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|  | OHS REQUIREMENTS Manufacture/ Low risk Services | Template Identifier | 240-73418055 | Rev | 2 |
| | | Tender PR No's | 1075757552 | Rev | 2 |
| | | Effective Date | 20 February 2016 | | |
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Project Name: The supply and delivery of bulk water to commercial and multi-tenanted offices on an as and when required basis for the ECOU for a period of 5 years.

Project Address: Eskom Property Management in the Cape Coastal Cluster, Eastern Cape:
 • Eskom Mount Ayliff, Matatiele, Butterworth/ Toleni, Dutywa, Alice, East London, Flagstaff)

Scope of the project: The scope of work includes the following services:

- The Client will provide the water storage tanks.
- The water that will be supplied by the Supplier shall be tested to be safe for human consumption and proof thereof shall be provided to the Client on delivery.
- The supplier shall ensure that the Clients water tanks are cleaned prior refilling the tanks.
- The Supplier shall ensure that the carrying water tanks from the source to the client are certified to be free of any contamination of any micro biological agents. The water supplied on the day must be certified to have been supplied on that day of providing the water.
- The truck supplying water must be certified roadworthy, and the truck operator shall have all the necessary competencies of operating the truck. The truck operator must be certified medically fit to operate the truck and to work at heights.
- The supplier shall have the competencies of cleaning the water tanks including the client and Contractors own water tanks and pipes.

Eskom Contract's Manager

Name: THANDO PONEY

Signature: _____

Date: _____

Eskom's Health and Safety Manager

Name: XOLILE MYOYO

Signature: _____

Date: _____

Eskom's Procurement Manager

Name: SPINDILE ZINTO

Signature: _____

Date: _____

Eskom's Safety Officer

Name: VUYOKAZI MEKE


Signature: 

Date: 08 Nov 2024

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1. INTRODUCTION

Eskom's responsibility and commitment is to ensure a safe working environment is in line with its Safety, Health, Environmental and Quality Policy, along with legislative obligations. The occupational health and safety requirements detailed in this document is Eskom's minimum requirements which are required to be met for the contract works of supply and delivery of bulk water to commercial and multi-tenanted offices on an as and when required basis for the ECOU as detailed in the below scope of work section for the duration of this specific contract scope of work period by all Contractors who will be tendering to work on this contract.

The Contractor/or Tenderer is expected to develop an auditable Occupational Health and Safety Plan/ Manual which meets and satisfy these OHS 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.

These Occupational Health and Safety requirements reflects minimum requirements and should not be contravened with all-encompassing legal requirements.

Note: All the requirements listed hereunder are in relation to the contract of supply and delivery of bulk water to commercial and multi-tenanted offices on an as and when required basis for the ECOU and do not supersede or replace any organizational OHS requirements.

2. SUPPORTING CLAUSES

2.1 Scope

The Occupational Health and Safety requirements detailed in this document 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 tendering Contractor/Supplier for contract awarding of all works in relation to the specified contract scope of work to be conducted at Eskom various Properties Management offices listed under scope of work locations.


2.1.1 Purpose

These Occupational Health and Safety requirements provide a standardised and consistent approach to ensure Health and Safety requirements are included in accordance with Eskom contract and Contractor OHS Management, Eskom Procurement and Supply Chain

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Management as well as legal and other requirements for this contract award, contract execution to contract completion.

2.1.2 Applicability

These Occupational Health and Safety requirements shall be applicable to all the Tenders, Principal Contractors, Contractors, Service Providers and Suppliers who intends tendering for the contract of supply and delivery of bulk water to commercial and multi-tenanted offices on an as and when required basis for the ECOU and all the Principal Contractors, Contractors, Service Providers and Suppliers who will be awarded the contract for execution.

2.1.3 Effective date

These Occupational Health and Safety requirements shall be implemented and effective from the date of publication on the Eskom Tender website with the relevant Tender invitation/enquiry documents relating to the supply and delivery of bulk water to commercial and multi-tenanted offices on an as and when required basis for the ECOU various Property Management offices.

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, 1997 (No. 75 of 1997)
- [2] Employment Equity Act, 1998 (Act No. 55 of 1998)
- [3] Occupational Health and Safety Act, 1993 and Regulations (Act No. 85 of 1993)
- [4] National Health Guidelines and Directives on Covid-19
- [5] Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993)
- [6] National Environmental Management Act, 1998 (Act No.107 of 1998)
- [7] National Water Act, 1998 (Act No. 36 of 1998)
- [8] National Health Act, 2003 (Act No. 61 of 2003)
- [9] National Road Traffic Act, 1996 (Act No. 93 of 1996)
- [10] Companies Act, 2008 (Act No. 71 of 2008)

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- [11] SANS ISO 45001: 2018 – Occupational Health and Safety Management systems Requirements with guidance for use
- [12] SANS ISO 9001: 2015 – Quality Management Systems requirements
- [13] ISO 14001: 2015 – Environmental Management System Requirements with guidance for use
- [14] SANS 1186 Symbolic Safety Signs
- [15] Eskom Procurement and Supply Chain Management Procedure Rev5 (32-1034)
- [16] Eskom Supplier Contract Quality Requirements Specification (QM-58)
- [17] Eskom Contractor Health and Safety Requirements Standard (32-136)
- [18] Eskom Contracts and Contractor OHS Management Standard (32-726)
- [19] Eskom Safety, Health, Environment, and Quality (SHEQ) Policy (32-727)
- [20] Eskom Environmental, Occupational Health and Safety Incident Management Procedure (32-95)
- [21] Eskom Substance Abuse Procedure (32-37)
- [22] Eskom Life-Saving Rules Procedure (240-62196227)
- [23] Eskom Vehicle and Driver Safety Management Procedure (240-62946386)
- [24] Eskom Personal Protective Equipment Standard (240-44175132)
- [25] Eskom OHS Roles and Responsibilities and Statutory Appointment Standard (240-62582234)
- [26] Eskom OHS Risk Assessment Procedure (32-520)
- [27] Eskom Occupational Hygiene Hazard Identification and Risk Assessment (240-114036246)
- [28] Eskom Medical Surveillance Procedure (240-84733329)
- [29] Eskom Occupational Health and Safety Act: Section 37(2) Agreement – Form (240-77037682)
- [30] Annexure B: Acknowledgement form for Eskom SHE Rules and other Requirements (240-77471499)
- [31] Eskom Emergency Planning Standard (32-123)
- [32] Eskom Fire Risk Management (32-124)
- [33] Plant Safety Regulations

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2.2.2 Informative

- [1] Constitution of the Republic of South Africa Act, 1996 (No. 108 of 1996)
- [2] Environment Conservation Act, 1989 (No. 73 of 1989)
- [3] National Environmental Management: Air Quality Act, 2004 (No. 39 of 2004)
- [4] Tobacco Products Control Act, 1993 (No. 83 of 1993: Updated 2011.05.19)
- [5] Eskom Behavioural Safety Observation Procedure (32-407)
- [6] Eskom Hazardous Chemical Substances Work Instruction (240-87102168)
- [7] Eskom SHE Compliance Obligations/ Legal and Other Requirements and evaluation of Compliance Procedure (240-91214073)
- [8] Eskom Smoking Policy (32-1126)
- [9] Eskom Document and Records Management Procedure (32-6)
- [10] Eskom Control of Non-conforming outputs Procedure (240-44175038)
- [11] Eskom Non-conforming and Corrective Action Procedure (240-53464409)
- [12] Eskom Management System Review Guideline (240-53458685)
- [13] OHSAS 18001 Occupational Health and Safety Management System – Requirements

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2.3 Definitions

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| Definition | Explanation |
|---|--|
| Appointed contractor | Means a contractor appointed by the Principal 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 |
| Client | Eskom representative (Internal – Asset Owner), also referred to as the contract administrator/custodian or agent or project manager (as defined in the contract). He/she is the person responsible for ensuring that the works or services are executed in terms of the contract, as well as adherence to legislation pertaining to the contract. |
| Competent person | (OHS Act) means any person having the knowledge, training, experience, and qualifications, specific to the work or task being performed, provided that, where appropriate, qualifications and training are registered in terms of the South African Qualifications Authority Act, 1995 (Act No. 58 of 1995) |
| Contractor – includes Appointed Contractor | means an employer as defined in section 1 of the Act who performs contract work and includes principal contractors |
| Contract | An agreement with specific terms between two or more persons or entities in which there is a promise to do something in return for a valuable benefit known as consideration/ payment. |
| Contract custodian | The person defined in a contract as the Eskom representative, for example, the project manager/end user, that is, the person responsible for managing the contract and ensuring that the works or services are executed in terms of the contract. |
| Contract management | It is a process of managing contract creation, execution and analysis in order to maximise operational performance and mitigate legal ramifications, reducing financial risk at an organization. The art and science of managing a contractual agreement throughout the contract life cycle. |
| Contractual requirements for OHS | Contractual requirements consist of legal and other OHS requirements for procuring goods and/or services to be rendered for/on behalf of Eskom. These are OHS documents required from tenderers at the procurement phase (enquiry, evaluation, negotiation meeting and contract award) and only tenderers that have met the mandatory and functionality threshold will be evaluated. |
| Consultant | means a person providing professional advice |
| Duty of care to the environment | 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 |

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| Definition | Explanation |
|--|--|
| Employee | (OHS Act) means, subject to the provisions of subsection (2), any person who is employed by or works for an employer and who receives or is entitled to receive any remuneration or who works under the direction or supervision of an employer or any other person |
| Employer | (OHS Act) means, subject to the provisions of subsection (2), any person who employs or provides work for any person and remunerates that person or expressly or tacitly undertakes to remunerate him/her, but excludes a TES (ex labour broker) as defined in section 1(1) of the Labour Relations Act 1956 (Act No. 28 of 1956) |
| Eskom requirements | a) Eskom requirements flowing from directives, policies, standards, procedures, specifications, work instructions, guidelines, or manuals |
| Hazard | (OHS Act) means a source of, or exposure to, danger |
| Hazard identification | (OHS Act) means the identification and documenting of existing or expected hazards to the health and safety of persons, which are normally associated with the type of construction work being executed or to be executed |
| Health and safety file | (OHS Act) means a file or other record, containing the documented information in writing as required by this OHS requirements as per this related contract scope of work. |
| Health and safety plan | (OHS Act) means a site, activity or project specific document plan in accordance with the client's health and safety specifications. |
| Health and safety specification | (OHS Act) means a site, activity or project specific document prepared by the client pertaining to all health and safety requirements related to the contract scope work. |
| Health and safety requirements | means comprehensive health and safety requirements for a contract, project, site, and scope of work. This specification is intended to ensure the health and safety of persons, both workers and the public, and the duty of care to the environment. The health and safety requirements must be specific to each contract, project, site, and scope of work |
| Medical certificate of fitness | (OHS Act) means a certificate specific to the work to be performed and issued by an occupational health practitioner in the form of Annexure 3 of the construction regulations. |
| Medical surveillance | (OHS Act) means a planned programme or periodic examination (which may include clinical examinations, biological monitoring, or medical tests) of employees by an occupational health practitioner or, in prescribed cases, by an occupational medicine practitioner |
| Method statement | (OHS Act) means a written document detailing the key activities to be performed in order to reduce, as reasonably as practicable, the hazards identified in any risk assessment |

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| Definition | Explanation |
|-----------------------------------|---|
| OHS requirements | Requirements prescribed in the applicable OHS legislation, SANS codes, Municipal by-laws, and Eskom OHS requirements. |
| OHS professional | The key individual in Eskom charged with OHS responsibilities, such as OHS managers, officers, advisors, and co-ordinators (for this purpose, the OHS individual allocated to the project/programme). An OHS professional should not be confused with a health and safety representative, as defined in sections 17 and 18 of the OHS Act. |
| OHS functional head | The Manager in Eskom charged with OHS responsibilities in a Division/ Operating Unit/ Business Unit. |
| 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 |
| Principal Contractor | (In the text of this document) Means an employer, as defined in section 1 of the OHS Act, who intends to tender for or has signed a contract with Eskom for services rendered. |
| Provincial Director | (OHS Act) means the provincial director as defined in Regulation 1 of the General Administrative Regulations under the Act |
| 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. |
| Safety Data Sheet or "SDS" | means a document that is aligned to the GHS, providing information on hazard classification, properties of hazardous chemicals, procedures for handling or working with hazardous chemicals in a safe manner, and the effects of hazardous chemicals on health and safety at the workplace, and that is prepared in accordance with regulation 14A; |
| Service provider | any private person or legal entity that provides any service(s) to Eskom for compensation |
| Site | (34-228) means an Eskom department, unit, complex, building, specific project, work site, or the site where agents, clients, principal contractors, contractors, suppliers, vendors, and service providers provide a service to Eskom, directly or indirectly |

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| Definition | Explanation |
|---|---|
| Task | (34-227) a segment of work that requires a set of specific and distinct actions for its completion |
| Tender | An open or closed competitive request for quotations/prices against a clearly defined scope/specification. |
| The Act | (OHS Act) means the Occupational Health and Safety Act No. 85 of 1993, as amended, and the Regulations thereto |
| 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.) |
| UN Globally Harmonized System or "GHS" | means the Globally Harmonized System of classification and labelling of chemicals, a guidance document developed by the United Nations for standardising and harmonising the classification and labelling of chemicals globally, as may be updated from time to time, commonly known as the UN Purple Book; |
| 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 |
| RfHBAR | Regulations for Hazardous Biological Agents |
| RHWC | Regulations on Hazardous Work by Children in South Africa |
| DoEL | 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 |
| GSR | General Safety Regulations |

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| Abbreviation | Description |
|---------------------|--|
| HCS | Hazardous Chemical Substances |
| ER | Ergonomics Regulations, 2018 |
| LDV | Light Delivery Vehicle |
| SDS | Safety Data Sheet |
| GHS | UN Globally Harmonized System |
| NEMA | National Environmental Management Act |
| OHS Act | Occupational Health and Safety Act and Regulations, 85 of 1993 |
| SABS | South African Bureau Standard |
| SANS | South African National Standard |

2.5 Roles and Responsibilities

2.5.1 Contractual and Legal Roles and Responsibilities.

Although the provisions of these OHS requirements typically only refer to the Contractor, compliance herewith is also required from Appointed Contractors. The Principal Contractor remains responsible for compliance with the requirements of these OHS requirements by his/her Appointed Contractors and shall ensure that each Appointed Contractor complies with the requirements hereof at all times and as applicable. Without derogating from his obligations and responsibilities under the Contract, the Principal Contractor shall ensure that the requirement to comply with the provisions of these OHS requirements is included in all Subcontracts involving activities at the Project Site (or at other places, if any, as may be specified under the Contract as forming part of the Site) and / or activities otherwise covered by these OHS requirements. Failure by the Employer to enforce compliance with the requirements of these OHS requirements shall not relieve the Contractor from any responsibility or obligation whether under the Contract or under applicable Law.


Eskom requires that the management of safety, health and environmental issues shall be to a standard of excellence aligned with world class best practices. The Principal Contractor carries prime accountability and responsibility for the health, safety and welfare of the Appointed Contractor's Personnel and for any works that may expose any other person other than their personnel. No health, safety and welfare requirements specified by or imposed on these Eskom OHS requirements (whether under the Contract or under applicable Law) shall be construed or operate, as between the Eskom and the Principal Contractor, to reduce the Principal Contractor's accountability and responsibility for the health, safety and welfare of the Contractor's Personnel.

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The Principal Contractor is responsible for adequately informing the Contractor's Personnel of all relevant information of these OHS requirements and the Principal Contractor accepted, and approved site OHS Plan/Manual.

The Principal Contractor shall take prime responsibility for all aspects of environmental management associated with the works and activities he is responsible for under the Contract. The requirements of these OHS requirements should not be considered to be exhaustive and Eskom reserves the right to add, delete or modify conditions where it is considered to be appropriate in these OHS requirements.

Where additions, deletions or modifications are made to these OHS requirements, the Contract Custodian shall advise the Principal Contractor of the change. The Principal Contractor shall be solely be responsible for informing the Contractor's Personnel and its Appointed Contractor of these changes. Eskom or the Contract Custodian shall not be responsible for any failure caused by a Principal Contractor not receiving a notification or failing to act upon such notification.

2.6 Related supporting documents

2.6.1 Eskom OHS Act section 37 (2) agreement –

Assigns liability on Employers (Principals) for the unlawful Acts or omissions of mandatories (Contractors), except where a written agreement between the parties has been concluded containing arrangements and Procedures to ensure compliance with the said Act by the mandatories. The purpose of the OHS Act 37(2) agreement between Eskom and mandatories is to ensure compliance with the provisions of Sec 37(2) of the OHS Act, 85 of 1993.

Note: The 37 (2) agreement must be completed and signed with the NEC document by the responsible Eskom Contract Manager and the awarded Contractor / Supplier on contract awarding and the signed copy must be kept on the Supplier Site Specific OHS file and one copy on the Supplier Tender OHS file at Procurement.

2.6.2 Project Baseline Risk Assessment –

Baseline risk assessments need to be developed for routine activities that the business performs on a daily basis. These will assist the business in developing treatment measures, such as standard operating procedures or work instructions to reduce the hazards and risk attached to these activities.


- Occupational exposures with potential health effects must be identified, assessed, documented, controlled, and communicated.
- The hazards and control measures from this baseline risk assessment shall be communicated to all affected employees, so as to inform them of hazards attached to the work they are to perform.

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- The hazards identified from this baseline shall be incorporated in employee person-job specifications, so that they can be conducted along with occupational medical assessments.

- This baseline risk assessment shall be reviewed periodically based on, for example, changes in the scope of work, new technology, etc.

The Supplier is required to align their provided Baseline Risk Assessment with the Eskom provided Baseline Risk Assessment and Eskom Contractor Health & Safety Requirements Procedure (32-136). Refers to the OHS hazards/aspect and risks/impact that are identified and assessed before the inception of a new project and commencement of operations. The Eskom BRA must be sent out together with all the OHS documents and the tender enquiry.

2.6.3 Annexure B: Acknowledgement form for Eskom SHE Rules and other Requirements Is the acknowledgement of Eskom's OHS legal and other requirements and must be completed, signed and submitted by the Tenderer on their tender OHS file. The Supplier/Contractor/Tenderer is expected to comply to the of Eskom's OHS legal and other requirements when working at/rendering a service to Eskom. Penalties shall be enforced on the main Supplier for non-conformance/s (identified for the main Supplier and/or its Contractor and/or Supplier) pertaining to Eskom and/or Statutory OHS requirement/s.

Note: This Eskom form must be sent out together with all the OHS documents and the tender enquiry and must be signed and acknowledged by the tendering Suppliers and be included on the Supplier's OHS returnable documents.

2.6.4 Annexure D: OHS KPI's and Post-Contract Reviews –

The objectives and outcome of the OHS post-contract review shall be reflected in the contractual requirements for the Supplier so that the Supplier is aware of this exercise. An evaluation will be conducted and will be supported by the objective evidence documented during the term of the contract. The completed and signed evaluation report must be filed in the contract documents at Procurement.

2.6.5 Annexure E: Contracts and Contractor OHS Management System Document Checklist –

This checklist must be kept and filed at Group Commercial /Procurement in the Supplier(s) file(s) in order to be able to track the process for OHS commercial process.

2.6.6 Annexure C 3: OHS Tender Evaluation Template (Low risk work) –

This checklist will be used as the Eskom OHS criteria set to evaluate the Supplier /Contractor OHS Tender Plan/ OHS file for this contract. This checklist must be sent out together with all the OHS documents and the tender enquiry.

2.6.7 Occupational Health and Safety Tender Evaluation Report –


On completion of the tender evaluation of shortlisted Suppliers, OHS will compile an initial tender evaluation report, which will highlight compliance/conformance gaps (outstanding documents/information or insufficient evidence of compliance) by the Suppliers and recommend or not recommend Supplier based on the level of

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compliance/conformance. The report will give feedback of all the Suppliers that were evaluated for OHS.

2.6.8 Eskom Contractor Health and Safety Requirements Standard (32-136) –

The Contractor's OHS management system must demonstrate compliance with the level appropriate to the service provided as per the requirements of this Standard and with the applicable legal requirements. This Standard must be sent out together with all the OHS documents and the tender enquiry.

2.7 OHS application, evaluation, and reports

OHS will assess and evaluate the Occupational Hygiene and Safety (OHS) capability to comply with Eskom, legal and other requirements of the OHS returnable for OHS falls under contractual requirements, which means the Suppliers/Contractors will submit the tender returnable during the tender close-out. The OHS evaluation will take place once the mandatory and Functionality evaluation have been completed. Only the shortlisted Suppliers who passed mandatory and functionality evaluation threshold will be evaluated for OHS.

On completion of the tender evaluation of shortlisted Suppliers, OHS will compile an initial tender evaluation report, which will highlight compliance/conformance gaps (outstanding documents/information or insufficient evidence of compliance) by the Suppliers and recommend or not recommend supplier based on the level of compliance/conformance.

The Procurement Practitioner will engage the Suppliers only once, requesting all the outstanding tender documents to be re-submitted. The Suppliers will be given only **ONE opportunity to submit the outstanding documents within 7 working days. Failure to submit** the outstanding documents within the stipulated time; rendered the Supplier/Contractor as **non-responsive and ineligible for contract award**.

When the Procurement Practitioner receives the re-submitted tender documents within the stipulated timelines, OHS will **re-evaluate** the submitted tender documents and will compile, and **resubmit a final tender evaluation report**. However, insufficient evidence of compliance/gaps will be addressed with the preferred Supplier at the negotiation meeting as part of the contract conditions. The closeout timelines of the compliance/conformance/gaps will be determined by the OHS professional.


After negotiations, the contract awarded Supplier shall submit the site-specific OHS file for evaluation and must address all the gaps that were identified during the first Procurement stage prior to commencement of work on site.

Note: For OHS as contractual requirements, each Supplier will only be evaluated twice during tender evaluation stage before the final report is submitted to the Procurement Practitioner. To avoid the delays and the effective use of OHS resources, **no Supplier/Contractor's tender OHS documents shall be**

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evaluated more than two times before contract award. However, the OHS file must be evaluated and approved before commencement of work.

However, should any further tender evaluations be required, the Procurement Manager will submit a motivation and supporting documentation for the request to the relevant OHS Senior Manager/OHS Manager for approval.

Preferably, the same OHS professional should be involved in the project/transaction. If a different OHS resource has to be used, a proper handover shall be done by the two OHS professionals. A divisional/interdivisional/BU/OU OHS handover report and accompanying documents should be signed/have proof of handover by both issuing and the receiving OHS professional.

2.8 Process for Monitoring

This document is subject to document control processes and shall be updated when it is due for revision or when conditions dictate.

Conformance to this document shall be through regular safety inspections, Audits and document verification.

3. DOCUMENT CONTENT

3.1 Scope of work

3.1.1 Contract/Project scope of work

The brief scope of work is detailed as per below.

The detailed scope of work for this project shall be provided by the Project Manager/Project Supervisor with these OHS requirements, listing relevant project details. The scope of work must be filed in the Supplier/Contractors OHS file. A copy of the scope of works must be retained by the Supplier/Contractors.

Note: The Contractor who will be awarded this contract will be known as the “Principal Contractor” and any contractor appointed by the Principal Contractor will be known as the “Appointed Contractor.”

3.1.2 Project location:

The scope of work will be conducted at Eskom Property Management sites in the Cape Coastal Cluster, Eastern Cape:


- Eskom Mount Ayliff
- Matatiele
- Butterworth/ Toleni
- Dutywa
- Alice

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- East London
- Flagstaff

3.1.3 Project description scope of work:

The scope of work includes the following services:

- The Client will provide the water storage tanks.
- The water that will be supplied by the Supplier shall be tested to be safe for human consumption and proof thereof shall be provided to the Client on delivery.
- The supplier shall ensure that the Clients water tanks are cleaned prior refilling the tanks.
- The Supplier shall ensure that the carrying water tanks from the source to the client are certified to be free of any contamination of any micro biological agents. The water supplied on the day must be certified to have been supplied on that day of providing the water.
- The truck supplying water must be certified roadworthy, and the truck operator shall have all the necessary competencies of operating the truck. The truck operator must be certified medically fit to operate the truck and to work at heights.
- The supplier shall have the competencies of cleaning the water tanks including the client and Contractors own water tanks and pipes.

3.1.4 Project contract OHS program details


For evaluation and assessment of the contract cycle:
 OHS Plan at least 1 month prior to commencement of work.

1. Turn around for evaluation: Once monthly.
2. Anticipated date for the commencement of work on site: As per stipulated NEC dates and after site specific OHS file has been approved and Contractor employees have been OHS inducted.
3. Project completion date or project duration: As per stipulated NEC dates.

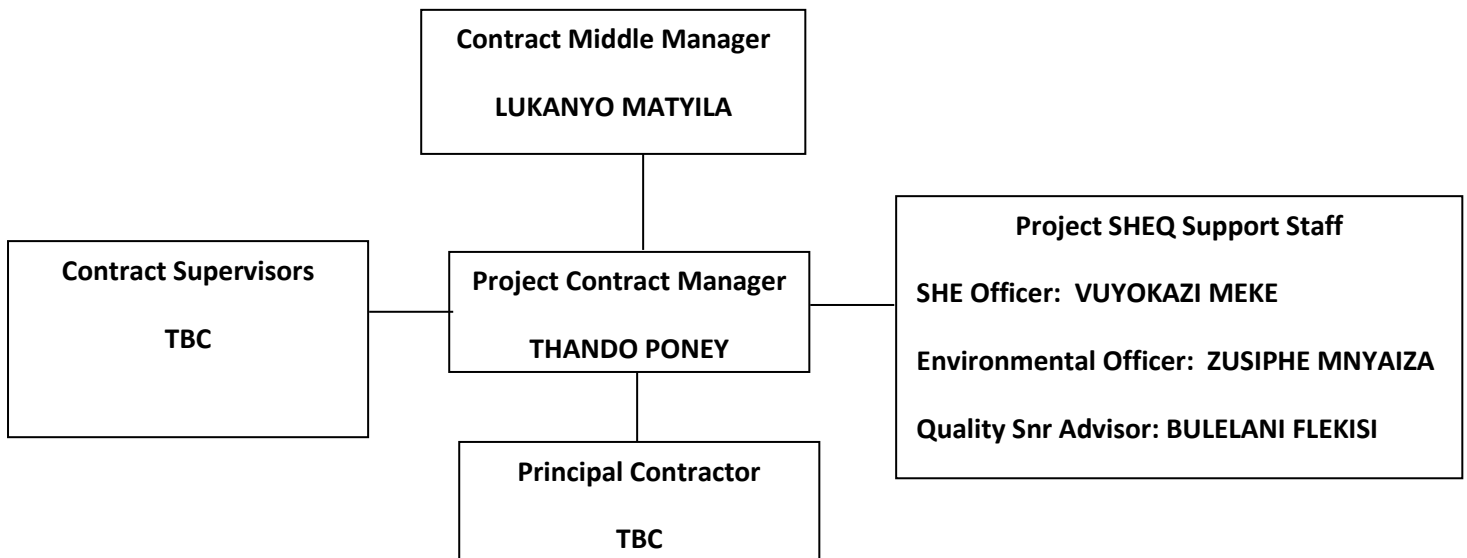
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3.1.5 Project Organogram



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 duration of the contract as per contract requirements dictates.

The original copy of the section 37(2) agreement must be retained by the Contractor and a copy retained by the Contract Manager.

A copy all the agreements must form part of the respective Principal 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 to be required or permitted to perform work or provide services that
 - i. are inappropriate for a person of that child's age; or

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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 on Eskom site up-to-date a copy of the OHS Act and its 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 and not limited to:

- Basic Conditions of Employment Act, 1997 (No. 75 of 1997)
- Employment Equity Act, 1998 (Act No. 55 of 1998)
- 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 Health Act, 2003 (Act No. 61 of 2003)
- National Environmental Management Act, 1998 (Act No.107 of 1998)
- National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008)
- Environment Conservation Act, 1989 (No. 73 of 1989)

3.2.5 Covid-19 Management


The purpose of the COVID-19 OHS Directions:

- To stipulate measures that must be taken by employers in order to protect the health and safety of workers and members of the public who enter their workplace or are exposed to their work activities.
- Gives effect to the National Disaster Regulations and seek to ensure that measures are taken by employers under OHS Act are consistent with the overall National strategies and policies to minimize spread of Covid-19.

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- Direction does not reduce the existing obligations of employers in terms of OHS Act nor prevent employers from implementing measures that are more stringent in order to prevent the spread of the virus.

The COVID 19 pandemic poses many health and safety risks, which can be fatal in nature. The OHS Act 85 of 1993 expresses an obligation on the employer to maintain a working environment that is safe and healthy. To ensure a healthy working environment, the employer is mandated to make ensure that the workplace is free from any risk to the health of its employees as far as is reasonably practicable.

Within the context of COVID-19, there is a clear obligation on the employer to manage the risk of contamination in the workplace. The Contractors / Suppliers must develop their comprehensive site Covid-19 Management Response Plan to manage risk of contamination (office workplace, on-site and visiting sites) and Baseline Risk Assessment aligned with the latest updated relevant applicable OHS Covid-19 Directive, guidelines and Regulations (National and Eskom Covid-19 Guidelines) which shall be included on the Contractor OHS Plan/ Manual/ system.

The Contractors are required to use and comply with the most recent updated below Regulations and Guidelines documents when working on Eskom sites.

The Contractors / Suppliers must outline how the risk of contamination will be managed in accordance to these five process steps for the management of site COVID-19 risks namely;

1. transport from home to site,
2. entry to site,
3. performing work (safe working procedure (SWP) require),
4. lunch breaks and
5. transportation from work to home.

The controls identified to mitigate the hazards on the risk assessment must be aligned to the Covid-19 Management Response Plan that seeks to manage the risk of contamination.

Copies of the Covid-19 health screening register, COVID-19 PPE matrix and PPE register templates; proof of training of employees trained on the use, maintenance and limitations of PPE must also be submitted with the Covid-19 Management Response Plan.

The Contractors / Suppliers must ensure that all waste including PPE utilized in the decontamination of COVID-19 sites is disposed off as medical waste as per the Department of Health Guidelines.

3.3 Eskom requirements


All Contractors shall, before commencement of the contract ensure that all their employees are familiar with the relevant Eskom OHS documentation that is applicable to the contract services. The Contractors shall ensure before of any commencement of work activities on site, all employees on this contract, site visitors and any other party who may be affected by the

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Contractors site activities are always OHS inducted and made aware of the risks and hazards relating to this project.

Note: All Contractors shall, before commencement of work at the allocated Eskom site area of responsibility, visit such site area at least one (1) week prior to entering, advising the Project Manager/ Supervisor and Complex Manager of their intention to perform work in the area.

3.3.1 Disciplinary process

The Principal Contractor is required to implement a disciplinary process within his/her organisation to enforce conformance to OHS requirements, similarly, Appointed Contractors must do the same.

The Principal Contractor shall follow the applicable disciplinary procedure in instances of all disciplinary measures.

In the event of a major safety or health transgression whilst conducting work witnessed by a member of the Eskom's staff or the Contractors' own supervision, the Principal Contractor shall ensure that the individual, or individuals, transgressing (including Supervisors) stop the operation as soon as it is safe to do so and ensure that the situation is safe. A breach of Eskom's Life Saving Rules would constitute a transgression of this magnitude. Other transgressions of this type would include failure to exclude those not involved in the work activity from dangerous areas such as below personnel working at height or other serious hazards.

The Principal Contractor is expected to deem a serious transgression of the nature described above as a lack of competence to conduct the task safely. Therefore, it is necessary to immediately eliminate further risks to their workers and other site personnel. The Principal Contractor shall adhere to the following steps:


1. Start preliminary investigations.
2. Investigate the acts or omissions of any employee.
3. Conclude the investigation.
4. Submit the investigation for the approval of the Eskom Project Manager/Supervisor.
5. Await the outcome of the disciplinary process of those individuals.
6. Conduct retraining if required.
7. Restart activities.
8. Eskom has the right to communicate lessons learnt to other Contractors on site

The Principal Contractor may in the time taken to follow the above steps use a different group or workers if they are suitably trained and competent.

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In the case of a serious transgression that is evidently a result of an individual's act or omission, for example not sober or driving without a seatbelt, the disciplinary process may apply to the individual alone and works may continue without the individual.

The Principal Contractor shall comply with the Occupational Health and Safety Act 85 of 1993 ("OH&S Act") and all applicable regulations promulgated under the OH&S Act, all as amended from time to time. The Contractor shall furthermore comply with applicable South African National Standards or International Standards, South African legislation, applicable Municipal By-Laws and with Employers Policies and Procedures.

It is the duty of the Principal Contractor and his Appointed Contractors to ensure that they are familiar with all applicable Law, SANS standards and these requirements at all times.

The Principal Contractor shall compile and maintain an up to date an OHS file and include updated legal register listing all applicable Law and SANS standards.

Contractor will be expected to form part of the OHS management system that the Client conforms to.

3.3.2 Eskom Life-Saving Rules

1. Eskom views health and safety in high esteem and encourages that any organisation who performs work for Eskom in Eskom 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 Life Saving Rules are....."**Inviolable Rules**"


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 |

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| | 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 | 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. |

Consequences of violating a Life Saving Rule

- In terms of general health and safety in Eskom, if any of the Life-saving Rules are violated, it will be treated as a serious misconduct, and result in a **disciplinary hearing** in accordance with the Eskom Disciplinary Code and Procedure.
- It must be highlighted that Eskom takes a **ZERO TOLERANCE** stance to violation of these rules and will, therefore recommend dismissal as a sanction during a disciplinary hearing.
- Depending on the circumstances, Eskom reserves the right, where a contractor manager/supervisor allows the violation of a Life-saving Rule, to **suspend the contractor's activities** while determining an appropriate sanction.
- Alternatively, where a contractor employee violates a Life-saving Rule, Eskom also reserves the right **not to allow the applicable contractor employee on any Eskom site.**


3.3.3 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 sites.
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 into account that this is an **Eskom Life-saving Rule number 4: BE**

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SOBER”), this means anyone entering the Eskom will be subjected to ad hoc alcohol testing.

5. Contractors are encouraged to compile their own Substance abuse 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.

3.3.4 Contractor’s SHE Policy

The Principal Contractor and each Appointed Contractor shall each have a SHE Policy that shall be duly signed by an authorised signatory concerning the protection of the health and safety of Contractor’s personnel and others in and about the execution of the Works, including a description of his organisation and the arrangements for carrying out and reviewing such policy.

A copy of the SHE Policy shall be provided as a tender returnable. Tenderers shall furthermore supply method statements containing sufficient detailed information to demonstrate compliance to these OHS requirements.

Copies of the Appointed Contractor SHE Policies shall be provided as and when Appointed Contractor are appointed.

The Principal Contractor shall prominently display a copy of the policy in the workplace where the Contractor’s personnel normally report for service.

The policy shall be communicated with all Appointed Contractors and all Contractor employees on site. Proof thereof SHE policy communication shall be kept and filed in the Contractor site OHS file and attached as an annexure in the OHS Plan.

3.3.5 OHS Plan Requirements

The Principal Contractor shall develop a suitable and sufficient OHS Plan for the execution of the Works. This shall be submitted to the Contractor OHS tender file.


The Contractor’s OHS Plan shall demonstrate the management process and procedures that shall be adopted to ensure compliance to requirements listed in these OHS requirements and other contract documents requirements.

These management processes shall identify each activity, the foreseeable internal and external hazards, the specific precautions and controls that shall be necessary to ensure that the Works commence and continue safely and without risks to health or to adjacent operations

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The SHE Plan shall further demonstrate the Contractor's commitment to safety, health and environmental requirements and shall, as a minimum include the following elements:


1. Compliance to these OHS requirements
2. The Contractor SHE Policy. (OH&S Act section 7)
3. Indication of Competent Supervision (CV's with proof of competencies to be included).
4. Documented proof of assessment of competencies of appointed persons.
5. Duties and safety responsibilities of all appointed persons.
6. Selection, placement and training procedures, including induction and ongoing training in 'Basic Safe Work' and Occupational Health & Safety training for newly hired or promoted Supervisors. (OH&S Act section 8(2)(i))
7. Occupational Health & Safety communications and meetings, including daily safe task instructions and project SHE meetings.
8. Assessment and management procedure for their Sub-Contractors, including audit requirements for OHS Plans.
9. Safety awareness promotions.
10. Occupational Health and Safety Workplace Environment controls, including provision for monitoring employee exposures to noise, fumes, etc. (i.e. Hazardous Chemical Substances Regulation 4)
11. Personal Protective Equipment procedure and rules. (OH&S Act section 8, General Safety Regulation 2)
12. Control of dangerous and hazardous substances. (Hazardous Chemical Substances Regulations, Section 43 of OH&S Act, 1993)
13. System of hazard identification and risk control, such as Risk Assessments, Daily Safe Task Instructions and Communications. (OH&S Act section 8)
14. Inspection and maintenance of tools and equipment prior to introduction to the Project Site (and to other places, if any, as may be specified under the Contract as forming part of the Site) and regularly thereafter.
15. Accident and incident reporting, recording, investigation and analysis, which ensure that corrective action, are taken and this action is communicated to report initiators. (General Administrative Regulations 8 & 9)
16. Evacuation and emergency planning arrangements (Environmental Regulations for Workplaces 9)
17. Substance abuse policy and procedure and programme. (General Safety Regulation 2A)
18. Workers welfare facilities. (Facilities Regulations)
19. Daily site safety inspections and audits processes.
20. Letter of good standing with a compensation insurer
21. Identification of Environmental Aspects, their associated impacts, mitigation measures and management thereof.

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3.3.6 Costing for Health and Safety

The Principal Contractor shall submit costing for OHS management activities as an annexure in the Contractor OHS Plan. OHS costing must reflect the amount of funds that will be allocated for OHS when the contract commences (This is a breakdown of the bulk OHS costing in the bill of quantities) and it should be based on the scope of work and the associated risk.

The items to be included are not limited to the following:

- PPE,
- OHS training,
- OHS Professionals,
- First aid equipment,
- Ablution facilities,
- Safety signs,
- Safety campaigns or interventions,
- OHS equipment/instruments,
- Medical examinations etc

3.3.7 Professional Registration

The Principal Contractor and all his/her Appointed Contractors shall be registered in their respective levels as Professionals where applicable in terms of the requirements of the applicable relevant Professional Affiliate Council bodies as per the scope of work of this contract requires and as per the applicable professional scope of work requires.

3.3.8 Appointment of the Principal Contractor

The Principal Contractor will be appointed by Eskom on the awarding of the contract and will be responsible and accountable for all legislative and Eskom requirements for the duration of the contract.

3.3.9 Appointment of Appointed 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 Contractor's OHS 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 OHS file.

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3.3.10 Appointments and Supervision

The Contractor shall in writing appoint as per the OHS Act requirements and shall ensure that all his 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.

The Contractor shall provide and keep up to date an outlined Organogram and a list of names and contact telephone numbers of all appointments as required from the table below.

The Contractor shall keep a record of all Contractors' Personnel, indicating their date of induction, relevant skills and licenses, and be able to produce this list at the request of the Eskom Project Manager.

The Contractor shall ensure that the performance of all specified work is supervised throughout the duration of the Contract by a sufficient number of competent appointed representatives of the Contractor, who have experience in the type of work specified.

No work shall commence and / or continue without the presence of an appointed Contract Manager, Health & Safety Manager or Officer, Contract Supervisor or appointed Contract Supervisor Assistants as per these OHS requirements during execution of the work. These Supervisors shall be fluent in the language for communications as defined under the Contract.

In determining the number of appointed competent Supervisors, the nature and scope of work being performed shall be taken into consideration and consented to in writing by the Eskom Project Manager. The required appointed Contract Supervisor shall not leave the Project Site during working hours unless there is a sufficient number of appointed competent Contract Supervisor Assistants to assist with supervision.

Appointment letters and competency certificates of the persons appointed as Contract Supervisor or Contract Supervisor Assistants shall be signed by persons who are suitably qualified. Relevant training certificates and proof of experience of assignees shall be submitted with the OHS Plan.

In determining the number of appointed competent Contract Health and Safety Officers to the number of employees, the nature and scope of work being performed shall be taken into consideration. Contract Health & Safety Officers must be available for health and safety meetings and shall participate fully in all activities outlined in these OHS requirements and, in the Contractor's OHS Plan.


3.3.11 OHS Appointments

The Principal Contractor and appointed Contractors must make the relevant legislative and non-statutory appointments, which will be required to remain valid throughout the life of the project.

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The responsibilities of the individual appointments made must reflect the requirements as listed in the respective Acts/Regulations and form a part of the appointment.

All appointees shall be suitably trained and found to be competent for the responsibilities assigned and/or informed of their responsibilities before getting them to accept such appointment.

Copies of all the appointments must be kept in the relevant Contractor OHS files.

Relevant statutory appointments shall be made in accordance with the requirements of the OHS Act and other legal requirements which includes the requirement of a competent person being appointed in the relevant roles.

The under mentioned appointments will be required where applicable.

3.3.11 (1) Statutory 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. The 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 the following:


- OHS Act: S16(1) – Chief Executive Officer
- OHS Act: S16(2) – Persons assigned functions to assist the Chief Executive Officer (if required)
- OHS Act: General Administrative Regulation 9(2) – Incident Investigator
- OHS Act: Section 17 – Health and Safety Representative.
- OHS Act: Section 19 (3) – Health and Safety Committee Member
- OHS Act: Section 19(6)(a) – Co-opted Health and Safety Committee member
- NEC requirement Contract Manager
- NEC requirement Contract Supervisor
- OHS Act: Construction Regulation 8(1) Construction Manager (Full time)
- OHS Act: Construction Regulation 8(7) – Construction Supervisor (Full time)
- OHS Act: Construction Regulation 8(5) – Construction Health and Safety Officer (Full / Part time)
- OHS Act: Construction Regulation 7(1)(v) – Appointment of a Contractor (if appointing subcontractors)
- OHS Act: Construction Regulation 9(1) – Person to Compile Risk Assessments
- OHS Act: Construction Regulations 23(1)(d)(i) – Construction Vehicle and Mobile Plant Operator

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- OHS Act: Construction Regulations 28(a) – Stacking and Storage Supervisor
- OHS Act: Construction Regulations 29(h) – Firefighting Equipment Inspector
- OHS Act: HCAR 3(2) Hazardous Chemical Agents Compliance Officer Appointment (HCA Regulations 2021)
- OHS Act: HCAR 10(2) Hazardous Chemical Agents Controller Appointment (HCA Regulations 2021)
- OHS Act: Hazardous Chemical Substances Regulation 3(3) Hazardous Chemical Substances Co-ordinator
- OHS Act: General Safety Regulations 3(4) – First Aider/s
- OHS Act: General Safety Regulations 13A – Inspector of Ladders
- OHS Act: Pressure Equipment Regulations 11 & 12 – Portable Gas Container Inspector
- OHS Act: EMR 9 – Portable Electrical Equipment Inspector

3.3.11 (2) Non-statutory appointments

The **non-statutory appointments** should include but not limited to the following:

- Eskom OHS Roles & Responsibilities and statutory appointments standard (240-62582234) – Appointment as Responsible Managers for OHS and Environmental Responsibilities
- Eskom OHS Roles & Responsibilities and statutory appointments standard (240-62582234) – Appointment as non-Statutory Health and Safety Committee meetings Chairperson
- Eskom Emergency Planning Standard (32-123) – Emergency Planning Co-ordinator
- Eskom Emergency Planning Standard (32-123) – Emergency Preparedness appointment as Evacuation Official
- Eskom Management of Substance Abuse Procedure (32-37) – Competent person
Substance Abuse Tester

Notes to the appointments listed above:

Chief Executive Officer (16.1):

Section 16(1) creates a legal presumption, and therefore no appointment is required. The Contractor shall provide the full names, contact telephone numbers and business address of the Chief Executive Officer.

Health & Safety Representative Required Competencies:

- General Health and Safety Training
- Health and Safety Representative Training
- Hazard Identification and Risk Assessment Training
- Incident Investigation and Root Cause Analysis Technique Training

Contract Supervisor Required Competency:


- Three years applicable experience in similar scope of work

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- General Health and Safety course
- OH&S Act and Regulations or Mine Health and Safety Act and Regulations course, as applicable (latest version of the Act and Regulations)
- Incident Investigation and Root Cause Analysis Technique Training
- Hazard Identification and Risk Assessment Training
- Job Observations Training
- Attended an accredited Supervisor's safety course

If the Commencement date precedes the date of issue of this Specification (rev 5), the Contractor shall have a period of three months to comply with the above competency requirements; except to the extent required by applicable Law in which case immediate compliance is required.

Safety Officer Appointment:

Typical Qualifications:

- National Diploma in Safety Management or Environmental Health
- A recognised safety certification (minimum: of 2 weeks training) (e.g. SAMTRAC / Modern SHEQ Management course) and registration and accreditation from a recognised Health and Safety Professional Body

All Construction Safety Practitioners shall be registered with a Statutory Body- SACPCMP from August 2015 or a recognised Health and Safety Professional Body as applicable

Typical Competencies:

- OH&S Act and Regulations (latest version of the Act and regulations);
- COID Act (latest version of the Act);
- Incident Investigation and Root Cause Analysis Technique;
- Hazard Identification and Risk Assessment Training;
- Health & Safety Auditing;
- Environmental Compliance Recognised Course;
- Emergency Preparedness Coordination Training

3.3.12 Contractor organisational Structure

3.3.12 (a) Principal Contractor Organogram


The Principal Contractor must provide an organisational organogram related to this contract and for the project specific scope of work, depicting all the levels of responsibility from the CEO down to the Supervisors responsible for the contract. List the relevant positions held, names of appointees and legal appointments.

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The Principal Contractor must ensure that all Appointed Contractors are also indicated on the Organogram and comply with this requirement. The Principal 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.

The Organogram diagram must be kept up to date and filed in the project OHS files.

3.3.12 (b) Appointed Contractor/s Organogram

Appointed Contractors are required to compile their company Organogram for the project, listing the reporting structure from their CEO down to their project Supervisors. The diagram must list the names, positions held and any appointments made.

The Organogram diagram must be kept up to date, a copy of which must be given to the Principal Contractor and a copy filed in the relevant project OHS files.

3.3.13 Medical Surveillance Programme

The Principal Contractor shall ensure that all Contractors' Personnel are registered on a medical surveillance programme appropriate to their occupational exposures and in possession of a valid medical health certificate. The certificate of fitness shall also be required that is relevant to the type of work (risk based) that the employee will be performing. The Eskom Project Manager will only accept medical surveillances conducted by Registered Occupational Health Practitioners who hold valid qualifications in occupational health.

In order for the appropriate medical examinations to be conducted, each employee must have a person job specification (profile), which must indicate the description of work, list of hazards and potential occupational exposure limits, physical hazards and required physical attributes.

The Contractor shall provide a documented process for managing those Contractor's personnel who are issued with a conditional certificate of fitness.

In instances where sick leave is taken for a period of one week or more, the Contractor shall submit a declaration signed by the Contractor's Personnel in question indicating that she or he did not suffer any illness or injuries which occurred in the period of absence, which may affect his ability to work on the Project Site (or at such other places, if any, as may be specified under the Contract as forming part of the Site).

3.3.13 (1) Pre-employment medicals:


The Principal Contractor shall ensure that all Contractor's personnel have undergone pre-entry medical examination before starting work on Project Site (or on other places, if any, as may be specified under the Contract as forming part of the Site).

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The valid medical certificate to show fitness for duty shall be issued before the employee commences work and shall be filed on the Contractor's OHS file. If the Contractor does not provide proof of valid certificates of fitness for a Contractor's personnel, then such Contractor's personnel shall not be permitted access to the Project Site (or such other places, if any, as may be specified under the Contract as forming part of the Site).

3.3.13 (2) Periodic medicals:

Periodic medical examination shall be done by all Contractors' personnel during the execution of the contract as the project site (or other places, if any, as may be specified under the Contract as forming part of the site) and at as per frequency time frames determined by the employee's Occupational Job Specification and Occupational Health Practitioner.

The progress medical certificate shall be renewed annually (for personnel who are not office bound including drivers) and as per the employee medical report from Registered Occupational Health Practitioners requires.

3.3.13 (3) Exit medicals:

An exit medical examination shall be done by all Contractors' personnel before leaving the Project Site (or other places, if any, as may be specified under the Contract as forming part of the Site).

Exit medicals shall be conducted immediately prior to the termination of the employee's engagement at the Project Site (or at such other places, if any, as may be specified under the Contract as forming part of the Site) unless otherwise advised by Eskom.

All Contractor's Personnel shall be issued with the required medical records to prove medical status at the time of exiting the Project Site (or such other places, if any, as may be specified under the Contract as forming part of the Site).

3.3.14 Occupational Health, Rehabilitation and Hygiene facilities

3.3.14 (1) Compensation for Occupational Injuries and Diseases (COID)


The Principal Contractor and all his/her appointed Contractors shall be registered with an appropriate employment Compensation Commissioner and have at all times throughout the contract period available a valid letter of good standing (LoG) from the commissioner. The obligation lies with the Contractors to ensure that the LoG remain valid throughout the contract period. A copy of the LoGS must be filed in the entire contract OHS files and as an annexure in the Contractor OHS Plan.

3.3.14 (2) Employee Health and Wellness Programme

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The Principal Contractor shall submit details of his Employee Health and Wellness Programme as part of his OHS Plan which shall include a Medical Surveillance Program and an Employee Assistance Program as detailed below:

3.3.14 (3) Employee Assistance Programme

Where Principal Contractor or Subcontractors do not have Employee Assistance Programme (EAP) service providers, the Employer's EAP service provider, may be available to provide assistance. All arrangements shall be made by the Contractor. All costs in this respect shall be borne by the Contractor.

3.3.14 (4) HIV / Aids Awareness Programme

An HIV/AIDS Awareness programme will be implemented by the Employer. This will include voluntary counselling and testing (VCT) of individuals, HIV/AIDS awareness training and access to ongoing support for affected individuals. The Contractor shall ensure that the Contractor's Personnel are aware of this programme.

3.3.14 (5) Emergency Care

A list of site emergency numbers shall be posted in Contractor office.
 The Principal Contractor shall ensure that Contractors' Personnel are familiar with the emergency numbers.
 The Principal Contractor shall have one first aid box to cover the first 5 persons on the Project Site (and at other places, if any, as may be specified under the Contract as forming part of the Site) and thereafter one for every 50 or team of workers, or part thereof.
 Additional first aid boxes shall be provided if the risks and / or distance between work teams or workplace requirements require it (it shall be available, compliant and accessible for the treatment of injured persons at that workplace).
 Prominent notices or symbolic signs compliant with SABS 1186 shall be displayed in prominent places in the workplace, indicating where the first aid box or boxes are kept as well as the name and contact details of the First Aiders.


3.3.14 (6) First Aid and Equipment

The requirements of the OHS Act GSR 3 must be observed.
 First aid appointments must be made to meet the requirements, this includes construction sites. Appointees must be trained to level 2. It is good practice for all employees to be trained to at least level 1.

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When appointing employees for work sites, cognisance must be taken into account the type of work performed, the distance teams are working apart and the terrain to be covered if an emergency should arise.

A list of emergency numbers must be displayed on the notice boards and made accessible for all employees.

Principal Contractor must ensure that his /her employees and appointed contractor employees are familiar with the emergency numbers.

Contractors shall have one first aid box for the first 5 persons and thereafter one for every 50 or team of workers on site or part thereof, taking into account the type of work performed and the distance between teams.

More first aid boxes shall be provided in accordance with the risk assessment. Boxes must be available and accessible for the immediate treatment of injured persons at the workplace.

For offices, signs indicating where the first aid box or boxes are kept as well as the name and contact details of the First Aider of such first aid box or boxes shall be erected.

The Principal Contractor and appointed contractor shall ensure that alternative arrangements be made for incidents occurring after working hours.

Boxes and equipment

The following is a list of minimum contents of a first aid box:


- Item 1: Wound cleaner/antiseptic (100ml).
- Item 2: Swabs for cleaning wounds.
- Item 3: Cotton wool for padding (100 g).
- Item 4: Sterile gauze (minimum quantity 10).
- Item 5: 1 Pair of forceps (for splinters).
- Item 6: 1 Pair of scissors (minimum size 100 mm).
- Item 7: 1 Set of safety pins.
- Item 8: 4 Triangular bandages.
- Item 9: 4 Roller bandages (75 mm X 5 m).
- Item 10: 4 Roller bandages (100 mm X 5 m).
- Item 11: 1 Roll of elastic adhesive (25 mm X 3 m).
- Item 12: 1 Non-allergenic adhesive strip (25 mm X 3 m).
- Item 13: 1 Packet of adhesive dressing strips (minimum quantity, 10 assorted sizes).
- Item 14: 4 First aid dressings (75 mm X 100 mm).
- Item 15: 4 First aid dressings (150 mm x 200 mm).
- Item 16: 2 Straight splints.
- Item 17: 2 Pairs large and 2 pairs medium disposable latex gloves.
- Item 18: 2 CPR mouth pieces or similar devices.

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A content check list must be available with all boxes and boxes shall be checked on a regular basis, kept clean and dust free.

3.3.14 (7) Employee Covid-19 Programme

The Principal Contractor shall ensure that they develop a programme for managing Covid-19. The programme shall be compliant to the requirements as detailed on the OHS Act: OHS measures in certain workplaces issued by the minister in terms of Regulation 4(10) of the National Disaster Regulations.

3.3.14 (8) Occupational Hygiene

Identification: The Principal Contractor shall identify the occupational stressors which could include exposure to chemical and biological hazards, noise, dust, vibration, heat, etc., to which any person may be exposed as a result of his work activities.

Risk assessment: Once the occupational stressors have been identified the risk shall be assessed in accordance with statutory requirements including manual handling, including the nature of the stressor, the work process, the exposure severity and duration, possible adverse effects etc.

Control measures: The Principal Contractor shall provide details of all control measures that shall be implemented to eliminate or reduce exposure to occupational stressors. Where mechanical means are employed, he shall provide details of how these shall be maintained to ensure that they operated at maximum efficiency.

Monitoring: The Principal Contractor shall provide and adhere to effective monitoring procedures. These procedures shall include the planning, carrying out and recording of the results of the measurement programme. This is to confirm the effectiveness of the implemented control measures and the results shall be made available to the Project Manager on request.

3.3.14 (9) Dining areas


At the workplace, where possible, the Contractors must attempt to provide sufficient dining areas for employees to consume food and refreshments at workplace premises and the following must be complied with:

1. Dining areas shall have suitable and sufficient tables and chairs for seating whilst eating.
2. Adequate provision must be provided for washing cooking and eating utensils. Dining and kitchen areas shall be kept in a clean, tidy and hygienic manner.

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3.3.14 (10) Sanitary facilities

At the workplace, where possible, the Contractors must attempt to provide sufficient portable ablution facilities for the employees. Such facilities must be serviced regularly and the following must be complied with:

1. Such facilities are freely and readily accessible
2. Employer makes toilet paper available free of charge to employees.
3. Employer provide toilet soap or similar cleaning agent free of charge to employees.
4. Employer provide running hot and cold or premixed hot and cold water for washing basins and showers.

The sanitary facilities shall be kept in a clean, tidy and hygienic manner.

3.3.14 (11) Drinking Water

The Principal Contractor shall provide suitable drinking water for all their employees (free of charge) whilst working in the field. Every effort must be made to keep the water as cold as possible.

3.3.14 (12) Changing areas and Lockers

The Principal Contractor shall provide suitable changing facilities and safekeeping facilities for employees, irrespective if they change at the premises or at the workplace. Once again, cognisance must be taken of the dignity of fellow workers and members of the public.

3.3.14 (13) Welfare of facilities


The following welfare facilities must be provided for in a clean and suitable condition, unless agreement with the Client/Agent's representative has been confirmed regarding the use of existing facilities:

- a. Shower facilities.
 - b. Sanitary facilities.
 - c. Changing facilities.
 - d. Eating areas.
 - e. Drinking water at strategic locations on site.
 - f. Safe pedestrians walk ways.
1. Water for drinking/consumption purposes shall be drawn only from taps in dining areas and ablution blocks and at points on Site marked "drinking water".
 2. No equipment or system shall be connected onto the drinking water system without prior approval of the Client/Agent's representative.
 3. All Contractors must supply a sufficient amount of (cool) potable water on each worksite and in vehicles

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4. The Contractor will be required to provide their own accommodation for the workers.

3.3.14 (14) Food handling and hygiene

Storage

Adequate cold storage must be supplied for the employee's storage of food.

Handling

The appropriate hygienic conditions within the kitchen and utensil washing facilities must be maintained.

3.3.15 Hazard Identification and Risk Management (refer to Eskom Procedure 32-520)

The Client shall prepare and provide a Baseline Risk Assessment (BRA) for an intended work project to the Contractor as part of the contract package.

The Principal Contractor shall develop a Risk Assessment in line with the provided BRA and alignment to Eskom 32-520 procedure.

The Contractor shall identify hazardous and potentially hazardous work operations. He shall demonstrate that work hazards, work activity risks and the mitigating measures have been considered in his risk assessments. Activity based risk assessments shall be carried out by competent persons.

The Contractor shall provide in their OHS file work task method statements and / or written safe work procedures, prior to mobilisation of the first Contractor's Personnel at the Project Site (or at other places, if any, as may be specified under the Contract as forming part of the Site).

Emerging risks and hazards must be managed during project scope of work. This means that if there are significant changes to a process or activity, or any new process, then these should also be subjected to risk assessment.

All risks must be rated.

Activity based risk assessments shall be conducted by an appointed competent Risk Assessor of the Principal Contractor. Risk assessment shall be developed by the team and outcome shall be shared with employees.

3.3.15 (1) Health and Safety Hazards


Eskom will make all reasonable efforts to ensure that the information provided is complete and correct. However, the Contractor shall make his own assessment of the hazards and risks associated with the work under the Contract or which he is responsible. Without derogating from any other requirements under the Contract, the work shall not be executed at the Project Site (or at other places, if any, as may be specified under the Contract as forming part of the Site) until

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Contractor's Risk Assessment and Method Statements as required under the Work Co-ordination Process have been reviewed.

The Contractor shall on a daily basis and for every task to be performed, conduct a pre-task risk assessment with all Contractors' Personnel involved with the task(s). The pre-task risk assessment shall form the basis of the daily pre-job briefings / toolbox talks prior to the start of work. Proof of communication as well as confirmation that it was received and understood by all will be noted on a standard form, which shall be kept at the job site during the job execution. The completed signed pre-task risk assessment form shall be filed in the Contractor's Health and Safety File.

The Contractor shall Conduct his undertaking in such a manner as to ensure, as far as reasonably practicable, that persons other than those in his employment who may be directly affected by his activities are not thereby exposed to hazards to their health and safety.

Any person who design, manufacture, import, or supplies any article for use at work shall ensure, as far as reasonably practicable, that the article is safe and without risk to health when properly used and that it complies with all prescribed requirements.

3.3.15 (2) Safe work procedures / method statements

Method statements / written safe work procedure are control measures used to prevent an incident from occurring during the execution of the project. A written safe work procedure/ method statements provide guidance how to execute the task safely. A safe working procedure should be written when:-

- a. Designing a new job or task;
- b. Changing a job or task;
- c. Introducing new equipment or substances; and

The safe working procedure should identify:

- d. The Supervisor for the task or job and the employees who will undertake the task;
- e. The tasks that are to be undertaken that pose risks;
- f. The equipment and substances that are used in these tasks;
- g. The control measures that have been built into these tasks;
- h. Any training or qualification needed to undertake the task;
- i. The personal protective equipment to be worn;
- j. Actions to be undertaken to address safety issues that may arise while undertaking the task.

3.3.16 Emergency Preparedness and Response


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 Contractors must familiarise themselves with the Eskom Emergency Planning Standard (32-123) and Eskom

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Fire Risk Management (32-124). In the event that the Contractor will be on-site on a day when an emergency drill is undertaken to test the effectiveness of the EP plan, the Contractor shall form part of that on-site emergency drill where applicable and required.

3.3.16 (1) Emergency Response Plan

1. The Contractor shall develop his own emergency response plan for both work areas and office areas and submit this plan on the OHS file. The plan shall be amended as applicable and required. The Contractor shall ensure that all Contractors' Personnel are aware of and trained in the execution of the emergency plan.
2. Periodic emergency drills will be undertaken by the Employer or Eskom Project Manager.
3. The Contractor shall be responsible for ensuring that his emergency plan is reviewed annually, and after every incident which caused the emergency plan to be activated. Any changes made shall be briefed to all persons affected and the information provided to the Eskom Project Manager.

3.3.16 (2) Fire Risk and Safety Management

1. The Contractors shall ensure that staff are educated in fire prevention and will be held responsible to avoid the risk of fire. Ideally, all employees should receive basic training in fire prevention and use of fire equipment.
2. The Contractor shall develop fire safety and evacuation procedures for any area under his control prior to the commencement of any work thereon. The procedure shall take into consideration the size of the area, types of work being done, amount of combustible materials present etc. It shall take account of any hot work permit arrangements and all other applicable fire and evacuation procedures. All Contractor's personnel entering and working on the Project Site, and other places, if any, as may be specified under the Contract as forming part of the Site, shall be trained in fire safety and emergency evacuation and any other duties they are required to perform e.g. Fire Warden.
3. Existing fire management systems in buildings shall be maintained whenever possible. Any changes shall be approved by the Eskom Project Manager before implementation.
4. The Contractor shall be at all-times available for any meetings and interventions that are arranged by the Eskom Project Manager in the sake of fire and emergency safety.

3.3.16 (3) Fire Safety Plan


The Contractor shall prepare a Fire Safety Plan which shall include:

1. The designation and organisation of Contractors' personnel to carry out fire safety duties, including fire watch service, if applicable.
2. Emergency procedures to be used in the case of fire, including:
4. method of sounding the fire alarm.

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5. notifying the fire Department.
6. instructions to Contractor's Personnel.
7. firefighting procedures.
8. evacuation routes.
9. location of assembly points, and
10. Integration with existing emergency procedures.
3. The control of fire hazards in and around buildings.
4. Maintenance of firefighting facilities.
5. Display in strategic places a site plan that will illustrate the assembly points, locations of means of raising the alarm and extinguisher media. A plan shall be drawn up for each area under the Contractors control and shall, where appropriate, include office and welfare facilities.

3.3.16 (4) Fire Equipment and maintenance

All fire fighting 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
- e. Be tested and serviced at recommended intervals by an accredited supplier
- f. Have the results entered in the register and signed by competent person.

3.3.17 Incident Management

All incidents relating to the contract (fatalities, lost time, medical treatment, first aid, vehicle accidents, damage to equipment, near misses and environmental issues) shall be reported and investigated in terms of the section 24, 25, GAR 8 and 9 of the OHS Act.

Copies of the investigation reports must be filed in the contract OHS file.

All incidents of a serious nature shall be reported to the Eskom contract Project Manager as soon as practicably as possible.

Ensure that all incidents are reported and investigated timeously by competent Incident Investigators.

All incidents that were in contravention of any one of Eskom's Life-Saving Rules must be presented by the relevant Contractor Manager to the Contract Manager and where required to the OU Responsible Manager.


Note: Eskom has the right to be involved in any contract related serious incident investigations.

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3.3.18 (1) Reporting

All incidents including near misses occurring at work shall be reported to the relevant site Eskom Supervisor / Manager as soon as practicable but before the end of the shift.

All section 24 incidents shall be reported to the Provincial Inspector of the DoEL and section 25 incidents shall be reported to the Chief Inspector of the DoEL.

Note: If it is found that the Principal Contractor or his Appointed Contractors are hiding/not reporting incidents then steps (which may include disciplinary action) would be taken against the Line Management of the Principal Contractor and Appointed Contractor in terms of Eskom Procurement and Supply Chain Management Procedure (32-1034).

3.3.18 (2) Investigation

All incidents related to work being performed for Eskom shall be investigated in terms of the OHS Act sections 24 and 25 and conducted in terms of document 32-95 Eskom Occupational Health and Safety Incident Management Procedure and Standard for conducting OHS Incident Management (full title is listed in Normative References).

Investigations shall be conducted by appointed competent Investigator who will compile the appropriate incident report form as listed in the OHS Act Annexure 1.

A comprehensive and detailed investigation report, including supporting documents, proof of actions taken and proof of communication to other affected employees, shall be completed within 14 days of the incident and submitted to Eskom Project Manager formally for review, comment and trending. Should the Contractor require a greater period of time to conduct the investigation then permission should be sought from the Eskom Project Manager or the assigned SHE professional. Medical reports received by the Contractor after the investigation submission should be forwarded immediately to the assigned, SHE professional.

Eskom must be permitted to participate in investigations if the incident is directly linked to any activity within the scope of the contract.

Low and moderate near miss investigations should be completed on the day of the incident as they are contained in the near miss flash report form. For incidents where the cause is obvious and the remedial action is limited to trending, incident recall / lessons learnt or similar actions, the Contractor should submit the completed investigation within seven days.


Contractor and Sub-Contractors shall co-operate fully with the investigation and implement any additional improvement measures.

Investigations shall begin as soon as practicable after the incident / accident has occurred. Where applicable and with appropriate authorisation (when required), photographs shall be taken of the scene of the incident as well as any equipment involved.

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Interviews with witnesses shall be conducted as soon as possible after the incident occurred whilst it is still fresh in their memory and if necessary, followed up later to determine if further information was recalled.

The Contractor shall investigate all incidents immediately and supply to the Eskom Project Manager a written report within three days, unless otherwise specified by the Project Manager which shall include:

- Date, time and place of incident.
- Description of incident.
- Root causes of incident/accident.
- Type of injury and/or (if any).
- Medical treatment provided (if any);
- Persons involved;
- Loss or damage sustained (if any);
- Names and contact details of witness/s;
- Description of corrective action to prevent a recurrence (with clear deadlines and persons identified for taking remedial action).
- All corrective actions shall be closed out within 14 days of the date of the incident, unless otherwise agreed by Eskom.

Eskom reserves the right to conduct an independent investigation of any accident and / or incident reported by the Contractor or Subcontractors over and above their own investigations.

3.3.18 (3) Close out

All incident investigation reports shall be closed out once all the recommendations to prevent further incidents have been carried out and a copy of the investigation report must be handed to the Project Manager. Close out procedure ideally must be done as soon as practicable. Undue time delays must be avoided.

Case studies shall be compiled for all [high & extreme priority] near misses, lost time incidents and fatalities and cascaded as lessons to be learnt across the Project.

The Contractor shall keep at his Project Site Office a record of all accidents and incidents reported in the form of the OH&S Act Annexure 1 investigation form as referenced in the OH&S Act. (Incident Investigation Report).


3.3.19 Forums for OHS Governance and OHS Communication systems

Effective governance and communication structures shall be established for the project sites where project OHS matters shall be discussed.

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Attendance registers shall be kept for all the health and safety meetings. The terms of reference shall be established for each governance structure on the project.

Eskom Project team shall define the project OHS governance and communication structures.

The Principal Contractor/s and their Contractor/s shall provide a communication plan outlining the discussions and decisions to their staff, the mediums they will employ to communicate OHS issues to their staff and how they will measure the effectiveness of their OHS communication.

Every meeting conducted on site shall include OHS 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.

NOTE: These meetings do not replace or act as a substitute for the required OHS statutory meetings.

Statutory OHS Committees in terms of Section 19 and 20 and General Administrative Regulations 5 of the OHS Act and Eskom requirements shall be established.

3.3.19 (1) Statutory Health and Safety Committees


1. The Principal Contractor shall establish statutory health and safety committee where applicable in terms of Section 19 of the OHS Act, Act. Similarly, appointed contractors shall establish their own statutory health and safety committee.
2. All appointed contractors shall be members of the Principal 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.

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7. Statutory health and safety committees may make recommendations to the principal contractor and the project manager and the Inspector at DoEL.
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 principal 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.

3.3.19 (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


3.3.19 (3) Agenda

1. The following serves as the guideline for the SHE Committee meeting agenda.
 - List of agenda items:
 - Matters arising from previous minutes
 - Matters arising from Contractor's SHE meetings.
 - Audit results and feedback
 - Review Health and Safety Representative Inspection Reports
 - Review
 - Incident investigation reports
 - Non-Conformances
 - Announcements (near miss/injury/damage)
 - Follow up on recommendations made by the employer in incident investigation reports

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- Accident Prevention – Safety Promotion
 - Planned Job Observations
 - OHS Training
 - Protective clothing and equipment
 - Incident Announcements / Recall
- Forthcoming High hazard activities.
- Non-conformances.
- Housekeeping.
- Work permits.
- Work procedures.
- Hazardous materials / substances.
- Fire Prevention
- Occupational Hygiene Assessments, Health Risks and Actions
- Security
- Construction vehicles and mobile equipment
- Rules, Instructions
- Public Safety
- Environmental Management
- Emergency Preparedness
- Statistics report
- Closure

3.3.19 (4) 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.
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.

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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 principal 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.

3.3.19 (5) Toolbox talks / Daily team talks / pre job meetings

1. A meeting must be held prior to the commencement of the day's work with all relevant personnel associated with the work task in attendance. The job, relevant procedures, associated hazards, safety measures, i.e. the task risk assessments shall be discussed. Each employee who attends the briefing shall sign an attendance list of that pre-job brief form undertaking that they have an understanding of the tasks, risks and control measures required.
2. Where possible, tool-box talks can be included in the pre-job brief meetings. If this does not occur, then weekly tool-box talks must be conducted. The toolbox talk topics will be based on OHS issues pertaining to the construction site and or the project. The topic contents shall be in writing. Attendance registers with the topic listed shall be kept.

3.3.20 OHS Training


1. The Principal 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 principal 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 Principal 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 requirements 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.

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3.3.20 (1) Induction training

1. The principal contractor shall ensure that all his / her employees, appointed contractors and their employees have undergone the Eskom Safety Contractor Management 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.

3.3.20 (2) Site specific induction training

The Principal 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, general hazards prevalent on the construction site, construction risk assessment, rules and regulations, and other related aspects. The induction training should also include identification of sensitive features such as wetlands/vlei areas, red data species, graves, etc.

3.3.20 (3) Visitors to site induction

1. Visitors to the site shall be required to undergo and comply with the principal contractor's 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.

3.3.20 (4) General training


The Principal Contractor will be required to ensure that before an employee commences work on the project, 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 Principal Contractor is to ensure that the supervisor has satisfied himself that the employee understands the hazards associated with any work to be performed by conducting task/job observations.

The Contractor shall also record in the OHS File:

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- Information about removal or dismantling of installed plant and equipment.
- OHS information about equipment cleaning and maintenance programmes.
- Nature, location and markings of services.

The OHS file must be kept on site and must be available on request for Audit, document verification and inspection purposes.

The OHS File shall be handed over to the Eskom Project Manager on completion of the last of the Defects Notification Periods and prior to the issue of the Performance Certificate.

3.3.21 Employee Engagement and Behaviour Based Safety

The Contractor shall ensure that all personnel are participating in a suitable Employee Engagement Programme. The Contractor shall ensure the employee engagement programme includes for adequate training for Supervisors to conduct wholesome observations and feedback to employees conducting work on the mentioned sites. This training shall focus primarily on unsafe behaviours of employees as opposed to unsafe conditions on the Project Site. It is also important for the Contractor to recognize those individuals who are performing their work in an exemplary safe manner.

The Contractor shall retain suitable anonymous data from the programme and use these leading indicators to support their safety programme.

The Contractor shall establish a system that fully encompasses their subcontractors and applicable service providers and shall ensure that the engagement programme prioritises high risk activities.

The contractor will make sure that this data is available to the Eskom when requested.

3.3.22 Housekeeping and Order

The Principal Contractor shall maintain a high standard of housekeeping within their sites and vehicles for the duration of the project.

Prompt disposal of waste materials, scrap and rubbish is essential.

Materials/objects shall not be left unsecured in elevated areas –falling objects may cause serious injuries/fatalities.

Nails protruding through timber shall be bent over or removed so as not to cause injury.


All packaging material including boxes, pallets, crates, etc. to be removed from the work area immediately.

On completion of his / her work, the contractor is responsible for clearing his / her work area of all materials, scrap, temporary buildings and building bases to the satisfaction of the client/agent.

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In cases where an inadequate standard of housekeeping has developed, compromising safety and cleanliness, anyone has the responsibility to bring it to the attention of the principal contractor in the first instance and the Eskom project/site manager in the second instance.

The Eskom Project/Site Manager has the right to instruct the Principal Contractor and appointed contractors to cease work until the area has been tidied up and made safe. Neither additional costs nor extension of time to the contract shall be allowed as a result of such a stoppage. Failure to comply with this requirement will result into site cleaning by another cleaning contractor company at the cost of the principal contractor.

The principal contractor shall carry out regular safety/housekeeping inspections (at least weekly) to ensure maintenance of satisfactory standards. The Principal Contractor shall document the results of each inspection and shall maintain records for viewing.

3.3.23 Stacking

Before stacking any material on Eskom site, the Contractors or their employees must consult the Contract Manager for authorisation to use such an area for stacking purposes. This is to prevent haphazard arrangements.

Adequate care must be taken by the Contractor to ensure that storage and stacking is carried out correctly and safely.

Correct shelf stacking must be carried out, heavy and bulky on the bottom, light and small on top.

3.3.24 Workplace Signage and Colour Coding

Symbolic safety signage shall be displayed where it is required by legislation.

All symbolic safety signage shall conform to the requirements of SANS standard 1186.

Signs shall be positioned to be seen from most positions within the work sites / areas.

All signage must be clear at all times and be replaced timeously when worn out.

Contractors establishing sites must erect a company sign at their site offices to reflect the name and contact details of the: Site Supervisor; Health and Safety Manager/Practitioner; First Aider; Health and Safety Representative and Evacuation warden.


The location of every first aid box; fire extinguisher and emergency exit is to be clearly indicated by means of a sign.

When using, an explosive power tool the appropriate signage shall be erected, warning people of its use.

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Contractors shall provide signage where work is conducted and where unauthorised entry is prohibited and/or where alerting and cautioning passers-by to be aware of potential dangers.

The meanings of the appropriate symbolic signage must be discussed during induction training and toolbox talks.

Where possible, within workshops, work areas and established premises, the appropriate sign indicating the meaning of symbolic safety signs must be displayed.

3.3.25 Tools and Equipment

The Principal Contractor shall ensure that all tools and equipment are identified, safe to be used and is maintained in a good condition.

Principal Contractor shall ensure that all tools and equipment are listed on an inventory list, be regularly inspected at least monthly or as required by legislation and risk assessments. The equipment should be numbered or tagged so that it can be properly monitored and inspected.

Where applicable, tools and equipment must have the necessary approved test or calibration OHS plan. Maintenance calibration shall be undertaken in terms of the manufacturer's requirements.

All fuel driven equipment must be properly maintained in accordance with the manufacturer's recommendations and legal requirements.

Eskom reserves the right to inspect tools or items of equipment brought to site by contractors for use on this project.

Should Eskom personnel find any item that is inadequate, faulty, unsafe or in any other way unsuitable for the safe and satisfactory execution of the work for which it is intended, the Eskom personnel shall advise the contractor in writing and the Contractor shall forthwith remove the item from site and replace it with a safe and adequate substitute.

Where defective tools and equipment's are identified, such tools and equipment shall be removed out of site immediately, locked away to prevent further use until such time as the tool or piece of equipment has been repaired.

Contractors shall ensure that the appropriate records are kept for all tools and equipment used on the project. Such tools and equipment's shall be subjected to regular inspections.

Note: In such cases, the contractor shall not be entitled to extra payments or extensions of time in respect of delay caused by Eskom's instructions.


3.3.25 (1) Hand tools

All hand tools (hammers, chisels, spanners, etc.) must be recorded on a register and inspected by the construction supervisor on a monthly basis as well as by users prior to use.

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Tools with sharp points in toolboxes must be protected with a cover.

All files and similar tools must be fitted with handles.

No makeshift tools are permissible on the project.

3.3.26 Personal Protective Equipment (PPE) Requirements

The Principal Contractor must provide a detailed programme that includes the issuing, maintenance and replacement of PPE for all his employees and Appointed Contractors on site. The Principal Contractor, when making a bid for this project shall provide a breakdown list of the PPE requirements and the costing of such requirements.

All Contractors shall comply with the requirements of GSR 2 of the OHS Act.

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.

Where there are unusual instances where particular activities require additional type of PPE, then a risk assessment must be conducted where such PPE requirements will be identified, and the issuing be carried out.

All Contractors shall ensure that their visitors wear and use the correct PPE whilst on worksites.

Where PPE is required and visitors are not in possession of, then it is the individual Contractor's responsibility to provide the PPE.

All PPE purchased and used by all Contractor employees including visitors must comply with the relevant SANS standards and Eskom PPE specifications.

Where deemed as a requirement, then high visibility vests shall be worn.

The Contractor shall discuss the PPE requirements and make employees aware of the PPE limitations as per manufactures requirements and a record of such communication be kept and filed in the site specific Contractor's OHS file.

3.3.26 (1) Issue, Replacement and Control of PPE

1. The Principal Contractor must provide a detailed PPE procedure for the control and management of PPE on site.
2. The Principal Contractor is required to keep an updated register of his employees PPE Needs Analysis matrix, and signed employees PPE issued checklists, including that of his Contractors.


3.3.27 Contractor Auditing

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3.3.27 (1) Post Contract review of Safety performance for the duration of the contract

The Contract Custodian has to inform the Supplier about the OHSKPIs before work can commence, and Annexure D can be used as a guideline. The Contractor performance monitoring process will be applied based on the risk of the project. The OHS Professional will assist the Contract Custodian with setting the OHSKPIs and shall prepare the OHS component in preparation for the review process, that is, Audit reports and the OHS compact/contract, inspections, minutes, presentations, etc.

3.3.27 (2) Approval and compliance of Principal Contractor OHS Plan

The Principal Contractor's OHS Plan will be audited against compliance checklist so as to verify compliance to the Eskom OHS requirements. Once there is compliance only then will the Principal Contractors OHS Plan be accepted by the OHS Professional and approved by the Project Contract Manager or an Appointed Eskom Contract Custodian. The implementation of the OHS Plan shall be assessed / audited by Eskom personnel on a regular basis. This will include physical conditions evaluation.

3.3.27 (3) Eskom OHS performance monitoring Audits

Eskom shall evaluate the Principal Contractors continual OHS performance on an ongoing basis against the legal, Eskom requirements, these OHS requirements and the Contractors OHS Plans. Eskom shall conduct risk-based inspections, audits, and blitz inspections to monitor OHS compliance and adherence to the OHS Plan by the Contractor.

Note: Eskom reserves the right to conduct unannounced audits on Contractors

There will be monthly Audits conducted by Eskom on the Principal Contractor/s and/or Appointed Contractors. These Audits shall be attended by the Contractor's Contract Manager and / Contract Supervisor, Contractor SHE Rep and/or Contractor's representative.

If there are any findings / non-compliance identified as serious in these Audits, an activity will be stopped for that specific Principal Contractor and Appointed Contractor. Refer to section on "Work Stoppage" in these OHS requirements.


3.3.27 (4) Principal Contractor Audits

Principal 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 Project Contract Manager within one week after completion of the

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Audit. Where Appointed Contractors are audited by the Principal Contractor a copy of the Audit report shall be submitted to the Appointed Contractor within 7 days of the audit.

3.3.27 (5) Site Inspections by Contractors' Management

The Principal Contractor should conduct regular site inspections monitoring for OHS compliance on a weekly basis. The Contractor should make arrangements to accommodate the Eskom Project Contract Manager or his representative on this inspection.

3.3.28 Non-Conformance and Compliance

Any non-compliance to any health and safety requirement in this OHS requirements is subject to discipline in terms of the Eskom Procurement and Supply Chain Management Procedure (32-1034).

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.

The procedure for the issuing and closing off of non-conformance reports shall be strictly adhered to.

Contractor project management must monitor the close out non-conformances issued, in not doing so; any recommendations made may not be implemented.

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 Contract Manager to explain the non-conformance issued and what plan is in place to prevent a recurrence of the non-conformance.

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.

3.3.29 Site Rules

3.3.35 (1) Work Stoppage


The Eskom Project Manager is entitled to stop the execution of the Works and issue non-conformance notices for health, safety or environmental violations. Any non-conformances / findings / observations found during Audits / Inspections shall, where practicable, be raised, discussed and resolved with the Contractor.

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The conditions that can lead to work stoppages include but shall not be limited to:

- Management of change: This is when there are changes to the work environment (e.g. management / supervisory changes) and / or amendments with regards to the Employers rules and regulations and / or legislative amendments.
- Unsafe acts / behaviours by Contractor's Personnel.
- Unsafe conditions resulting from unforeseen hazards, changes in working procedures, unexpected weather conditions and malicious acts of vandalism.
- In the event of unsafe conditions being identified by any person, the process to be followed shall be:
 - The Eskom Project Manager shall be informed immediately.
 - The work activity shall be stopped immediately, and conditions made as safe as possible as an interim measure.
 - The affected workforce shall be removed from the work area and the Contractor shall correct the health and safety deficiencies by allowing only the people in the area that are competent to make the area safe.
 - The Contractor shall ensure that no other work is being performed in the area during this time. The area shall be barricaded, and a sign placed with the wording "Unsafe Area – Authorized Access Only". Where necessary, guards shall be posted to prevent entry.
 - The Eskom Project Manager shall review the affected parts / sections of the OHS Plan with the purpose of providing additional OHS information to the Contractor to enable the establishment of a safe working environment.
 - The Contractor shall revise the relevant sections in the OHS Plan to accommodate the changes.
 - The Eskom Project Manager shall review the revised provisions in the OHS Plan to ensure they are adequate and approve it before the work activity is commenced. The work activity / work area shall be subject to additional monitoring in the initial stages to ensure that safe conditions remain.
 - Before the workforce is allowed back in the area, the Contractor shall ensure:
 - The area is re-inspected by the Contractor's Health and Safety Officer and Contract Supervisor who shall note corrective actions taken;
 - Declare the area safe for work by signing off on the "work stoppage" notice issued by the Eskom Project Manager.


3.3.35 (2) OHS File

An OHS file means a file or other record in permanent form, containing the information about the safety and health management system during work and all information relating to the post-work phase shall be handover to the Client, so that the Client can maintain the works in a healthy and safe way.

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- All Contractors are required to keep an 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 work sites and shall be available on request for Audit and Inspection purposes.
- The OHS file shall consist of the requirements in terms of these project's OHS requirements, the Contractor's Safety and Health Plans.
- The sequence of filing the documentation must be kept in the same sequence as listed in these OHS requirements and the OHS Plan.
- Each record shall be separated by partitions to afford easy identification and access. Each partition must be labelled.
- On completion of the work/project, the Principal Contractor must hand over a consolidated health and safety file to the Project Manager. The Principal Contractor must also hand over all lists of materials used, and other applicable information about the completed structure, as well as the list of Appointed-Contractors, the agreements, and the type of work completed.
- 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.
- On completion of the project, all Appointed Contractors shall close out their project documentation; OHS files and forward such to the Principal Contractor. The Principal Contractor shall likewise close out his/her project documentation and OHS files and forward such to the Eskom Contract Manager.
- The contractor's OHS file or copy thereof shall be handed over to the Contract Custodian on completion of the project 10 days before the contract ceases. Eskom shall retain the OHS file for a minimum of 40 years.

3.3.35 (3) Smoking

The national notice relating to smoking of Tobacco products in public and smoking policy must be observed and adhered to. Smoking in Eskom is only permitted in designated areas (Eskom Smoking Policy 32-1126) shall be adhered to at all times by all smokers on Eskom sites.

Principal Contractor shall also develop their own smoking policy for the control and management of smoking within their respective project site.


3.3.35 (4) Cellular Phones

The national requirements and Eskom internal requirements regarding the use of cellular phones must be observed, in particular when driving and or operating mobile equipment and or machinery.

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3.3.36 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.

3.3.36 (1) Normal work

All work conducted on site shall fall within the legal requirements in accordance with the Basic Conditions of Employment Act. The Contractors shall notify their Eskom Contract Supervisor or Contract 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 Labour and Employment and /or the letter of approval from the Department of Labour and Employment.

3.3.36 (2) Night work

When night work is to be performed; Contractors shall provide sufficient lighting to enable the entire work site 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.

3.3.36 (3) Overtime

When overtime is required to be performed, the appointed contractors shall inform the principal contractor of such action. The principal contractor shall inform the Eskom project manager of such function. 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.


3.3.37 Record Keeping

The Contractor shall keep and maintain an OHS File at his Project site office in which records of these OHS requirements and the Contractor OHS Plan shall be kept in accordance with these requirements and requirements of the OH&S Act and other legal requirements.

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All information required in these OHS requirements and OHS Plan shall be recorded in the OHS file for the duration of the Contract.

- On completion of the project, all Appointed Contractors shall close out their project documentation; OHS files and forward such to the Principal Contractor. The Principal Contractor shall likewise close out his/her project documentation and OHS files and forward such to the Eskom Contract Manager.
- Eskom shall retain the OHS file for a minimum of 40 years.

3.3.38 Omissions from these OHS requirements

By drawing up these OHS requirements 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.

3.3.39 Contract completion/handover Sign-off

- On completion of the project, all Appointed Contractors shall close out their project documentation; OHS files and forward such to the Principal Contractor. The Principal Contractor shall likewise close out his/her project documentation and OHS files and forward such to the Eskom Contract Manager.
- Where applicable, it is the responsibility of the Contract Custodian to ensure that the final OHS demobilisation inspection is carried out a month before the contract end date is reached with the assistance of the OHS Professional or the Contractor leaves site.
- After a contract has ceased or ended, the Supplier must be evaluated on OHS performance throughout the project by the Contract Custodian, with the support of the OHS professional.
- The Procurement Practitioner shall ensure that post contract reviews are incorporated in the procurement process, to review the Supplier OHS performance during the execution of the contract and ensure that the assessment results are made accessible and available to relevant stakeholders for future reference.
- The output of the post contract assessment shall be submitted to Procurement (supplier management) for record-keeping purposes.
- The contractor's OHS file or copy thereof shall be handed over to the Contract Custodian on completion of the project 10 days before the contract ceases. Eskom shall retain the OHS file for a minimum of 40 years.

1. ACCEPTANCE

These OHS requirements have been seen and accepted by:


- Thando Poney – Property Management Facilities Manager
- Spindile Zinto – Procurement Manager

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- Xolile Myoyo – OHS Manager (Internal Employees)
- Lerato Noko – Snr Advisor Procurement

2. REVISIONS

| Date | Rev. | Compiler | Remarks |
|-------------|------|----------|---|
| August 2015 | 0 | F Poee | This provides the initial SHE specification requirements that must be met by the relevant contractors who have been awarded a contract for the work to be performed for Eskom. |
| Nov 2024 | 1 | V. Meke | <p>This provides the initial OHS requirements that must be met by all the Principal Contractors, Contractors, Service Providers and Suppliers who intends tendering for the contract supply and delivery of bulk water to commercial and multi-tenanted offices on an as and when required basis for the ECOU and all the Principal Contractor/s, Contractor/s, Service Provider/s and Supplier/s who will be awarded the contract for the contract works execution to be conducted at: Eskom Property Management various offices in Cape Coastal Cluster, Eastern Cape Eskom</p> <p>These OHS requirements shall be reviewed on Feb 2025.</p> |

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