended that SHE files and records of principal contractors and appointed contractors be arranged in order of the subject headings, that they be separated and labelled.

To ensure that on completion of the project, the project's SHE files, inclusive of appointed contractors' SHE documentation, are handed over to the project custodian.

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## 2.6 Process for monitoring

This document will be reviewed every five years or when deemed necessary by the business to do so.

## 2.7 Related/supporting documents

- [1] 240-73416879 – Sample SHE Specification for Technical Projects  
**Annex A** <http://hyperwave.eskom.co.za/240-73416879>
- [2] 240-73198174 – SHE Specification Template for Technical Projects  
**Annex B** <http://hyperwave.eskom.co.za/240-7319874>
- [3] 240-73418055 – Sample SHE Specification for Professional Contracts  
**Annex C** <http://hyperwave.eskom.co.za/240-73418055f>
- [4] 240-73198256 – SHE Specification Template for Professional Contracts  
**Annex D** <http://hyperwave.eskom.co.za/240-73198256>
- [5] 240-73419711 – Sample SHE Specification for General Services Contracts  
**Annex E** <http://hyperwave.eskom.co.za/240-73419711>
- [6] 240-73198366 – SHE Specification Template for General Services Contracts  
**Annex F** <http://hyperwave.eskom.co.za/240-73198366>
- [7] 240-76755865 – Contractor SHE File Hand-back Record  
**Annex G** <http://hyperwave.eskom.co.za/240-76755865>
- [8] 240-76755675 – Contractor SHE File/Plan Evaluation  
**Annex H** <http://hyperwave.eskom.co.za/240-76755675>
- [9] 240-59678141 – Eskom – Occupational Health and Safety Act Section 37(2) Agreement  
<http://hyperwave.eskom.co.za/240-77037682>

## 2.8 Eskom services risk category

Eskom services are categorised into high, medium, and low risk. The services risk category information is contained in the SHE Requirements for the Eskom Commercial standard (32-726: Annexure A : 240-77433139 (1) <https://hyperwave.eskom.co.za/240-77433139>).

## 3. Document content

### 3.1 SHE specifications

A SHE specification is a document that details all the SHE requirements pertaining to a project, contract, job or task that are required to be met. The specification does not specify how the requirements are to be met. This will be detailed in the contractor's SHE plan. Where the SHE specification template contains a heading and subheading that are not applicable to the task, project or job, these headings shall be deleted by the SHE functionary.

#### 3.1.1 The SHE specification shall be compiled for the following:

- a) If the services are to be conducted on any Eskom premises.

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- b) Where the services are conducted on the supplier's premises within the borders of South Africa, the supplier shall comply with the applicable South African legislation and Eskom requirements, to the extent that these requirements are to be listed in the SHE specification.
- c) The procurement of any products between Eskom and an external party (service provider, supplier, contractor) irrespective of where the supplier's site is located (International or local)

### 3.2 Process for developing SHE specifications

1. The baseline risk assessment must be developed by the cross-functional team.
2. Identify in which risk category the project belongs.
3. List all the SHE tender returnables.
4. List applicable Eskom procedures to be complied with.
5. Include the scope of work or project, the area, the address, the duration of the project, the project team and the signatures of the compiler and project manager.
6. Elicit information from the published SHE specification (240-73416879), add topics that are applicable to the project and omit those that are not.
7. The SHE functionary must ensure that the evaluation criterion is aligned to the SHE specification provided to the suppliers or contractors. .

### 3.3 SHE plan

A SHE plan is a document in which contractors list details of how they will meet the requirements of the SHE specification pertaining to a specific project, contract or job.

All SHE plans are legal documents in terms of the OHS Act. The SHE plans must be approved, signed and initialled on every page in the bottom right-hand corner by the principal contractor prior to submission to Eskom. When the client is satisfied with the contents of the SHE plan, the SHE plan shall be approved, signed and initialled on every page in the bottom right-hand corner by the client. Refer to "Related/supporting documents" for an approval letter template.

### 3.4 SHE file

The project-specific SHE file shall be compiled and submitted to Eskom prior to commencing work. The SHE file shall be evaluated by the SHE professional for compliance. Once Eskom is satisfied that the contents of the SHE file meet the requirements, a letter of acceptance shall be issued to the contractor.

Contract custodians are responsible for ensuring that the SHE files of the principal contractor and any appointed contractors are audited for compliance from a legislative and technical requirements point of view for the project.

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### 3.5 Requirements for sending tender enquiries/awarding contracts

- a) When tender enquiries are sent for publication, the project-specific SHE specification, baseline risk assessment, applicable Eskom procedures and evaluation criteria shall be submitted with the tender enquiry.
- b) All contractors responding to the tender shall submit the tender returnables as specified in the SHE specification.
- c) The safety professional should take part in the entire tender clarification meeting to clarify all the uncertainties.

**Note:** Where contractors are already performing work on an Eskom contract prior to the issuing of this manual, the current status remains. The requirements as listed in this manual shall apply to new contracts signed after the publication of this document.

## 4. Acceptance

This document has been seen and accepted by:

| Name           | Designation                                      |
|----------------|--|
| Kerseri Pather | General Manager Sustainability Systems           |
| Jace Naidoo    | Senior Manager Contractor and Skills Development |
| Alex Stramrood | Senior Manager OHS Operational Safety            |
| Robin Pillay   | Middle Manager Contractor OHS Management         |

## 5. Revisions

| Date        | Rev. | Compiler  | Remarks   |
|-------------|------|-----------|---|
| March 2014  | 1    | T Barnard | This document replaces 32-524 ("Developing a Safety, Health, and Environmental Specification"). Document 32-524 ("Guideline for Developing a Safety, Health, and Environment Specification") has been reviewed, and a name change has been registered. There is a need to standardise the compilation of SHE specifications throughout BUs and OUs. |
| August 2014 | 2    | F Poee    | Final review for alignment with the promulgated construction regulations  |

## 6. Development team

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

- Ted Barnard
- Florence Poee

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- Mthokozisi Mhlanga
- Bucks de Klerk
- Anthony Hughes
- Dave Lucas
- Kgaugeto Sedibeng
- Kajal Mansingh
- Sivindri Govender
- Snehlanhla Manana

## **7. Acknowledgements**

- Robin Pillay
- Sheryl Isaacs

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