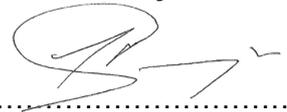


	<b>SHE SPECIFICATION LOW RISK WORK</b>	<b>Name of Department Transport</b>
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Title: **Provision of Group B hire  
Cars for Outage 126, 226,  
127, 227, 128, and 228 for  
KOU**

Unique Identifier: 240-73418055

Purchase Requisition Number: **1074876179**

<p><b>Compiled by:</b></p>  <p>.....</p> <p><b>N. Mphupu</b> <b>Manager Support Services</b> <b>Business Support</b></p> <p>Date: 2022/08/24 .....</p>	<p><b>Reviewed by:</b></p>  <p>.....</p> <p><b>G. Thomas</b> <b>SHE Officer</b> <b>OH&amp;S</b></p> <p>Date: 2022-08-25 .....</p>	<p><b>Authorized by:</b></p>  <p>.....</p> <p><b>Manager Business Support (Acting)</b></p> <p>Date: 2022-09-20 .....</p>
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**ESKOM RESPONSIBLE PROJECT MANAGER**

**NAME:**  N. Mphupu

**ESKOM HEALTH AND SAFETY OFFICER**

**NAME:**  G.Thomas

**ESKOM RESPONSIBLE PROCURMENT PERSONNEL**

**NAME:** \_\_\_\_\_

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## 1. INTRODUCTION

Eskom 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 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.

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.

#### 2.1.1 Purpose

This document will provide a standardised approach to the compilation of SHE specifications throughout Eskom for contracts, standards 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] 32-136 Contractor Health and Safety Requirements
- [7] 240-62196227 Life- saving Rules

- [8] 32-95 Environmental, Occupational Health and Safety Incident Management Procedure
- [9] Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act no. 54 of 1972).
- [10] Regulations Governing General Hygiene Requirements for Food Premises, the transport of food and related matters (Regulation 962).
- [11] SANS 10049
- [12] 240-44175132 The Eskom Personal Protective Equipment

### **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

### 2.2.3 Definitions

Definition	Explanation
<b>Appointed contractor</b>	Means a contractor appointed by the principal contractor
<b>Baseline risk assessment</b>	(32-520) baseline operational risks refer to the health and safety risks associated with all standard processes and routine activities in the business
<b>Client</b>	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.
<b>Competent person</b>	(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)
<b>Contractor – includes appointed contractor</b>	means an employer as defined in section 1 of the Act who performs contract work and includes principal contractors
<b>Consultant</b>	means a person providing professional advice
<b>Duty of care to the environment</b>	(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
<b>Employee</b>	(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
<b>Employer</b>	(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)
<b>Eskom requirements</b>	a) Eskom requirements flowing from directives, policies, standards, procedures, specifications, work instructions, guidelines, or manuals
<b>Hazard</b>	(OHS Act) means a source of, or exposure to, danger
<b>Hazard identification</b>	(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
<b>Health and safety file</b>	(OHS Act) means a file or other record, containing the information in writing required by the construction regulations.
<b>Health and safety plan</b>	(OHS Act) means a site, activity or project specific document plan in accordance with the client's health and safety specifications.
<b>Health and safety specification</b>	(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.

Definition	Explanation
<b>Health and safety requirements</b>	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
<b>Medical certificate of fitness</b>	(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.
<b>Medical surveillance</b>	(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
<b>Method statement</b>	(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
<b>Organisation</b>	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
<b>Pre-job meetings</b>	(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
<b>Principal contractor</b>	(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.
<b>Provincial director</b>	(OHS Act) means the provincial director as defined in Regulation 1 of the General Administrative Regulations under the Act
<b>Responsible Manager</b>	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
<b>Risk assessment</b>	(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.
<b>Site</b>	(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
<b>Service provider</b>	any private person or legal entity that provides any service(s) to Eskom for compensation
<b>Task</b>	(34-227) a segment of work that requires a set of specific and distinct actions for its completion
<b>Toolbox talks</b>	(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.)
<b>The Act</b>	(OHS Act) means the Occupational Health and Safety Act No. 85 of 1993, as amended, and the Regulations thereto

Definition	Explanation
Visitor	Any person visiting a workplace with the knowledge of, or under the supervision of, an employer.

### 2.2.4 Classification

- a. **Controlled disclosure:** controlled disclosure to external parties (either enforced by law, or discretionary).

### 2.3 ABBREVIATIONS

Abbreviation	Description
BU	Business Unit
CE	Chief Executive
COID Act	Compensation for Occupational Injuries and Diseases Act
DMR	Driven Machinery Regulations
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

## 2.4 RELATED/SUPPORTING DOCUMENTS

Eskom OHS Act section 37 (2) agreement to be signed at procurement during the signing of the NEC contract, it is the responsibility of the project manager to ensure that the 37(2) agreement is signed and a copy be kept in the contractor file at procurement.

## 3. DOCUMENT CONTENT

### 3.1 SCOPE OF WORK

During outages the Koeberg Operating Unit have the majority of staff working shifts or erratic hours and because of this arrangement the staff Home-Work needs must be catered for.

#### 3.1.1 Description of Service

- Provide estimated 280 hired cars per Outage which can carry 4/5 persons.
- All vehicles must comply with Eskom Safety standards (Serviced and Licenced) All cars must also be licenced and serviced for the duration of the contract.
- Each vehicle must have a spare wheel.
- All vehicles to be fitted with 'Tracker Monitoring system'.
- After the contract is successfully placed there will be a site meeting where both parties can discuss the plan for the duration of the contract.
- Koeberg Transport Section will place a request for vehicles in line with approved contract on an excel spreadsheet reflecting driver names, co-drivers and required dates, etc. Vehicles to be delivered to Koeberg Nuclear Power Station – parking will be prepared.
- All cars must be numbered, in numerical order, i.e 1 to 100 on disc in rear window.
- Hand over to be done by hire Car Company officials to the responsible Eskom Driver, who signs the individual contract. This will be done on the Eskom Koeberg premises.
- Hire Care Official must check and make sure the Eskom driver is in possession of a valid driver's licence and a valid Eskom Driver Permit (Check if dates are in line with the contract duration dates)
- A pre-rental inspection form must be completed and signed by both parties. (Copy to be provided to Eskom Transport Official).
- Copy of signed contract and signed pre-rental inspection must be handed to the Eskom Transport coordinator for record keeping.
- On termination of contract the Rental company representative must inspect vehicles for damages/defects as per the original inspection form. Koeberg Transport will not take responsibility for checking the vehicle or following up on the relevant paperwork.
- Rental company must provide Accident/ Damage report forms – Koeberg Transport coordinator will ensure completion of these forms.
- A copy of the invoice and updated spreadsheet must be emailed to the Transport coordinator at the end of each month, and the final invoice within 30 days of the vehicle last used.
- All claims for damages, administration, and traffic fines handling must be specified on invoice and the proof must be attached.
- All change overs must done electronically.

- Tracker reports to be forwarded weekly for scrutiny of possible misuse/abuse.
- The Rental company will provide Koeberg Transport with at least 2 additional spare wheels of each vehicle model. This will be managed by the Koeberg Transport Official.
- The Hire car company must appoint a company coordinator who will be the contact for the duration of the contract.

## 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 project manager.

A copy of 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.

### 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.
- National Environmental Management Act 107 of 1998.
- National Road Traffic Act 93 of 1996.

### 3.2.5 Eskom requirements

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

### 3.2.6 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.

### 3.2.7 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.**

### 3.2.8 SHEQ 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.

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 the contractor SHE files and attached as an annexure in the SHE Plan.

### 3.2.9 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 (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 SHE files.

## 3.3 ESKOM LIFE-SAVING RULES

1. Eskom views health and safety in high esteem and encourages that any organisation who performs work for Eskom in adopt the same view.
2. Five Life-saving rules have been developed that will apply to all Eskom Employees, agents, consultants, and **contractors**. Failure to adhere to these rules by any Eskom employee or employee of a Principal Contractor or appointed contractor will be considered a serious transgression. These rules are being implemented to prevent serious injury or death of any employee, labour broker or contractor working in any area within Eskom.
3. If any contractual work will be performed on any Eskom premises (including delivery of any product), then the rules **shall be obeyed** by any contractor and their employees.
4. The rules are:

RULE	DESCRIPTION OF RULE
Rule 1	<b>OPEN, ISOLATE, TEST, EARTH, BOND, AND/OR INSULATE BEFORE TOUCH</b> ( That is plant, any plant operating above 1000 V)
Rule 2	<b>HOOK UP AT HEIGHTS</b> 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.
Rule 3	<b>BUCKLE UP</b> 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	<b>BE SOBER</b> No person is allowed to be under the influence of intoxicating liquor or drugs while on duty
Rule 5	<b>PERMIT TO WORK</b> Where an authorisation limitation exists, no person shall work without the required permit to work.

5. Eskom will take a stance of zero tolerance on these rules.
6. Non-compliance to a Life Saving rule will be considered serious misconduct and will lead to serious disciplinary action, which may include dismissal.
7. This is to ensure that **every person** who works on or visits an Eskom Power Station **returns home safely to his or her family**.

### 3.4 SUBSTANCE ABUSE

1. Alcohol and substance abuse poses a significant threat to any business, more so in industrial incidents and the driving of vehicles. Eskom is therefore, entitled to take reasonable steps to ensure that intoxicated persons are identified and prevented from entering Eskom Power Station.
2. General Safety Regulation 2A is clear on the legal stance regarding intoxication.
3. **The alcohol and drug permissible level is 0%.**
4. All contractors shall comply with Eskom's procedure 32-37 ("Substance Abuse Procedure"), taking in to account that this is an Eskom Life-saving Rule number 4: BE SOBER", this means anyone entering the Eskom Power Station will be subjected to ad hoc alcohol testing.
5. Contractors are encouraged to compile their own manual and to carry out regular alcohol testing of their own employees. The legislative alcohol level is deemed to be zero.
6. Test records must be treated as "Confidential" and filed in the employees' personal file.

### 3.5 OCCUPATIONAL HEALTH, HYGIENE AND REHABILITATION

1. 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.

### 3.5.1 Medicals

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

1. Principle contractors must ensure that their employees and their appointed contractor employees have a medical surveillance program whereby their employees under go entry, periodic and exit medical fitness examinations.
2. In order 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.
3. Medical fitness certificates shall be renewed annually for employees who are working on site. This shall be maintained until completion of the contract.
4. The Principal Contractor must ensure that his / her employees and appointed contractor employees have undergone pre-entry medical examination before starting work on the contract.
5. The principal contractor shall provide a documented process for managing those employees who are issued with a conditional certificate of fitness.

### 3.5.2 Health and wellness HIV / Aids

Contractors shall submit details of their Employee Health and Wellness Programme as part of their Health and Safety Plan which should include awareness training, support for contracted illness and sharing knowledge with members of the public in the immediate work environment.

## 3.6 APPOINTMENTS

For the duration of the contract, the principal contractor and all appointed contractors shall appoint competent employees who will meet the requirements of the OHS Act. Where appointments are made, contractors shall ensure that the appointees have been suitably trained and or informed of their responsibilities before getting them to accept such appointment. The relevant statutory appointments shall be made in accordance with the requirements of the OHS Act which includes the requirement of a competent person being appointed in the relevant roles. The statutory appointments should include but not limited to: Fire Fighter and Evacuation warden, First Aider, incident investigator, risk assessor, SHE representative, project supervisor or project manager, 16(2) appointments.

## 3.7 ROLES AND RESPONSIBILITIES

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

## 3.8 RISK ASSESSMENTS

It is a legal requirement in terms of Section 8 (2)(d) of the OHS Act for an employer to carry out risk assessments, to establish which risks and hazards are attached to the health and safety of persons due to any work which is performed, any article or substance which is, handled, stored, transported. A risk assessment is defined as an identification of the hazards 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.

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

### 3.9 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 practical. The contractor must familiarise themselves with the Eskom emergency response plan and procedure. Periodic emergency drills must be undertaken to test the effectiveness of the plan. This must be recorded and provided on request.

### 3.10 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.
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. Contractor project management must monitor the close out 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 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.

### 4. AUTHORIZATION

Nil

### 5. REVISIONS

Date	Rev.	Compiler	Remarks
2022-08-24	1	N. Mphupu	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.