

**ELECTRICITY UNIT**

### 37.2 Agreement in terms of Occupational Health and Safety Act No. 85 of 1993

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|-------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Document Title                            | 37.2 Agreement in terms of OHS Act of 1993                                                                                                                    |
| Client                                    | eThekweni Municipality – Electricity Unit                                                                                                                     |
| Project Name                              | <b>REMOVAL AND SAFE RECYCLING OF<br/>POTENTIALLY HAZARDOUS WASTE LAMPS AND<br/>EWASTE DURING A THIRTY-SIX MONTH PERIOD</b>                                    |
| Contract Number                           | 29436-(5E)                                                                                                                                                    |
| Revision                                  | 01                                                                                                                                                            |
| Date                                      | 12 February 2025                                                                                                                                              |
| Compiled by (Senior Safety officer)       | Name and surname: Marlene Naidoo<br>Signature: <br>Date: 12 February 2025 |
| Reviewed by (Acting Chief Safety Officer) | Name and surname: Akona Shezi<br>Signature: <br>Date: 12 February 2025     |



# **ETHEKWINI MUNICIPALITY**

## **ELECTRICITY UNIT**

### **OCCUPATIONAL HEALTH AND SAFETY ACT 1993, (ACT NO. 85 OF 1993) MANDATORY AGREEMENT – 37.2**

#### **Service Provider Acknowledgement of Responsibility in terms of the Occupational Health and Safety Act**

A written agreement between ETHEKWINI Municipality (the “employer”)

And

(the “Service Provider”)

as provided for in terms of Section 37 (2) of the Occupational Health and Safety Act No.85 of 1993 as amended by Act 181 of 1993.

I hereby declare that I, ....., am authorised to represent the “Service Provider” and acknowledge that the “Service Provider” is an employer with all duties and responsibilities as prescribed in the Occupational Health and Safety Act no. 85 of 1993.

I agree to ensure that all work performed, or machinery and plant used by the “Service Provider” on any ETHEKWINI Municipality premises shall be in accordance with the provisions of the said Act.

Furthermore, I agree the “Service Provider” shall comply with all ETHEKWINI Municipality site rules and safety, health, and environmental requirements as may be communicated or stipulated by ETHEKWINI Municipality prior to and during any Contract awarded to the “Service Provider” by ETHEKWINI Municipality.

Furthermore, I undertake to ensure that ETHEKWINI Municipality is timeously informed should the “Service Provider”, for whatever reason, be unable to perform in terms of this agreement.

The Service Provider health and health and safety file must be approved by Electricity Health and Safety Department.

The Service Provider must conduct activities/task risk assessments, and safe working procedures, train his/her employees on risk assessments and safe working procedures, and keep the records on the safety file.

The Service Provider shall provide a valid disposal certificate for all hazardous electrical tubes containing mercury. The certificate must confirm that the disposal has been conducted in accordance with all applicable environmental laws and regulations.

The Service Provider shall provide documentary proof that the waste management facility is duly licensed and approved in accordance with the National Environmental Management Act (NEMA) and or Department of Employment and Labour.

The Service Provider`s driver must obey the traffic signs and speed limit within eThekweni Municipality premises.

The Service Provider shall ensure his/her vehicle is in good working condition and safe for use, and that they are used in accordance with its design and intended use.

The Service Provider must ensure that all his or her employees have a valid medical certificate of fitness.

The Service Provider shall ensure that all employees under his/her control are wearing the appropriate Personal Protective Equipment.

The Service Provider shall ensure a high level of housekeeping on completion of the work.

The Service Provider must be registered and in good standing with the Compensation for Occupational Injuries and Diseases Commissioner or Person Accident Cover.

The Service Provider must comply with the Code of Practice for managing COVID-19 in the workplace dated 22 June 2022.

Signed this .....day of .....20.....

On behalf of the “Service Provider” (print) .....

(sign) .....

On behalf of the “employer” (print).....

(sign) .....