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Project Name: Kusile Power Station Laboratory Chemicals and Consumables

Enquiry number:

Project Address: Kusile Power Station, R545 Kendal/Balmoral Road, Haartebeesfontein Farm, Witbank 1035

Eskom Contract's Manager/End User

Name: Bongani Ndala

Signature: 

Date: 11/04/2023

Eskom's OHS/SHE Manager

Name: Thobile Yonga

Signature:  p.p.

Date: 11/04/2023

Eskom's Procurement Manager /Officer

Name: Matshidiso Kgofane

Signature: _____

Date: _____

Eskom's OHS/SHE Officer

Name: Winnie Sithole

Signature: 

Date: 12/04/2023

Eskom's Environmental Manager


Name: Lesiba Kgobe

Signature: 

Date: 19/04/2023

Eskom's Quality Manager

Name: Sazi Zungu

Signature:  pp

Date: 2023/04/19

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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.

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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] OHS Act "Regulations on Hazardous Work by Children in South Africa"
- [4] National Environmental Management Act 107 of 1998.
- [5] National Road Traffic Act 93 of 1996.
- [6] 32-37 Eskom Substance Abuse Procedure.
- [7] 32-136 Contractor Health and Safety Requirements
- [8] 240-62196227 Life- saving Rules
- [9] 32-95 Environmental, Occupational Health and Safety Incident Management Procedure
- [10] 32-727 SHEQ Policy
- [11] 32- 418 Working at Heights Procedure
- [12] 240-62946386 Vehicle and Driver Safety Management Procedure
- [13] 32-520 Risk Assessment procedure
- [14] Plant Safety Regulations
- [15] ISO 45001
- [16] Eskom Covid-19 policy
- [17] National Disaster Management Act 57 of 2002
- [18] GPM/0147 User requirement specification guidelines.
- [19] Occupational Health and Safety Act 85 of 1993.
- [20] ISO 9001-2015 Quality Management Systems
- [21] SANS 17025:2017, 2nd edition, General requirements for the competence of testing and calibration laboratories
- [22] SANS 10234:2019, 2nd edition, Globally Harmonized System of classification and labelling of chemicals (GHS).
- [23] SANS 11014:2010, 1St edition, Safety data sheet for chemical products — Content and order of sections.
- [24] SANS 10231:2019 Transport of dangerous goods by road - Operational requirements


2.2.2 Informative

- [1] Tobacco Products Control Act 83 of 1993 (Updated 2011.05.19)
- [2] SANS 1186 Symbolic Safety Signs
- [3] Constitution of the Republic of South Africa No 108 of 1996
- [4] Safety Health and Environment Specifications for Contractors - GVLIR 0007
- [5] Construction, Safety, Health and Environment Management in Eskom - 32/136 Rev 0 -
- [6] Eskom Information Security Policy - 32-85 Rev 0
- [7] Eskom Vehicle and Driver Safety Management Procedure - 32-93 Rev 0
- [8] Integrated Business improvement – prevention and improvement Standard - 6-366 Rev 0
- [9] Smoking Policy - 32-36 Rev 0
- [10] Alcohol Policy GGP 1209
- [11] Incident Management 32-95

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[12] Mandatory SHE requirements for the Eskom procurement and Supply chain management process - 32-726 Rev 0

[13] Occupational health and safety act, 1993, Regulations for hazardous chemical agents, 2021


2.3 DEFINITIONS

Definition	Explanation
Appointed contractor	Means a contractor appointed by the Main contractor
Baseline risk assessment	(32-520) baseline operational risks refer to the health and safety risks associated with all standard processes and routine activities in the business
Business unit (BU)	(32-296) means any defined unit within the Eskom environment, operating as a business under a particular cost-centre number. In the context of this document and in terms of health and safety, any reference to a BU includes a defined unit within any Eskom division and its subsidiaries
Client	(OHS Act) Eskom representative (Internal – Asset Owner), also referred to as the contract administrator/custodian or agent or project manager (as defined in the contract). He/she is the person responsible for ensuring that the works or services are executed in terms of the contract, as well as adherence to legislation pertaining to the contract.
Competent person	(OHS Act) means any person having the knowledge, training, experience, and qualifications, specific to the work or task being performed, provided that, where appropriate, qualifications and training are registered in terms of the South African Qualifications Authority Act, 1995 (Act No. 58 of 1995)
Contractor	(OHS Act) means an employer as defined in section 1 of the Act who performs contracted work and includes Main contractors
Contract's Manager/End User	Contract's Manager/End User
Consultant	means a person providing professional advice
Controlled disclosure	controlled disclosure to external parties (either enforced by law or discretionary)
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

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	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)
Environment	(32-94) means: a) the land, water, and atmosphere of the earth; b) micro-organisms and plant and animal life; and c) any part or combination of (a) and (b) and the interrelationships among and between them, and the physical, chemical, aesthetic, and cultural properties and conditions of the foregoing that influence human health and well-being
Eskom requirements	Eskom requirements flowing from directives, policies, standards, procedures, specifications, work instructions, guidelines, or manuals
Fall protection plan	(OHS Act) means a documented plan of all risks relating to working from an elevated position, considering the nature of work undertaken, and setting out the procedures and methods to be applied in order to eliminate the risk
Hazard	(OHS Act) means a source of, or exposure to, danger
Hazard identification	(OHS Act) means the identification and documenting of existing or expected hazards to the health and safety of persons, which are normally associated with the type of construction work being executed or to be executed
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

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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
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
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 of 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
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
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, Main 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
Subsidiary	(32-94) an enterprise controlled by another (called the parent) through the ownership of greater than 50% of its voting stock
Supplier	(32-1034) means a natural or legal person who renders a service and may include the following current or potential supplier vendor, contractor, consultant

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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
DMR	Driven Machinery Regulations
DEL	Department of Employment and Labour (Inspection and Enforcement services – Provincial office)
EP	Emergency Preparedness
EAP	Employee Assistance Program
ERfW	Environmental Regulations for Workplaces
GAR	General Administrative Regulations
GHS	Global Harmonised System
GSR	General Safety Regulations
HCA	Hazardous Chemical Agent
ISO	International Standards Organisation
LDV	Light Delivery Vehicle
SDS	Safety Data Sheets
OHS Act	Occupational Health and Safety Act and Regulations, 85 of 1993
O&M	Operating and Maintenance
LoG	(COID) Letter of Good Standing
SABS	South African Bureau Standard
SANS	South African National Standard

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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. SPECIFICATION

3.1 SCOPE OF WORK

The detailed scope of work for this project is detailed on the Supply and deliver of laboratory chemicals and consumables on an “as and when required” basis at Kusile Power Station for the period of five (5) years-(240-103407358)

Note: The contractor who will be awarded this contract will be known as the “**Main contractor**” and any contractor appointed by the Main 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 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*
3. *are inappropriate for a person of that child's age; or*
4. *This places 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."

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Before resorting to the use of child labour, due consideration must be given to the child's constitutional rights. 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.

3.2.3 OHS Act

The main 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 Main contractor and all appointed contractors will comply with all the legislation pertaining to this project being:

1. The Constitution of the Republic of South Africa (particularly Section 24 of the Bill of Rights).
2. Occupational Health and Safety Act 1993 (Act 85 of 1993) and its Regulations.
3. National Environmental Management Act 1998 (Act 107 of 1998).
4. Environment Conservation Act 1989 (Act 73 of 1989).
5. National Water Act 1998 (Act 36 of 1998).
6. Civil and Building Work Act.
7. National Road Traffic Act 93 of 1996.
8. Compensation for Occupational Injuries and Diseases Act.
9. SANS Standards –Contractor shall use the relative standards applicable to the project.

3.3 ESKOM REQUIREMENTS


1. The Contractor must submit a OHS file for assessment by the Occupational Hygiene and Safety department.
2. The OHS department shall issue a written work authorisation on approval of the OHS file
3. All contractors shall, before commencement of the work ensure that all their employees are familiar with the relevant Eskom OHS documentation that is applicable to the scope of work issued.
4. The principal contractor shall ensure that the transporters undergo the Kusile Power Station induction in order to gain access to site.

Note: No work can commence without the written work authorisation as evidence of the OHS file approval

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3.4 SHEQ POLICY

A 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.

3.5 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.

3.5.1 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 risk assessment must include the following but not limited to, adherence to Covid-19 protocols in designated smoking areas. Covid-19 costs are applicable for the duration of the pandemic and the Covid-19 costs will be ceased once the country has declared that Covid-19 is no more a pandemic. The contractors have an obligation to comply with the National Disaster Management Act including the appointment of the Compliance Officer.

3.6 COID

The Main 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 (LoG) from such commissioner. The obligation lies with the contractors to ensure that the LoG remain valid throughout the contract period. A copy of the LoG must be filed in the contractor OHS files.

3.7 COSTING FOR OHS WITHIN THE PROJECT

The costing for OHS must be itemised based on the overall scope of the project (i.e.) Training, provision of PPE, safety equipment purchases etc.


3.8 STATUTORY APPOINTMENTS

The Main contractor and all appointed contractors must appoint competent workers who will comply with the OHS Act for the duration of the contract. Before requiring appointees to accept an appointment, the employer must ensure that they have received appropriate training and/or information about their

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responsibilities. The relevant statutory appointments must be made in compliance with the OHS Act's criteria, which include appointing a qualified individual to the appropriate roles. The following should be included in the statutory appointments, but not limited to:

1. OHS Act General Administrative Regulation 9(2) – Incident Investigator
2. OHS Act Section 19 (3) - Health and Safety Committee Member
3. OHS Act Section 19(6)(a) – Co-opted Health and Safety Committee member
4. OHS Act Hazardous Chemical Substances Regulation 3(3) Hazardous Chemical Substances Co-coordinator
5. OHS Act, Section 17 – Health and Safety Representative.
6. OHS Act General Machinery Regulation 2(1) – Supervision of Machinery
7. OHS Act: Pressure Equipment Regulations 11 & 12 Portable Gas Container Inspector
8. OHS Act General Safety Regulations 3(4) – First Aider/s

3.8.1 Non statutory appointments

1. Eskom requirement – Emergency Planning Co-coordinator
2. Eskom requirement - Chairperson of Health and Safety Committee
3. Eskom Site Manager
4. Eskom Site Supervisor
5. Risk Assessor
6. Safety Officer

3.9 ESKOM LIFE-SAVING RULES

1. Eskom places a high value on health and safety and urges every organization that undertakes work for Eskom to do the same.
2. Eskom has developed five life-saving guidelines that will apply to all Eskom employees, agents, consultants, and contractors. Any Eskom employee or employee of a Main Contractor or appointed contractor who fails to follow these rules would be deemed a serious violation. These rules are in place to protect any employee, labour broker, or contractor working from significant injury or death.
3. If any contractual work (including delivery of any product) is to be undertaken on Eskom premises, the rules shall be obeyed by any contractor and their employees.


The rules are:

RULE	DESCRIPTION OF RULE
Rule 1	OPEN, ISOLATE, TEST, EARTH, BOND, AND/OR INSULATE BEFORE TOUCH (That is plant, any plant operating above 1000 V)
Rule 2	HOOK UP AT HEIGHTS Working at height is defined as any work performed above a stable work surface or where a person puts himself/herself in a position where he/she exposes himself/herself to a fall from or into.

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Rule 3	BUCKLE UP No person may drive any vehicle on Eskom business and/or on Eskom premises: Unless the driver and all passengers are wearing seat belts.
Rule 4	BE SOBER No person is allowed to be under the influence of intoxicating liquor or drugs while on duty
Rule 5	PERMIT TO WORK Where an authorisation limitation exists, no person shall work without the required permit to work.
Rule 6	NO REVERSING WITHOUT A SPOTTER/ FLAGMAN Whenever a construction vehicle has to reverse, there must be a flagman to guide the driver at all times.

Eskom Kusile Power Station will take a zero-tolerance approach to these policies.

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 Kusile facility returns home to their families safely.


3.10 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, Kusile 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"), considering that this is Kusile Life-saving Rule number 4: (BE SOBER), and anyone entering the Kusile 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. Kusile Power Station 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.

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3.11 CONTRACTOR ORGANISATIONAL STRUCTURE

3.11.1 Main Contractor Organogram

The Main contractor must provide an organisational organogram on the company's letter head 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, legal appointments and the Organogram must be signed off by the company's 16(1) or 16 (2).

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 kept up to date and filed in the project OHS files.

3.11.2 Appointed Contractor/s Organogram

1. Appointed contractors are required to compile their company organogram for the project on the company's letter head, listing the reporting structure from their CE down to their project supervisors. The diagram must list the names, positions held, any appointments made and must be signed off by the company's 16(1) or 16 (2).
2. This diagram must be kept up to date, a copy of which must be given to the Main contractor and a copy filed in the relevant project OHS files.
3. This diagram must be kept up to date and filed in the project OHS files.

3.12 ROLES AND RESPONSIBILITIES

Commitment

Visible commitment is essential to providing a safe work environment. Managers, supervisors and employees at all levels must demonstrate their commitment by being proactively involved in the day to day operations, in particular the Occupational Health and Safety aspects of any project / contract. Legislation requires that each employee must take reasonable care of themselves and their fellow workers, from management level down to the lowest employee level.

3.12.1 Main contractors and appointed contractors


Note 1: Most of the roles and responsibilities listed apply to both Main contractors and any appointed contractors. Where some of the listed do not apply to both, then the specific responsibilities will be listed and titled. The contractors shall:

1. Carry out all duties as listed in section 8, 9 and 10, the various other regulations that form part of the OHS Act and Regulation 7 of the Construction Regulations.
2. Carry accountability and responsibility for the safety and health of their employees and their appointed contractors within their working area, as contemplated by section 37(2) of the OHS Act;
3. Shall keep a record of all employees including the appointed contractor employees, including date of induction, relevant skills and licenses and be able to produce this list at the request of the Eskom Project Manager.

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4. Ensure that all their appointees are made aware of their accountabilities and responsibilities in terms of their appointment and that they advise and assist these appointees in the execution of their duties.
5. Ensure that the minimum legislative, regulatory and Eskom OHS requirements are complied with on all work sites.
6. Give the Eskom project managers and line managers / responsible managers their full participation and cooperation.
7. Compile a OHS (Occupational health and safety) file where all relevant health and safety records must be kept for each work site.
8. The Main contractor must provide the project manager with the Compensation Commissioner's valid letter of good standing before the commencement of work and any future renewal letters obtained during the contract for record-keeping purposes. The letter of good standing shall reflect the name of the contractor's company. Similarly, the Main contractor must provide the Eskom Kusile project manager with all the valid letters of good standing from their appointed contractors.
9. Contractors must provide the Main contractor with a certified copy of the Compensation Commissioner's valid letter of good standing before the commencement of work and any future renewal letters obtained during the contract for record-keeping purposes. The letter of good standing shall reflect the name of the contractor's company.
10. Appoint competent staff to perform the project work and ensure that all employees are trained in the health and safety aspects relating to such work and that the employees understand the hazards associated with all other work being carried out on the project.
11. Ensure that all employees are conversant with all relevant work procedures and that they adhere to such procedures. Similarly (without removing the appointed contractors' responsibilities), ensure that their appointed contractors and their employees are conversant with all relevant work procedures and that they adhere to such procedures.
12. Co-ordinate the activities of all the appointed contractors in the interests of safety and health;
13. Ensure that their contractors (whom they intend appointing) have made detailed provision for the cost of safety and health measures throughout the project.
14. Stop his /her employees and any appointed contractors if such work poses a threat to the health and safety of persons or a risk of degradation to the environment.
15. Take reasonable steps to ensure cooperation between all their appointed contractors.
16. Ensure that Eskom OHS requirements are communicated to the appointed contractors, evaluate, and assess the appointed contractors OHS files. Only appoint contractors who are competent to do work, have satisfied the OHS compliance requirements and satisfied that the contractor has the necessary competencies and resources to perform the work safely.
17. Not victimise or dismiss employees, by virtue of the employee's divulging health and safety information or suspecting such information has been divulged, in the interests of health and safety requirements.
18. Follow a process of disciplinary action if any of their employees or their appointed contractor employees have transgressed any of the requirements of the health and safety specification, safety and health plans, site rules or any other requirements.
19. Before the commencement of work, review the submitted baseline risk assessments to include site or emerging risks. This should be done by a competent person appointed in writing with a view to identify hazardous and potentially hazardous work operations.
20. Ensure that pre-task risk assessments are conducted and documented daily and prior to the starting of any new task, irrespective of whether it is a repetitive task or not.
21. Must ensure that an organisation medical surveillance programme for the duration of the contract is in place and maintained.
22. Prior to having pre-employment and periodic medicals fitness examinations conducted, person/man job specifications must be compiled and handed to the occupational health practitioner.

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23. Issue risk-based personal protective equipment (PPE) as a measure of last resort to their employees, inspect such equipment regularly and ensure recipients of PPE are trained in the proper use, care and where necessary, the maintenance of PPE;

Note: should the Main contractor or his/her appointed contractors entertain visitors on site, they will be held responsible for the provision and wearing PPE.

24. Must have a substance abuse program which must be in line with Eskom requirements.

25. Ensure that all incidents are reported and investigated timeously by competent incident investigators as and aligned with 32-95 requirements.

26. Be involved in all of their appointed contractor's incident investigations.

27. When appointing contractors, advise the project manager in writing timeously and obtain his/her approval prior to them commencing work.

3.12.2 Contractor site manager

The contractor site manager must be trained in the following:

Incident investigation training, Legal liability


Must:

1. Be competent to perform the required managerial tasks.
2. Ensure their employees and all appointed contractors comply with the required statutory and Eskom Kusile requirements;
3. Inspect all work done by the contractors to ensure adherence to Eskom's standards and specifications
4. Conduct follow-up inspections to ensure findings are closed out and preventative action is in place.
5. Monitor contractors for adhere to statutory requirements and safety standards.
6. Monitor contractors overall OHS performance on site in order to achieve excellent results
7. Discuss all OHS related problems with the relevant contractor management timeously in the first instance and thereafter the Eskom contract manager in the second instance relating to procedure requirements, non-conformances identified, corrective actions, audits and inspection schedules.
8. Continual liaison between the Main contractor, appointed contractors and employees.
9. Ensures that employees and appointed contractors are aware of latest standards, procedures, work instructions and safety regulations issued by Kusile Power station;
10. Conduct Inspections for compliance to OHS requirements and compile the relevant inspection reports.
11. Submit the observation reports to the relevant management.
12. Submit the required OHS reports communicated by Eskom Kusile e.g., manpower numbers, incident statistics report etc
13. Have meaningful participation in the project statutory health and safety committee meetings.
14. Participate in all appointed contractor incident investigations.
15. Participate in the Main contractor's emergency preparedness planning.
16. Ensure that their own employees and those of any appointed contractor are competent to perform the tasks assigned.
17. Issue site instructions on behalf of the Main contractor where and when the appointed contractors deviate from safety requirements.

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3.13 RISK ASSESSMENT (REFER TO 32-520)

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 present in the activity, work, site, and an estimate of the extent of the risks involved, considering whatever precautions are already being taken.

It is essentially a three-stage process:

1. identification of all hazards.
2. evaluation of the risks;
3. 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.


Guidelines for actual steps involved in a job/task specific risk assessment are:

1. Each activity is listed.
2. Specific hazards are identified and listed against each activity.
3. The magnitude of each risk is rated as Low. Medium or High.
4. All known documentary and supervisory controls are listed. For instance: What safe work procedures exist for ladders.
5. The relevance, effectiveness and sufficiency of these controls are assessed.
6. In the event of insufficient or deficient controls for the particular activity, steps to be taken to rectify this shall be recorded, and safe working procedures drawn up.
7. Persons responsible for implementing and supervising the task shall be identified, nominated and duly assigned.
8. Persons responsible for monitoring the task and carrying out the planned job observation must be nominated.
9. Completed risk assessment shall be handed to the Eskom contract manager representative for comment and approval.
10. The relevant section of the risk assessment shall be issued with a Transmittal Note to the Supervisor nominated as the responsible person; and the names of workmen who have received instruction on the work content and the sequence of the activities listed in the risk assessment shall be recorded, and their competence established. This instruction shall be done through an interpreter if required and recorded on the Pre-Job Brief (Daily Safe Task Instructions), with reference to applicable Risk Assessments.

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3.14 SAFE WORK PROCEDURES / METHOD STATEMENTS

There must be written safe work procedures for all activities, the safe work procedures must be aligned with the risk assessments. Method statements / written safe work procedure are control measures used to prevent an incident from occurring during the execution of the scope. A written safe work procedure/ method statements provides guidance how to execute the task safely. A safe working procedure should be written when: -

1. Designing a new job or task.
2. performing high risk activities
3. Changing jobs or task;
4. Introducing new equipment or substances; and

The safe working procedure should identify:

1. The supervisor for the task or job and the employees who will undertake the task;
2. The tasks that are to be undertaken that pose risks;
3. The equipment and substances that are used in these tasks;
4. The control measures that have been built into these tasks;
5. Any training or qualification needed to undertake the task;
6. The personal protective equipment to be worn;
7. Actions to be undertaken to address safety issues that may arise while undertaking the task.
8. Person/s responsible for ensuring selected risk controls are installed and maintained.

3.16 FIRE EQUIPMENT AND MAINTENANCE

1. All firefighting equipment's that have been provided shall:
 - a. Be clearly labelled
 - b. Conspicuously numbered
 - c. Entered in a register
 - d. Inspected monthly by a competent person
2. Tested and serviced every 12 months.
3. Results entered in the register and signed by competent person.


3.17 OHS COMMUNICATION SYSTEMS

Main Contractor/s and their appointed contractors must develop a communication strategy outlining how they intend to communicate OHS issues to their staff, the mediums they will employ and how they will measure the effectiveness of their OHS communication. Below is a brief on how communication should take place. Where project meetings are conducted on site, OHS shall be included as a standing agenda point and minutes of these meetings shall be available on site at all times. Minutes of meeting must be compiled and filed in the relevant OHS files. All employees shall have access to these minutes. Attendance register shall be kept for all the health and safety meetings.

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3.17.1 Statutory Health and Safety Committees

If there is only one representative, he/she should then report directly to the Chief Executive Officer of the company. Two or more representatives require the establishment of a health and safety committee.

1. The Main contractor shall establish statutory health and safety committee in terms of Section 19 of the OHS Act. Similarly, appointed contractors shall establish their own statutory health and safety committee.
2. All appointed contractors shall be members of the Main contractor's safety committee.
3. The Committee shall meet to discuss OHS issues concerning the current work being performed, training, upcoming work and OHS requirements, incidents and lessons learned specific OHS problems, safety performance, action plans and other relevant OHS issues. Listed below is a preferred agenda.
4. OHS representatives for a workplace shall be members of the relevant workplace safety committees (Refer to Section 19 (2) (a) of the OHS Act).
5. The number of persons nominated by employer must not be more than the Health and Safety Representatives on that specific statutory health and safety committee. (Refer to Section 19(2)(c) of the OHS Act)
6. A statutory health and safety committee meeting shall be held at least 3 monthly (where medium to high risk work is involved, more frequent if required), and all appointed members of the committee shall attend the meeting.
7. Statutory health and safety committees may make recommendations to the Main contractor and the project manager and the Inspector at DEL.
8. All health and safety committees shall discuss all projects related OHS Act Section 24 and 25 incidents and other notified serious incidents.
9. Health and safety committees shall follow up on incident investigation recommendations and shall keep record of all recommendations made by the committee.
10. Statutory health and safety committees may make recommendations for the revision of current standards, procedures and practices.
11. The Main contractor and appointed contractors shall ensure that statutory and non-statutory health and safety committees carry out their duties.
12. The chairperson of the health and safety committees shall be selected and appointed by the contractor. The appointed chairperson must be competent to chair meetings and be able to make informed decisions.


3.17.2 Non-statutory health and safety committees

1. Where there are large worksites, then non-statutory sub-committee must be established within that worksite to assist with the communication of health and safety related matters between the statutory health and safety committee and the workplace.
2. The duties and responsibilities of the non- statutory health and safety committees will be the same as the statutory safety committee

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3.17.2.1 Agenda

1. The following serves as the guideline for the OHS Committee meeting agenda.
2. List of agenda items:
3. Matters arising from previous minutes
4. Matters arising from Contractor's OHS meetings.
5. Covid-19 compliance
6. Audit results and feedback
7. Review Health and Safety Representative Inspection Reports
8. Review
 - a) Incident investigation reports
 - b) Non-Conformances
 - c) Announcements (near miss/injury/damage)
 - d) Follow up on recommendations made by the employer in incident investigation reports
9. Accident Prevention – Safety Promotion
 - a) Planned Job Observations
 - b) OHS Training
 - c) Protective clothing and equipment
 - d) Incident Announcements / Recall
10. Forthcoming High hazard activities.
 - a) Non-conformances.
 - b) Housekeeping.
 - c) Work procedures.
 - d) Hazardous materials / substances.
 - e) Fire Prevention
 - f) Occupational Hygiene Assessments, Health Risks and Actions
 - g) Security
 - h) Rules, Instructions
 - i) Public Safety
 - j) Environmental Management
 - k) Emergency Preparedness
 - l) Statistics report
 - m) Closure


3.17.2.2 Minutes and action items for all health and safety committee meetings

1. Minutes and record of action items shall be kept of all health and safety committee meetings.
2. Action column with target dates and responsible person shall be clearly visible on the minutes and shall be completed during the meeting.

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3. Statutory health and safety committee meeting minutes and record of action items shall be kept for the duration of the project or a minimum period of three years.
4. Non-statutory health and safety committee meeting minutes shall be kept for the duration of the project or a minimum period of 12 months.
5. All other meeting minutes where OHS is on the agenda, shall be kept for a minimum period of 12 months.
6. The original copy of the minutes and record of the action items must be signed by the chairperson.
7. The relevant project manager and Main contractor shall endorse the relevant minutes with his/her recommendations and return the minutes to the relevant contractors chairperson within 14 calendar days of the meeting.

3.18 OHS TRAINING

1. The Main contractor, when making a bid for this project shall provide a breakdown list of the OHS training requirements and the costing of such requirements. Similarly, appointed contractor must provide the same requirements when bidding with the Main contractor.
2. The scope of training includes but is not limited to the type of work being performed and the relevant procedures. Additional to the requirements, will be that the Main contractor and appointed contractors must have the appropriate qualifications, certificates and employees should always be under competent supervision.
3. Where legislative and Eskom recommended appointments are made, the relevant training shall be given to those appointees prior to the acceptance of those appointments.
4. When there is an amendment to the Acts and/or to the regulations, OHS specification and OHS plan, all affected staff shall undergo the applicable refresher training.
5. Appropriate time must be set aside for training (induction and other) of all employees.
6. Records of all training and qualifications of all contractor employees must be kept on the OHS file.

3.18.1 Main Contractor Induction training


The contractor is required to make arrangements with the Business Unit for its employees to attend induction in order to be granted permission to access site.

1. The Main contractor shall ensure that all his / her employees, appointed contractors and their employees have undergone the Eskom OHS induction training prior to commencing work on site.
2. Attendance registers must be completed of any induction training given, which must indicate that they have received and understood the induction training.
3. Prior to attending the induction training, all employees must undergo a pre-employment medical examination and found fit for duty. A copy of the certificate of fitness must be kept in the OHS file on site for the duration of the project.
4. All employees and visitors on site shall carry the proof of induction training.

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5. It is the contractors responsibility to keep records of induction training.

3.18.2 Appointed 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.

3.18.3 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.

3.19 GENERAL TRAINING

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

3.20 CONTRACTOR SITE ESTABLISHMENT


where contractors are providing their own facilities, the following shall apply:

1. Prior to establishing a project site, a site plan is required to be drawn and submitted to the project manager, listing position of all buildings, amenities, storage, stacking areas and temporary electrical installations. The appropriate colour coding and demarcation of storage and stacking areas must be carried out.
2. When compiling the site plan, cognisance must be taken to the establishment of the site camp, ablution facilities and dining area in relation to one another and away from stacking and storage areas.
3. Main contractor's site facilities should be managed and kept hygienically clean.
4. Where the materials are stored at the work sites, proper stacking and storage shall be carried out and maintained in good order at all times.
5. The contractor shall during the enquiry make provision for the Occupational Hygiene Surveys costs in the bill of quantities as per the OHS Act and its regulations and inline with the scope of work.

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Where Eskom is making provision of the facilities to the contractor, the following shall apply:

1. Prior to handing over the site to the contractor, the client (project managers/end users) shall together with the contractor management conduct inspections, draft and sign the service level agreement.
2. Main contractors shall manage and keep the allocated Eskom facility hygienically clean at all times.
3. It is the responsibility of the contractor to maintain and keep the facility in a good condition.
4. It is the contractor's responsibility to immediately report to the Eskom contract manager/project manager the defects incurred.
5. Eskom reserves the right to conduct unannounced site inspections.

3.21 SITE ROADS

1. When planning, sufficient areas must be allocated for parking of vehicles and mobile equipment's as well as roadways for ease of manoeuvrability of these vehicles.
2. Sufficient width roads to be provided and adequate space is to be allowed for large vehicles traversing the sites.


3.22 VEHICLE MANAGEMENT

1. It is the responsibility of the driver to ensure:
 - a. Their passengers wear seat belts whilst the vehicle is in motion.
 - b. Comply with all traffic road rules, safety, direction and speed signs.
 - c. Ensure that vehicle loads are properly secured prior to moving off.
 - d. Ensure that vehicles are not overloaded.
2. No persons maybe transported at the back of the bakkie.
3. Drivers are required to conduct the route risk assessment prior to travelling/driving.
4. No drivers or operators may text, talk on cell phones or two-way radios whilst driving.
5. All drivers shall have a valid medical fitness certificate.
6. The First aid box with valid contents and fire extinguishers must be included in the vehicle, be services annually and inspected monthly. Drivers must be trained on how to use the First aid box and fire extinguishers.
7. Two triangles must be included in the vehicle and the emergency number be displayed at the back of the vehicle.
8. Each Project site that is enclosed by demarcation will have system/ process to manage vehicle access to site.
9. Contractor must maintain their vehicles in a roadworthy condition and a vehicle license must be valid at all times and this is applicable to yellow plant.

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10. Drivers of light vehicles must avoid stopping or parking in the vicinity of machines. At least 30 (thirty) meters must be left clear between such a vehicle and such a machine.
11. Contractor vehicles can be subject to inspections by the Client/Agent's representative. Vehicles which are not roadworthy will not be permitted to be used on site.
12. Drivers/operators shall be responsible for the travel-worthiness of all loads conveyed by them. Precautions shall be taken to secure all loads properly. Loads projecting from vehicles shall be securely loaded and in daytime a red flag and during darkness a red light or red reflective material shall be attached to the extreme end of such projecting materials.
13. The contractor must ensure compliance to the National Road Traffic Act, 1996.
14. The driver of a dangerous goods vehicle shall have a PrDP-D and shall carry it on his person, where required in terms of the relevant national legislation.
15. When licensing a vehicle, a transport operator must register with the vehicle licensing authority as a dangerous goods operator and ensure that each vehicle used to transport dangerous goods displays a valid "D" category operator card issued with the licence disc. This includes trailers and semi-trailers and even applies to light goods vehicles carrying dangerous goods. All are required to undergo an annual roadworthy test which must be carried out no more than 60 days prior to licence application.
16. Drivers must receive annual training by an approved dangerous goods training body. This applies to both light and heavy goods vehicle drivers and training must be relevant to the type of vehicle and dangerous goods the driver is assigned.
17. Drivers of vehicles transporting dangerous goods must be appropriately licensed for the vehicles they are employed to drive and, if the vehicle is above 3 500 kg GVM, they must possess a valid "D" category professional driving permit (PrDP).
18. Vehicles shall be fitted with the following portable, dry powder type fire extinguishers (or an equivalent capacity of any other suitable extinguishing agent) suitable for inflammability classes A, B and C. For light motor vehicles (less than 3 500 kg GVM): 2 x 4,5 kg or 1 x 9 kg.
19. Ensure compliance to SANS 10231:2019 Transport of dangerous goods by road - Operational requirements
20. Ensure compliance to SANS 10232-1:2018 Emergency information system for road transport.
 - Placarding and documentation of vehicles.
 - The vehicle placarding and documentation shall always be an accurate reflection of the dangerous goods being transported.


3.23 HOUSEKEEPING AND ORDER

All contractors shall maintain a high standard of housekeeping within their sites and vehicles for the duration of the project/contract.

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3.24 AUDITING

3.24.1 Approval and compliance of Main contractor OHS plan

The Contractor's OHS Plan will be audited against compliance checklist so as to verify compliance to the requirements of the Eskom Kusile OHS specifications. Once there is compliance only then will the Main contractors OHS plan be approved by the project manager or an appointed Eskom contract custodian. The implementation of the OHS Plan shall be assessed / audited by Eskom Kusile personnel on a regular basis. This will include physical conditions evaluation.

3.24.2 Eskom OHS audits

Eskom shall evaluate all contractors' OHS performance on an ongoing basis against the legal, Eskom Kusile requirements, OHS specification and the contractors OHS plans.

Note: Eskom reserves the right to conduct unannounced audits on contractors.

There will be audits conducted by Eskom on the Main contractor/s and/or appointed contractors. These audits shall be attended by the contractor's site manager or his representative.

If there are any findings / non-compliance identified as serious in these audits, an activity will be stopped for that specific Main Contractor and appointed contractor.

3.24.3 Contractor audits

Main Contractors are required to conduct internal audits on both their employees and their appointed contractors on the implementation of their OHS Plan on a monthly basis or when the scope of work changes. A summary of the findings and the proposed corrective actions shall be submitted to Eskom Kusile project manager within one week after completion of the audit. Where appointed contractors are audited by the Main contractor a copy of the audit report shall be submitted to the appointed contractor within 7 days of the audit.

3.25 SMOKING

The national smoking policy must be observed and smoking is permitted in designated areas only (Eskom Smoking Procedure 32-36).

3.26 CELLULAR PHONES

The National Road Traffic Act requirements regarding the use of cellular phones must be observed, when driving. The personal use of cell phones in the plant is prohibited unless it is an emergency or for work purpose. The use of cell phone camera in the plant must be in line with the national key point Act and the Plant safety regulation.

3.27 OCCUPATIONAL HEALTH, HYGIENE AND REHABILITATION


All contractors are required to develop an Occupational Health, Hygiene and Rehabilitation program. The program is intended to ensure that the risks to health are identified and controlled.

The contractor must provide training and information regarding the HCA's being transported.

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Main contractor/appointed contractor must develop:

1. Health Risk assessment report identifying hazards and risks that the employees are exposed to.
2. Hygiene management Program for appropriate control of exposures.

The following records must be available for audits:

1. Preventive actions (action plan feedback)
2. Exposure survey results.
3. Complaints records
4. Communication records
5. Reports on control of non-conformance and corrective action
6. Records for training and awareness's
7. PPE records (i.e. dust masks, ear plugs etc.).

Pre-existing medical conditions and restrictions must be declared with Eskom medical centre for management and accommodation of employees.

3.27.1 Medical Assessments

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

1. Main contractors must ensure that their employees and their appointed contractor employees have a medical surveillance program whereby their employees undergo entry, periodic and exit medical fitness examinations.
2. The health risk assessment must be used to compile the man job specification and address the hazards that the employees will be exposed to.
3. For the appropriate medical examinations to be conducted, each employee must have a man job specification, which must indicate the description of work, list of hazards and potential occupational exposure limits, physical hazards and required physical attributes.
4. Medical fitness certificates shall be renewed annually for employees who are working on site. This shall be maintained until completion of the contract.
5. The Main Contractor must ensure that his / her employees and appointed contractor employees have undergone pre-entry medical examination before starting work on the contract.
6. The Main contractor shall provide a documented process for managing those employees who are issued with a conditional certificate of fitness.
7. The contractor shall include in the OHS file the record of the employees exit medical fitness certificates as and when their employees leave the company.


3.28 ROLES AND RESPONSIBILITIES

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

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3.29 WORKING AT HEIGHTS

3.29.1 General Requirements

Wherever reasonably practicable, preference is given to the performance of work at ground level as opposed to the elevated position. Where work in an elevated position is necessary, preference is given to fall prevention measures such as, but not limited to, effective barricading and the use of work platforms. Persons may only work from a fall risk position if a site-specific fall protection plan developed by the appointed competent person (as per 32-418 procedure) is in place and correctly implemented and consists of the following:

1. All appointments for the fall protection plan developer and implementer are in place.
2. Baseline risk assessment, which is specific and incorporates the working at height risk assessment, as well as the site-specific risk assessment, has been completed for the work to be conducted.
3. Safe working procedure/task analysis and work instructions, approved by a competent person, are in place.
4. A fall rescue plan, along with necessary equipment's and trained rescuers, are in place.
5. Appropriate training, as determined by the risk assessment, has been provided.
6. Appropriate height safety equipment and personal protective equipment have been issued to the individual.
7. There are equipment inspection procedures and up-to-date inspection records.
8. Individuals are medically fit to work at height, and records of this are kept.
9. A site-specific risk assessment is performed.

While work is in progress, adequate warning signs and/or barricades shall be used in all areas where there is a risk of persons being injured by materials or equipment falling from the work area. Barricades should be continuous and easily visible.

A drop zone shall be established with appropriate warning signs and barricading, warning personnel below of workers above and potential falling objects.


Every employer shall ensure that work at height is:

1. properly planned;
2. appropriately supervised; and
3. carried out in a manner that is, as far as is reasonably practicable, safe and that its planning includes the selection of work equipment.

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3.30 CONFINED SPACES

1. The contractor shall ensure that they comply with the plant safety regulation (240-150642762) in relation to the confined spaces.
2. The contractor must ensure that at least one person or there is a responsible person who is trained on work that will be carried in the confined spaces, also to rescue and conduct the risk assessment.
3. The contractor must ensure that the station rescue emergency number is always available.

3.31 PERSONAL PROTECTIVE EQUIPMENT REQUIREMENTS

1. The Main contractor must provide a detailed programme that includes the issuing, maintenance and replacement of PPE for all his employees and appointed contractors on site.
2. All contractors shall comply with the requirements of GSR 2 of the OHS Act and
3. PPE Specification Standard 240-44175132.
4. The risk-based PPE matrix must be compiled detailing the types of PPE that is required to be issued to employees performing the respective tasks.
5. If there are exceptional circumstances in which certain activities necessitate the use of additional PPE, a risk assessment must be done, in which such PPE requirements will be determined and issued.
6. All contractors shall ensure that their visitors wear and use the correct PPE whilst on worksites.
7. Where PPE is required and visitors are not in possession of, then it is the individual contractor's responsibility to provide the PPE.
8. All PPE purchased and used by all contractor employees including visitors must comply with the relevant SANS standards.
9. Where deemed as a requirement (as per risk assessment), then high visibility vests shall be worn.
10. Monthly inspection records of PPE must be kept in the Safety file
11. The contractor shall provide training to his/her employees on the correct use, care and maintenance of PPE and keep the record.

3.32 INCIDENT INVESTIGATION


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

Contractors shall use the Eskom Flash report to report incidents immediately or before end of shift. The standard General Administrative Regulation Annexure 1 "Recording of an Incident form" for all incident investigation reports. The objective of incident investigation, should not only be a legal requirement, but should establish why and how the incident occurred and find out the real root cause of the incident and to decide on precautionary measures that are

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required to address the root cause to prevent any further recurrences of the same or similar incidents.

3.33 EMERGENCY MANAGEMENT

The art of emergency preparedness and response is to minimise the effects of any emergency and to restore normal activities as soon as possible. The contractor must develop and align their own Emergency response plan with Eskom's to address any emergency which might arise at any given point in time. The contractor to familiarise themselves with the Eskom emergency response plan and procedure. Periodic emergency drills must be undertaken to test the effectiveness of their plan. This must be recorded and provided on request.

3.34 NON-CONFORMANCE AND COMPLIANCE

1. Any non-compliance to any health and safety requirement in this OHS specification is subject to discipline in terms of the Eskom Procurement and Supply Chain Management Procedure.
2. Main 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. Contractor project management must monitor the close out of non-conformances issued, in not doing so; any recommendations made may not be 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 by the responsible project manager to explain the non-conformance issued and what plan is in place to prevent a recurrence of the non-conformance.
6. Should the contractor fail to provide adequate PPE (as per PPE standards) to their employees for the tasks being performed and/or to visitors; failure to enforce the wearing of such PPE will be viewed as a transgression of the legislative and Eskom requirements.


3.35 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. The OHS file shall be maintained by all the contractors on their project sites and shall be available on request for audit and inspection purposes.

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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.
6. On completion of the work/project, the main contractor must hand over a consolidated health and safety file to the project manager.
7. In case where the project is extended, should the documentation in the OHS files become cumbersome, the older documentation must be archived in boxes which shall be correctly labelled and be available for auditing purposes. The archived documentation must be handed over at the completion of the project.

3.36 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. This includes any unauthorised work or service performed by, or legally or contractually non-compliant acts or omissions by, any contractor contracted to work at that site.
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 stoppages are carried out, the required non-conformance report shall be raised.
4. All work stoppages ideally should be investigated and documented by contract custodians.

3.37 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.

3.37.1 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.


3.37.2 Night work

When night work is to be performed, the baseline risk assessment must be reviewed to include the management of night work. Contractors shall provide sufficient lighting to enable the entire work site

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to be illuminated to a degree that employees will not work in dark (un-illuminated) or dimly lit areas. Care must be exercised as not to use few lights with high light intensives as this will cause night blindness.

If work is continuing from day light into night, at dusk, a tool box talk must be held where all employees will be advised of the hazards of night work and the extra precautions which require to be taken, i.e. poor housekeeping, stepping on uneven ground, stepping into holes etc.

3.37.3 Overtime

When overtime is required to be performed, the appointed contractors shall inform the Main contractor of such action. The Main contractor shall inform the Eskom project manager of such function and provide proof of exemption from the Department of Employment and labour. Contractors shall be aware of the effects of human fatigue and regulate overtime accordingly. The baseline risk assessment must be reviewed to include the management of overtime work.

3.38 OMISSIONS FROM SAFETY AND HEALTH REQUIREMENTS SPECIFICATION

By drawing up this OHS specification Eskom has endeavoured to address the most critical aspects relating to OHS issues in order to assist the contractor to adequately provide for the health and safety of employees on site.

Should Eskom not have addressed all OHS aspects pertaining to the work that is tendered for, the contractor needs to include it in the OHS plan and inform Eskom of such issues when signing the contract.

3.39 CONTRACTOR PERFORMANCE MONITORING

Contractor management is required to do the following as part of the continuous improvement initiatives:

- Visible Felt leadership by top management
- Identify critical tasks and monitor by conducting Job Observations
- Contractor Chief Executive or Managing Director shall present the lost time incidents at Business Unit Power Station General Managers meeting

3.40 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.


3.41 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

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shall comply with the requirements contained in the SHE 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.

3.42 QUALITY RETURNABLES

The Contractor to submit the requirements as per Category 2 as stipulated in the Supplier Quality Management: Specification 240-105658000/ QM 58. The accompanying/attached Form A (Tender and Contract Quality Requirements for Supplier Quality Management: should be signed and acknowledged by all Contractors submitting their returnables.

Part A

Option 1: ISO 9001:2015 Quality Management System certification

OR

Option 2: QMS Manual or a document that defines and describes the QMS and its scope or Quality Method statement based on scope.

Quality Policy Approved by top management.

Quality Objectives Approved by top management.

Control of documented information

Documented information for Control of nonconforming outputs

Documented information for Nonconformity and Corrective action

Documented information for Internal audit

Part B

Documented information for defined roles, responsibilities and authorities

Documented information for Control of Externally Provided Processes, Products and Services

Latest copy of an internal management system audit report (with Nonconformity, Correction and/ or Corrective Action Reports)

Records of Management Review meetings (minutes, attendance registers etc)

Part C


Draft Contract Quality Plan in line with the scope

Part E

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Form A to be signed and acknowledged.

3.43 Environmental Management Requirements

3.43.1 Compliance Obligations

a) The contractor and or supplier employees shall attend induction on environmental management prior to commencement of work at Kusile Power Station.

b) The contractor and or supplier shall comply with all Eskom Kusile Power Station environmental requirements such as policies, standards and procedures and all legal requirements applicable to the station.

c) Non-conformance and All spills/emergency incidents shall be reported to Eskom Contract Manager and Environmental Officer(s) immediately on occurrence, such reports must include but not limited to the following information:

- The date and time of the incident
- The cause of the non-conformance/incident;
- The proposed actions to correct and prevent recurrence.

d) Eskom Kusile Power Station shall issue non-conformances where there are deviations from Eskom Kusile Power Station Procedures and any other environmental requirements, and the Contractor or Supplier shall be responsible to provide an action plan and close out of such non-conformances timeously.

e) Environmental Incident Investigations shall be done jointly where responsible managers and the environmental team from Eskom and the Eskom subsidiary or contractor are present.

f) Environmental Incident investigation shall be done in accordance to Eskom Environmental Incident Management Procedure (240-133087117).

g) The contractor or supplier shall be responsible to ensure duty of care during execution of work at Kusile Power Station and shall be liable for the costs for the costs of remedying pollution, environmental degradation and consequent adverse health effects as indicated on the NEMA principles below:

National Environmental Management Act 107 of 1998 (NEMA) principles:

- Duty of care and remediation of environmental damage


Every person who causes, 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, or, in so far as such harm to the environment is authorized by law or cannot reasonably be avoided or stopped, to minimize and rectify such pollution or degradation of the environment.

- Polluter Pays Principle

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The costs of remedying pollution, environmental degradation and consequent adverse health effects and of preventing, controlling or minimizing further pollution, environmental damage or adverse health effects must be paid for by those responsible for harming the environment.

h) All contractors shall abide to Eskom Zero Liquid Effluent Discharge through the process of reuse and recycling.

i) All waste generated during the execution of the scope of work shall be managed in accordance with Kusile Power Station Waste Management Work Instruction (240-105776552) and in compliance with applicable environmental legislation and bylaws.

j) All contractors should be aware of Eskom SHEQ Policy.

k) All contractors must take into account environmental consideration when carrying out Risk Assessments.

l) All equipment used on site must be in good working condition and no fuel and/or oil leaks on any plant will be tolerated.

3.43.2 Tender Submission Documentation

The following documentation shall be submitted with all tender submissions:

- a) Environmental Policy
- b) Safety data sheet for all Chemicals
- c) Emergency Preparedness and response plan which addresses Chemical spillages.

4. AUTHORIZATION

The OHS Manager - Thobile Mkhonza

Contract Manager - Bongani Ndala


5. REVISIONS

Date	Rev.	Compiler	Remarks
May 2022	1	F Poee	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 Generation.
August 2015	0	F Poee	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.

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6. DEVELOPMENT TEAM

1. Beaular Falakahla
2. Beauty Sibiya
3. Bheki Ramushu
4. Cate Mokwena
5. Cebisile Zulu
6. Erick Ramadie
7. Fanyana Zwane
8. Florah Somo
9. Francina Rantsho
10. Fundisa Dangazele
11. Girly Mathebula
12. Johan Botha
13. Lameck Nyakane
14. Mapule Mogashoa
15. Mbazima Chabalala
16. Melusi Ntanzu
17. Njabulo Ndlovu
18. Noluthando Dondodolo
19. Sichaba Molefe
20. Tebogo Matlakala
21. Thabitha Mpoyi
22. Thandeka Mathonsi
23. Thobile Yonga

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