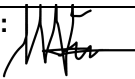
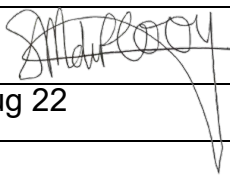


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Project Name: Delivery of oil filtering plant

Project Address: Northern Cape OU, Blanckenberg Vlei Complex, PPM

Scope of the project: Delivery of oil filtering plant to PPM at Blanckenberg Vlei Complex

Compiled by	Accepted by	Accepted by
Name : Mardo van Tonder	Name : Magda Wyngaardt	Name : Leonard du Plooy
Signature : 	Signature : 	Signature : 
Date : 01 February 2022	Date : 10/08/2022	Date : 15 Aug 22
Contractor Safety Officer Northern Cape	Contractor Safety Manager Northern Cape	Manager PPM NCOU

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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 Policy, along with legislative obligations.

This SHE specification is Eskom's minimum requirements which are required to be met for the specific contract and for the duration of the contract period by contractors and where required, the delivery organisation.

The contractor is expected to develop a SHE plan which meets these requirements as well as all the relevant applicable legislation they conform to.

Eskom in no way assumes the contractor's legal responsibilities. The contractor is and remains accountable for the quality and the execution of his/her health and safety programme for his/her employees and appointed contractor employees.

This SHE 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 SHE requirements.

Note 2 : In terms of Eskom requirements, a section of this professional contract falls within the requirements of the Construction Regulations.

Although there are requirements listed in this specification that do not pertain directly to air charter, the requirements are expect of an air charter contractor business to conform to. These requirements are in line with Eskom's Zero Harm value.

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

2. SUPPORTING CLAUSES

2.1 SCOPE

This SHE specification lists the legislative and Eskom requirements and where applicable, any requirements pertaining to Local Authorities / Municipal by-laws / Environmental legislation that must be met by the contractor.

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2.1.1 Purpose

This document will provide a standardised approach to the compilation of SHE specifications throughout Eskom for contracts and standard and NEC 3 contracts.

2.1.2 Applicability

This SHE specification is applicable to any contracting organisation who intends tendering for the contract.

2.2 NORMATIVE/INFORMATIVE REFERENCES

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

2.2.1 Normative

- [1] Basic Conditions of Employment Act No 75 of 1997.
- [2] Occupational Health and Safety Act and Regulations No 85 of 1993.
- [3] National Environmental Management Act 107 of 1998.
- [4] National Road Traffic Act 93 of 1996.
- [5] 32-37 Eskom Substance Abuse Procedure.
- [6] Civil Aviation Act 13 of 2009.
- [7] Air Services Licence Act 115 of 1990.
- [8] Directive: Consolidated COVID-19 Direction on Health and Safety in the Workplace
Published 4 June 2020, Government Gazette 43400, GNR 639.

2.2.2 Informative

- [9] 32-726 Mandatory SHE Requirements for Eskom Procurement and Supply Chain Management
- [10] 240-62196227 Eskom Life Saving Rules
- [11] Tobacco Products Control Act 83 of 1993 (Updated 2011.05.19)
- [12] SANS 1186 Symbolic Safety Signs
- [13] Constitution of the Republic of South Africa No 108 of 1996
- [14] 32-95 Eskom Procedure Manual for Performing Occupational Health & Safety Management & Environmental Management : Conducting EH&S Incident Management,

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2.3 Definitions

Definition	Explanation
Appointed contractor	Means a contractor appointed by the principal contractor
Baseline assessment risk	(32-520) baseline operational risks refer to the health and safety risks associated with all standard processes and routine activities in the business
Client	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)
Contractor – includes appointed contractor	means an employer as defined in section 1 of the Act who performs contract work and includes principal contractors
Consultant	means a person providing professional advice
Duty of care to the environment	(32-136) anybody who causes or has caused or may cause significant pollution or degradation of the environment must 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 must minimise and rectify such pollution or degradation of the environment
Employee	(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
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	a) Eskom requirements flowing from directives, policies, standards, procedures, specifications, work instructions, guidelines, or manuals
Hazard	(OHS Act) means a source of, or exposure to, danger

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Definition	Explanation
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
Health and safety file	(OHS Act) means a file or other record, containing the information in writing required by the construction regulations.
Health and safety plan	(OHS Act) means a site, activity or project specific document plan in accordance with the client's health and safety specifications.
Health and safety specification	(OHS Act) means a site, activity or project specific document prepared by the client pertaining to all health and safety requirements related to construction work.
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
Medical certificate of fitness	(OHS Act) means a certificate specific to the work to be performed and issued by an occupational health practitioner in the form of Annexure 3 of the construction regulations.
Medical surveillance	(OHS Act) 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	(OHS Act) means a written document detailing the key activities to be performed in order to reduce, as reasonably as practicable, the hazards identified in any risk assessment
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
Pre-job meetings	(34-227) means a meeting that is held prior to the commencement of the day's work and that is attended by all the relevant employees associated with the work task
Principal 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

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Definition	Explanation
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
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.
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
Service provider	any private person or legal entity that provides any service(s) to Eskom for compensation
Task	(34-227) a segment of work that requires a set of specific and distinct actions for its completion
Toolbox talks	(34-227) where the team leader, after conducting pre-task planning, shares all the tasks at hand and discusses task allocation, the identified risks, and the control measures with all his/her team members on site before commencing a specific task and documenting the agreed strategy. (This shall be done to ensure common understanding of the tasks, risks, and control measures required.)
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	Description
BU	Business Unit
CE	Chief Executive
COID Act	Compensation for Occupational Injuries and Diseases Act
CR	Construction Regulations
DMR	Driven Machinery Regulations

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Abbreviation	Description
DoL	Department of Labour (Inspection and Enforcement services – Provincial office)
EP	Emergency Preparedness
EAP	Employee Assistance Program
ERFW	Environmental Regulations for Workplaces
GAR	General Administrative Regulations
GSR	General Safety Regulations
HCS	Hazardous Chemical Substances
LDV	Light Delivery Vehicle
MSDS	Material Safety Data Sheets
NEMA	National Environmental Management Act
OHS Act	Occupational Health and Safety Act and Regulations, 85 of 1993
SABS	South African Bureau Standard
SANS	South African National Standard

2.5 Related/Supporting Documents

Eskom OHS Act section 37 (2) agreement (to be completed by the contract responsible manager).

3. Specification

3.1 Scope of work

Delivery of oil filtering plant to Blanckenbergvlei, Kimberley at Eskom Distribution, Specialised Maintenance and Support, Power Plant Maintenance Department.

A copy of the scope of works must be retained by the contractor.

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Note: The contractor who will be awarded this contract will be known as the “principal contractor” and any contractor appointed by the principal contractor will be known as the “appointed 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 principal contractor at the time of awarding the contract. The principal contractor must ensure that a section 37(2) agreement is compiled between the principal 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 retained by the responsible manager.

A copy all the agreements must form part of the respective contractor’s SHE 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 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 must 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 must 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 must be exercised and child labour should not be used.

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3.2.3 OHS Act

The principal contractor and appointed contractors shall have an up to date copy of the OHS Act and regulations which will be available to all employees.

3.2.4 Legislative Compliance

All contractors will comply with all the legislation pertaining to this contract being:

- 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.

3.3 Eskom requirements

All contractors shall, before commencement of the charter insure that all their employees are familiar with the relevant Eskom SHE documentation that is applicable to charter services.

3.3.1 Appointment of a Contractor

The principal 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 principal 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 principal 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 SHE Policy

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

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The principal contractor and all appointed contractors, if already not in place, will be required to compile an organisational SHE policy in line with their SHE 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 all the contract SHE files and as an annexure the SHE Plans

3.3.4 COID

The principal contractor and all his/her appointed contractors shall be registered with an appropriate employment compensation commissioner and have available a valid letter of good standing (LoGS) from such commissioner. The obligation lies with the contractors to ensure that the LoGS remains valid throughout the contract period. A copy of the LoGS must be filed in the entire contract SHE files and as an annexure the SHE Plans.

3.4 ROLES AND RESPONSIBILITIES

All contractors are required to list employee's roles and responsibilities pertaining to the contract.

3.5 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 what hazards to the health and safety of persons are attached 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 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.

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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. Prior to start of work, risk assessments on every job / task are ideal 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. In particular, if a job / task is extended over a day or halted due to inclement weather.

3.6 INCIDENT INVESTIGATION

All incidents shall be investigated in terms of OHS Act General Administrative Regulations 8 and 9, using Eskom Procedure 32-95 as a reference, and where injuries as contemplated in sections 24 and 25 have been sustained, be reported to the Department of Labour.

Contractors shall use the standard General Administrative Regulation Annexure 1 "Recording of an Incident" form for all incident investigation reports. The objective of incident investigation, not only being a legal requirement, is to establish why and how the incident occurred, but to find out the real causes of the incident and to decide on precautionary measures that are required to address the causes to prevent any further recurrences of the same or similar incidents.

3.7 EMERGENCY MANAGEMENT

1. 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 supplier must develop their own emergency response in their work premises. The Eskom employees attending training must be made aware of the emergency process and the assembly points. Where any office and or site is located within any Local Authorities area, then the plans must include their involvement. Emergency preparedness

Periodic emergency drills must be undertaken to test the effectiveness of the plan. This must be recorded and provided on request.

3.7.1 Non-Conformance and Compliance

1. Any non-compliance to any health and safety requirement in this SHE specification is subject to discipline in terms of the Eskom Procurement and Supply Management Procedure.

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2. Principal contractors are required to implement a non-conformance procedure (if not already in place) for issuing to contractors for transgressions. The procedure can include “quality” related non-conformance issues. Similarly, appointed contractors must implement a non-conformance procedure.
3. The procedure for the issuing and closing off of non-conformance reports shall be strictly adhered to.
4. Contract management must close out non-conformances issued, in not doing so, will not ensure that any recommendations made have been carried out and or implemented.
5. Where non-conformances are issued by Eskom, then one of the close-out steps of the procedure will be for the offender to be called on by the contractor responsible manager to explain the non-conformance issued and what they intend doing to prevent a recurrence of the non-conformance.
6. Contractor failure to provide adequate PPE to their employees for the tasks being performed and/or to visitors and failure to enforce the wearing of such PPE will be viewed as a transgression of the legislative and Eskom requirements.

3.8 COVID-19 requirements

Note: All relevant attachments on COVID-19 will be added as an addendum in the project documents.

Directive: Consolidated COVID-19 Direction on Health and Safety in the Workplace Published 4 June 2020, Government Gazette 43400, GNR 639.

As a result of the global COVID-19 pandemic the following requirements have to be put in place to ensure adequate control measures are present in workplaces:

1. **Appointment of Compliance officer**
 Section 27(2) of the Disaster Management Act, 2002, published regulations in Government Gazette 43258, GNR 480

 Regulation 16.6 under Chapter 3 Alert Level 4. This stipulates that: All industries, businesses, entities, both private and in the public sector, which are permitted to operate during Alert Level 4, must-
 - (a) designate a COVID-19 compliance officer who will oversee the:
 - (i) implementation of the plan referred to in sub regulation (b); and

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(ii) adherence to the standards of hygiene and health protocols relating to COVID-19 at the workplace

2. COVID 19 Policy

COVID-19 Policy included in Annexures

Clause 16 (2) of the Directive: COVID-19 Occupational Health and Safety Measures in Workplaces COVID-19 (C19 OHS), 2020, Eskom is required to develop and implement a written policy concerning the protection of the health and safety of its employees from COVID-19 as contemplated in section 7(1) of the Occupational Health and Safety Act (OHSA). It is further stipulated that this policy shall be submitted to:

- The health and safety committees established in terms of section 19 of the OHSA; and
- The Department of Employment and Labour.

3. COVID 19 Baseline risk assessment

Directive: COVID-19 Occupational Health and Safety measures in the Workplace COVID-19 (C19 OHS), 2020. Clause 16.6 that the Employer must ensure that measures required by (COVID-19 Occupational Health and Safety Measures in Workplaces COVID-19 (C19 OHS), 2020 Directive and its risk assessment plan are strictly complied with through monitoring and supervision.

4. Notification of COVID-19 cases

All Contractors must ensure that the Client/Eskom is informed of any COVID-19 cases in their teams that have tested positive for the virus.

5. COVID-19 ready Workplace Plan

Disaster Management Act 57 of 2002: Regulations issued in Terms of Section 27(2) of the Act (GN 480)

ANNEXURE E WORKPLACE PLANS
 Regulation 16(6)(b)

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A COVID -ready Workplace Plan must be developed prior to the reopening of an enterprise employing persons or serving the public.

For small businesses, the plan can be basic reflecting the size of the business, while for medium and larger businesses, a more detailed written plan should be developed given the larger numbers of persons at the workplace.

The Plan for medium and large businesses must include the following:

1. The date the business will open and the hours of opening;
2. The timetable setting out the phased return -to -work of employees, to enable appropriate measures to be taken to avoid and reduce the spread of the virus in the workplace;
3. The steps taken to get the workplace COVID -19 ready;
4. A list of staff who can work from home: staff who is 60 years or older; and staff with comorbidities who will be required to stay at home or work from home;
5. Arrangements for staff in the establishment:
 - (a) sanitary and social distancing measures and facilities at the entrance and exit to the workplace;
 - (b) screening facilities and systems;
 - (c) the attendance -record system and infrastructure;
 - (d) the work -area of employees;
 - (e) any designated area where the public is served;
 - (f) canteen and bathroom facilities;
 - (g) testing facilities (for establishments with more than 500 employees);
 - (h) staff rotational arrangements (for establishments where fewer than 100% of employees will be permitted to work).
6. Arrangements for customers or members of the public, including sanitation and social distancing measures.

3.55 Mandatory Agreement Section 10 (4)

All leased vehicles and equipment should have an agreement of Client and/ or Supplier using third party equipment/ machinery on site.

This document should be made available to Eskom when safety file is being evaluated. Also Eskom SHEQ department and Project Coordinator for the site should be aware if any new agreements are being executed during the entire project duration.

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4. AUTHORIZATION

Nil

5. REVISIONS

Date	Rev.	Compiler	Remarks
August 2015	0	F Poee	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.
	1		

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ANNEXURE 1 – FLASH REPORT

ACCIDENT / INCIDENT REGISTER NO :

PART 1 – TO BE COMPLETED FOR ALL ACCIDENTS / INCIDENTS:

ESKOM ☐ PUBLIC ☐ CONTRACTOR ☐ CASUAL/TEMP ☐
 POOL ☐ COMPANY CAR ☐ SCHEME ☐ HIRED/PRIVATE ☐

FIRST AID		ELECTRICAL CONTACT	
MEDICAL		EQUIPMENT DAMAGE	
FATAL		THEFT	
LOST TIME INJURY		ENVIRONMENTAL	
OCCUPATIONAL DISEASE		FIRE	
VEHICLE ACCIDENT		NEAR MISS	
STORM DAMAGE		ON DUTY	
OTHER		OFF DUTY	
CRIME RELATED INCIDENTS			
PRIORITISATION BY LINE & SHE USING THE MATRIX			
 Matrix.pdf			

NAME OF PERSON INVOLVED	
UNIQUE NUMBER OR IDENTITY NUMBER	
NATURE OF INJURIES SUSTAINED	
UNIT/SECTION/DEPARTMENT	
DATE OF ACCIDENT/INCIDENT	
LOCATION OF INCIDENT/ACCIDENT	
MANAGER/SUPERVISOR	
TELEPHONE NUMBER	

FULL DESCRIPTION OF ACCIDENT/INCIDENT :

WHAT IMMEDIATE ACTION IS TAKEN TO PREVENT SIMILAR INCIDENT IN FUTURE?

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--

LESSON LEARNT (GENERAL)

IMMEDIATE PRELIMINARY FINDINGS OBSERVED

SUBSTANCE ABUSE TEST DONE	YES		NO	
---------------------------	-----	--	----	--

PART 2 – TO BE COMPLETED FOR PUBLIC / CONTRACTOR / LIVESTOCK ACCIDENTS

LOW HANGING CONDUCTOR / CONDUCTOR ON GROUND		OTHER	
IRRIGATION PIPE INTO LINE			
TELKOM LINE INTO ESKOM LINE			
EXTERNAL / SUB-CONTRACTOR			
UNLAWFUL ENTRY / VANDALISM			
CRANE INTO LINE			
TREE ON LINE			
ESKOM VEHICLE INVOLVED			

PART 3 – TO BE COMPLETED FOR ALL VEHICLE ACCIDENTS

ESKOM DRIVER & UNIQUE NUMBER	
ESKOM VEHICLE REGISTRATION NUMBER	
DAMAGES TO ESKOM VEHICLE	
THIRD PARTY REGISTRATION NUMBER	
DRIVER OF 3 RD PARTY VEHICLE	
TELEPHONE NUMBER OF 3 RD PARTY	
NAME OF WITNESS	
WITNESS TELEPHONE NUMBER	

PART 4 – TO BE COMPLETED FOR ALL ELECTRICAL CONTACTS

DD SHEET NUMBER	
LINE CLEARANCE	

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SUB STATION AND NETWORK	
SECTION BREAKERS	
TEE LINE	
ESKOM VOLTAGE	
BEFORE THE METER	
BEYOND THE METER	

PART 5 – TO BE COMPLETED FOR ALL CRIME RELATED INCIDENTS

NAME OF INVESTIGATING OFFICER	
DATE , TIME REPORTED TO INVESTIGATING OFFICER	
ESTIMATED VALUE INVOLVED	
DESCRIPTION OF PROPERTY DAMAGE	
NAME OF POLICE STATION REPORTED TO	
DATE, TIME REPORTED TO SAPS	
PERSON REPORTING TO SAPS	

PART 6 – TO BE COMPLETED FOR ALL MEDICAL AND LOST TIME INJURIES

NAME OF ATTENDING DOCTOR	
NAME HOSPITAL TAKEN TO	
TELEPHONE NUMBER OF DOCTOR / HOSPITAL	
FAX NUMBER OF DOCTOR / HOSPITAL	
DATE OF TREATMENT RECEIVED	
TIME OF TREATMENT RECEIVED	

PART 7 – TO BE COMPLETED FOR ALL INCIDENTS / ACCIDENTS

FULL NAME OF PERSON REPORTING INCIDENT	
NAME OF SAFETY REP REPORTED TO	
TELEPHONE NUMBER	
FAX NUMBER	
DATE OF REPORTING INCIDENT / ACCIDENT	
TIME OF INCIDENT / ACCIDENT	

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Annexure 2 – Transportation of people at the back of open vehicles

DISTRIBUTION TECHNICAL INSTRUCTION

15 December 2011 Enquiries: Moniwa Mahlangu
Tel: (012) 421 6625

TECHNICAL INSTRUCTION: 11TI-027

ART: 21 – RISK MANAGEMENT

TRANSPORTATION OF PEOPLE AT THE BACK OF OPEN VEHICLES (BAKKIES)

Background

In the past years we have experienced fatalities where people were being transported at the back of open vehicles, this has had a major impact since these vehicles are not meant for the conveyance of people but material and tools instead and furthermore it is against existing laws in the country. It was also communicated through a technical instruction (10TI-012) issued on 26 March 2010 that the practice should be stopped, it was however observed that this practice still persists in the organization.

It is further expressed that all Eskom employees and contractors should ensure Zero Harm to employees whilst performing work and even travelling on a daily basis.

Instruction

In order to prevent these incidents and similar consequences, it is decided that no person will be transported in a vehicle that is not intended for the conveyance of people at all times. Therefore no one will be transported at the back of an LDV regardless of whether it is covered with a canopy.

This instruction should be implemented with immediate effect and be communicated to all the relevant parties.

This Technical Instruction is in accordance with Eskom's Policies & Procedure and applicable legislation.

Your commitment to Zero Harm to all is appreciated.


 APPROVED BY:

23/12/2011
 DATE:

A Noah
Chairperson – Distribution SHEQ Committee

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Annexure 3 – Evaluation Template

EVALUATION TEMPLATE		
PRINCIPAL CONTRACTOR DETAILS		
Site Name & Address		Telephone:
Project Manager (Client)		Telephone: Cell No :
Principal Contractor		Telephone: Cell No :
Contractors		Telephone:
Construction Manager(Principal Contractor)		Cell:
Construction H&S Manager (Principal Contractor)		Cell:

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Construction H&S Officer(Principal Contractor)						Cell:	
Nature of Construction Work							
Project Commencement Date:							
Project Completion Date:							
Codes	Legal Requirements	Legal Ref	STATUS			What to look for??	Actions & Comments
			Y	N	N/A		
A1	SHE Policy	Sec. 07 OHS ACT				SHE Policy must be signed by the CEO of the company and dated.	
A2	Mandatory Agreement	Sec. 37(2)				A signed 37-2 agreement (new) by Client and Principal Contractor	
		Section 10 (4)				Is there an agreement of Client and/ or Supplier using third party equipment/ machinery on site	

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		32-726 (Annexure B)				Signed Annexure	
A4	H&S specification for the project	CR 5(b) CR5(1)(a)				Client Issued H&S Specification and Baseline Risk Assessment to be included in file	
A6	Letter of Good Standing	CR 5(1)(j)				A valid current FEM/COID letter of Good Standing, Number and expiry date	

Codes	Appointments & Competencies	Legal Ref	Status			What to look for?	Actions & Comments
			Y	N	N/A		
B19	Vehicle & Mobile Plant operator	CR 23(1)(d)(i)				Letter of appointment and course certificates/ Nationals driver licence (Check road worthiness of the construction vehicles	

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						on site)	
Codes	Risk Assessment	Legal Ref	Status			What to look for?	
			Y	N	N/A		
C1	Risk Identification	CR 9(1)(a)				Risk Assessment template -Site specific risk identification Copy of Baseline Risk Assessment	
C2	Risk Analysis	CR 9(1)(b)				A documented method on how hazards and risks are evaluated and analysed e.g. matrices	
C3	Risk Control	CR 9(1)(c)				Documented Risk Mitigation/ Control plan Safe work procedures to mitigate, reduce or control the risks	
C4	Monitoring Plan	CR 9(1)(d)				A monitoring plan- How are risks monitored. Note: during execution phase planned task	

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						observation at 4 per month by the supervisor,	
C5	Review Plan	CR9(1)(e)				A review plan demonstrating the frequency of review of Baseline RA's(Date of review of the plan)	
Codes	Induction Training	Legal Ref	Status			What to look for?	
			Y	N	N/A		
E2	Proof of Eskom's Induction Training on file.					Proof of Eskom Induction conducted	
E3	Was Induction done by the Company?					Proof of Company Induction (Attendance register) & Contractor Induction Curriculum Content	
Codes	Medical Surveillance	Legal Ref	Status			What to look for?	

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			Y	N	N/A		
F1	Medical certificates for all employees	CR 7(8)				Medical Certificates of all employees in the project	
Codes	Procedures	Legal Ref				What to look for?	
			Y	N	N/A		
G1	Vehicle Safety Management	32-345				Vehicle Safety Management Procedure to be aligned to Eskom 32-345	
Codes	COVID-19 requirements	Legal Ref	Status			What to look for?	
			Y	N	N/A		
I1	Appointment of Compliance officer	Section 27(2) of the Disaster Management Act				Proof of appointment	

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I2	COVID-19 Policy	Clause 16 (2) of the Directive				Proof Eskom COVID-19 Policy discussed with employees	
I3	COVID-19 Baseline risk assessment	Clause 16.6 of the Directive				Proof of COVID-19 adequately addressed in Baseline Risk Assessment	
Codes	Principal Contractor to inform the client regarding use of contractors	Legal Ref				What to look for?	
			Y	N	N/A		
J1	Is the Principal Contractor using contractors?	32-136				List of contractors	
J2	Is the contractor's H&S Plan approved by the Principal Contractor (Client)					Copy of contractor's H&S plan , signed by the Principal Contractor	
Other SHE Specification Requirements							

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FUNCTION REPRESENTATIVE	SIGNATURE	DATE	% COMPLIANCE TO SHE SPECIFICATION
Signature of Eskom SHE Officer			100% COMPLIANT
Signature of Project Co-ordinator			80% COMPLIANT
Signature of Principal Contractor Health and Safety Officer / Representative			BELOW 80% COMPLIANT

(100% requirements met) - The file is FULLY compliant in all respects and the contractor may access the site and commence work.

(More than 80% requirements met) – The file is partially compliant – The contractor may access site solely for the purposes of planning and initial mobilization, with the agreement of the project manager. The contractor may only commence work after rectifying the deviations as listed on the following page and the file is re-viewed and a new assessment form is completed achieving full compliant.

(Less than 79% requirements met) - The file is non-compliant – The contractor may not have access to site or commence work. The contractor must rectify the deviations as listed on the following page and the file is re-viewed and a new assessment form is completed achieving full compliance

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Annexure 4 – 37(2) Agreement Template

	Occupational Health and Safety Act: Section 37(2) Agreement - Form	Template Identifier	240-43921804	Rev	5
		Document Identifier	240-77037682	Rev	6
		Effective Date	December 2020		
		Review Date	December 2025		

SECTION 37(2) AGREEMENT CONCLUDED BETWEEN

.....[insert name of subsidiary or Eskom Holdings SOC Limited]

AND

.....

(Name of contractor/supplier)

I,[(insert name of person representing contractor/supplier company)]representing [insert name of contractor/supplier], do hereby acknowledge that [insert name of contractor/supplier] is an employer in his/her own right, with duties as prescribed in the Occupational Health and Safety Act No. 85 of 1993 ("the Act"), as amended, and agree to ensure that all work will be performed and/or machinery or plant used in accordance with the provisions of the Act.

I undertake that [insert name of contractor/supplier] shall strictly adhere to, and ensure that his/her employees adhere to, the provisions of the Occupational Health and Safety Act, 1993 (Act 85 of 1993).

I have been provided with SHE specifications for project/service[insert brief details of project/service, for example, name, contract/project number] and will comply with the requirements set out in these.

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Occupational Health and Safety Act: Section 37(2) Agreement - Form	Document Identifier	240-77037682	Rev	6
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I accept and agree that the SHE specifications constitute arrangements and procedures between (*insert name of contractor/supplier*) and [*insert name of subsidiary or Eskom Holdings SOC Limited*] which will ensure compliance by [*insert name of contractor/supplier*] with the provisions of the Act, as contemplated in section 37(2) of the Act.

This agreement constitutes the sole agreement between the parties, and no variation, modification, or waiver of any of the provisions of this agreement or consent to any departure from these shall, in any manner, be of any force or effect, unless confirmed in writing and signed by both parties, and such variation, modification, waiver, or consent shall be effective only in the specific instance and for the specific purpose and to the extent for which it was made or given.

This agreement is signed on behalf of the parties, each signatory to this warranting that he/she has the requisite authority to do so.

Signed this day of 20 at

..... (*Place*)

(*Full name*)..... (*Signature*)on

behalf of (**Contractor/supplier**)

Contractor Responsible Manager (*responsible for signing the contract on behalf of the contractor/supplier*)

Witnesses

1.

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Occupational Health and Safety Act: Section 37(2) Agreement - Form	Document Identifier	240-77037682	Rev	6
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2.

Signed this day of 20 at (*Place*)

(*Full name*..... (*Signature*) on

behalf of [insert name of subsidiary or Eskom Holdings SOC Limited]
(Contracts and/or Project Manager or Representative)

Witnesses

1.

2.

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Annexure 5 – Annexure B: Eskom Acknowledgement Form for OHS legal and other requirements

	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.

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: a. Eskom contractor Health and Safety requirements standards 32-136 b. OHS specification/requirements provided c. Occupational Health and Safety Act 85 of 1993 d. Compensation for Occupational Diseases and Illnesses Act 130 of 1993 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).
2. 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.
4. Ensure that all employees (contractors/suppliers) undergo the relevant Eskom induction and the company's
5. 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.

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- 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

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

Witness 2

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Annexure 6 – Annexure D SHE Post-contract Reviews

	Annexure D: OHS KPI's and Post-Contract Reviews	Template Identifier	240-43921804	Rev	5
		Document Identifier	240-77472561	Rev	3
		Effective Date	May 2021		

The objectives and outcome of the OHS post-contract review shall be reflected in the contractual requirements for the supplier so that the supplier is aware of this exercise.

An evaluation will be conducted and will be supported by the objective evidence documented during the term of the contract. The evaluation report must be filed in the contract documents.

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

- Accident and injury data for the contract.
- OHS non-conformances.
- Duration and effectiveness in addressing and closing out OHS deficiencies/corrective actions.
- Legal compliance with OHS requirements.
- Number of behavioural safety observations conducted by contract manager and the contractor supervisors.
- Close-out of Incident Investigations.
- No. of staff members (incl. subcontractors and suppliers) who contravened the Eskom Lifesaving rules.
- Prohibition and contravention notices issued by Department of Labour/Dept. of Mineral Resources notices, Department of Environmental affairs etc.
- Contributions and effort made to improve OHS performance
- Contractor /Supplier (including its contractor) total number of incidents:
 - Fatalities,
 - Lost-time injuries,
 - reportable incidents (Department of Labour/Department of Mineral Resources/Department Environmental affairs)

The following matrix shall be used to assess the performance against the identified criteria. The OU/BU may add or remove KPI's to ensure practicality:

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	Annexure D: OHS KPI's and Post-Contract Reviews	Template Identifier	240-43921804	Rev	5
		Document Identifier	240-77472561	Rev	3
		Effective Date	May 2021		

1. Contractor OHS KPI (Business units or Operating units must ensure alignment to the business KPI's)

Supplier's name: **Project Ref number:**

Scope of work:

KPA	KPI	Weighting	Floor	Kick	Target	Stretch	Ceiling
1. Fatalities	1.) No of fatalities experienced for the fiscal year or the duration of the project if less than 12 months	40%	2	1	0	-1	-2
2. Lost time incidents / LTIR	1.) Lost time incidents/LTIR for the fiscal year the duration of the project less than 12 months	30%	4	3	2	1	0
3. OHS compliance	1.) Supplier average audit rating for the fiscal year the duration of the project less than 12 months	20%	1	2	3	4	5

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	SHE SPECIFICATION CONSTRUCTION PROJECT Delivery of oil filtering plant to PPM at Blanckenbergvlei Complex	Template Identifier	240-73416879	Rev	2
		Document Identifier		Rev	X
		Effective Date	20 February 2016		
		Review Date	February 2021		

	months						
	2.) Supplier has closed out audit findings/non-conformances within a specified period.		80%	85%	90%	95%	10%
	3.) Eskom Safety rules violation for the fiscal year the duration of the project less than 12 months		40%	20%	0%	-20%	-40%
4. OHS improvement programme	1.) Supplier has implemented OHS interventions or initiatives to improve on the Health and Safety of employees	10%	60%	70%	80%	90%	100%
	2.) Supplier participate in Eskom's OHS interventions and programmes (Safety stand offs, OHS campaigns/events, cooperation, provide the required feedback or information etc)		60%	70%	80%	90%	100%

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	SHE SPECIFICATION for Delivery of oil filtering plant PPM Manufacture/ Low risk Services	Template Identifier	240-73418055	Rev	2
		Document Identifier			
		Effective Date	20 February 2016		
		Review Date	February 2021		

	Annexure D: OHS KPI's and Post-Contract Reviews	Template Identifier	240-43921804	Rev	5
		Document Identifier	240-77472561	Rev	3
		Effective Date	May 2021		

2. Post Contract Evaluation Report:

Unacceptable	Satisfactory	Good	Exceptional

Comments:

Decision:

Will this Supplier be Recommended for Future Work Within Eskom? Tick Applicable Column

Yes, With Reservations	Yes	No
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Substantiate the reasons for reservation (if applicable):

Names and designations and contact details of persons that conducted the post contract review:

Administrative:

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	SHE SPECIFICATION for Delivery of oil filtering plant PPM Manufacture/ Low risk Services	Template Identifier	240-73418055	Rev	2
		Document Identifier			
		Effective Date	20 February 2016		
		Review Date	February 2021		

Unacceptable	Satisfactory	Good	Exceptional
Performance record and evaluation data on this form have been completed by: Client representative: Name: _____ Title: _____ Signature: _____ Date: _____ Additional comments:			

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