

	<b>Occupational Therapy Services for Cape Coastal Cluster</b>	Template Identifier	240-73419711	Rev	2
		Document Identifier	002-4294920	Rev	0
		Effective Date	February 2016		
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**Project Name:** The provision of Occupational Therapy Service for the Cape Coastal

**Project Address:** Cape Coastal Cluster

**Scope of the project:** The provision of Occupational Therapy Service for Cape Coastal Cluster on and as when required.

**Eskom Contract's Manager**

**Name:** Paul B

**Eskom's Health and Safety Manager**

**Name:** Patiswa Rilityane

**Eskom's Procurement Manager**

**Name:** \_\_\_\_\_

**Eskom's Safety Officer**

**Name:** Lindi Dani

**Effective Date:** 07.07.2022

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## 1. Introduction

Eskom's responsibility and commitment is to ensure a safe working environment is in line with its Safety, Health, Environmental and Quality Policy, along with legislative obligations.

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

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

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

This SHE specification reflects minimum requirements and should not be construed as all encompassing.

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**Note 1:** All the requirements listed hereunder are in relation to the contract and do not supersede or replace any organizational SHE requirements.

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

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

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

## 2. Supporting Clauses

### 2.1 Scope

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

#### 2.1.1 Purpose

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

#### 2.1.2 Applicability

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


### 2.2 Normative/Informative References

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

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### 2.2.1 Normative

- [1] Basic Conditions of Employment Act No 75 of 1997.
- [2] Occupational Health and Safety Act and Regulations No 85 of 1993.
- [3] National Environmental Management Act 107 of 1998.
- [4] National Road Traffic Act 93 of 1996.
- [5] 32-37 Eskom Substance Abuse Procedure.
- [6] 240-62946386 Vehicle & Driver Safety Management Procedure
- [7] 32-136 Contractor Health and Safety Requirements
- [8] 32-245 Eskom Waste Management Standard
- [9] 240-62196227 Life-saving Rules
- [10] 240-43848327 Employees' Right of Refusal to Work in an Unsafe Situation Procedure
- [11] 32-95 Environmental, Occupational Health and Safety Incident Management Procedure

### 2.2.2 Informative

- [1] 32-726 Mandatory SHE Requirements for Eskom Procurement and Supply Chain Management
- [2] 240-62196227 Eskom Life Saving Rules
- [3] Tobacco Products Control Act 83 of 1993 (Updated 2011.05.19)
- [4] SANS 1186 Symbolic Safety Signs
- [5] Constitution of the Republic of South Africa No 108 of 1996

### 2.3 Definitions

Definition	Explanation
<b>Appointed contractor</b>	Means a contractor appointed by the principal contractor
<b>Baseline risk assessment</b>	(32-520) baseline operational risks refer to the health and safety risks associated with all standard processes and routine activities in the business

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<b>Definition</b>	<b>Explanation</b>
<b>Client</b>	Eskom representative (Internal – Asset Owner), also referred to as the contract administrator/custodian or agent or project manager (as defined in the contract). He/she is the person responsible for ensuring that the works or services are executed in terms of the contract, as well as adherence to legislation pertaining to the contract.
<b>Competent person</b>	(OHS Act) means any person having the knowledge, training, experience, and qualifications, specific to the work or task being performed, provided that, where appropriate, qualifications and training are registered in terms of the South African Qualifications Authority Act, 1995 (Act No. 58 of 1995)
<b>Contractor – includes appointed contractor</b>	means an employer as defined in section 1 of the Act who performs contract work and includes principal contractors
<b>Consultant</b>	means a person providing professional advice
<b>Duty of care to the environment</b>	(32-136) anybody who causes or has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing, or recurring. If such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, such person must minimise and rectify such pollution or degradation of the environment
<b>Employee</b>	(OHS Act) means, subject to the provisions of subsection (2), any person who is employed by or works for an employer and who receives or is entitled to receive any remuneration or who works under the direction or supervision of an employer or any other person
<b>Employer</b>	(OHS Act) means, subject to the provisions of subsection (2), any person who employs or provides work for any person and remunerates that person or expressly or tacitly undertakes to remunerate him/her, but excludes a TES (ex labour broker) as defined in section 1(1) of the Labour Relations Act 1956 (Act No. 28 of 1956)
<b>Eskom requirements</b>	Eskom requirements flowing from directives, policies, standards, procedures, specifications, work instructions, guidelines, or manuals

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<b>Definition</b>	<b>Explanation</b>
<b>Hazard</b>	(OHS Act) means a source of, or exposure to, danger
<b>Hazard identification</b>	(OHS Act) means the identification and documenting of existing or expected hazards to the health and safety of persons, which are normally associated with the type of construction work being executed or to be executed
<b>Health and safety file</b>	(OHS Act) means a file or other record, containing the information in writing required by the construction regulations.
<b>Health and safety plan</b>	(OHS Act) means a site, activity or project specific document plan in accordance with the client's health and safety specifications.
<b>Health and safety specification</b>	(OHS Act) means a site, activity or project specific document prepared by the client pertaining to all health and safety requirements related to construction work.
<b>Health and safety requirements</b>	means comprehensive health and safety requirements for a contract, project, site, and scope of work. This specification is intended to ensure the health and safety of persons, both workers and the public, and the duty of care to the environment. The health and safety requirements must be specific to each contract, project, site, and scope of work
<b>Medical certificate of fitness</b>	(OHS Act) means a certificate specific to the work to be performed and issued by an occupational health practitioner in the form of Annexure 3 of the construction regulations.
<b>Medical surveillance</b>	(OHS Act) means a planned programme or periodic examination (which may include clinical examinations, biological monitoring, or medical tests) of employees by an occupational health practitioner or, in prescribed cases, by an occupational medicine practitioner
<b>Method statement</b>	(OHS Act) means a written document detailing the key activities to be performed in order to reduce, as reasonably as practicable, the hazards identified in any risk assessment

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Definition	Explanation
<b>Organisation</b>	may be defined as a group of individuals (large or small) that is cooperating under the direction of executive leadership in accomplishment of certain common objects
<b>Pre-job meetings</b>	(34-227) means a meeting that is held prior to the commencement of the day's work and that is attended by all the relevant employees associated with the work task
<b>Principal contractor</b>	(In the text of this document) Means an employer, as defined in section 1 of the OHS Act, who intends to tender for or has signed a contract with Eskom for services rendered.
<b>Provincial director</b>	(OHS Act) means the provincial director as defined in Regulation 1 of the General Administrative Regulations under the Act
<b>Responsible Manager</b>	Is a Manager of a department, section or operating/business unit who has been appointed as part of the Eskom delegation of authority process with the aim to assist the applicable 16(2) assigned person in executing his/her duties in terms of the Occupational Health and Safety Act
<b>Risk assessment</b>	(OHS Act) means a programme to determine any risk associated with any hazard at a construction site in order to identify the steps needed to be taken to remove, reduce, or control such hazard.
<b>Site</b>	(34-228) means an Eskom department, unit, complex, building, specific project, work site, or the site where agents, clients, principal contractors, contractors, suppliers, vendors, and service providers provide a service to Eskom, directly or indirectly
<b>Service provider</b>	any private person or legal entity that provides any service(s) to Eskom for compensation
<b>Task</b>	(34-227) a segment of work that requires a set of specific and distinct actions for its completion

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Definition	Explanation
<b>Toolbox talks</b>	(34-227) where the team leader, after conducting pre-task planning, shares all the tasks at hand and discusses task allocation, the identified risks, and the control measures with all his/her team members on site before commencing a specific task and documenting the agreed strategy. (This shall be done to ensure common understanding of the tasks, risks, and control measures required.)
<b>The Act</b>	(OHS Act) means the Occupational Health and Safety Act No. 85 of 1993, as amended, and the Regulations thereto
<b>Visitor</b>	any person visiting a workplace with the knowledge of, or under the supervision of, an employer.

## 2.4 Abbreviations

Abbreviation	Description
<b>BU</b>	Business Unit
<b>CE</b>	Chief Executive
<b>COID Act</b>	Compensation for Occupational Injuries and Diseases Act
<b>CR</b>	Construction Regulations
<b>DMR</b>	Driven Machinery Regulations
<b>DoL</b>	Department of Labour (Inspection and Enforcement services – Provincial office)
<b>EP</b>	Emergency Preparedness
<b>EAP</b>	Employee Assistance Program
<b>ERfW</b>	Environmental Regulations for Workplaces
<b>GAR</b>	General Administrative Regulations
<b>GSR</b>	General Safety Regulations
<b>HCS</b>	Hazardous Chemical Substances
<b>LDV</b>	Light Delivery Vehicle

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Abbreviation	Description
<b>MSDS</b>	Material Safety Data Sheets
<b>NEMA</b>	National Environmental Management Act
<b>OHS Act</b>	Occupational Health and Safety Act and Regulations, 85 of 1993
<b>SABS</b>	South African Bureau Standard
<b>SANS</b>	South African National Standard

## 2.5 Related/Supporting Documents

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

## 3. Specification

### 3.1 Scope of work

**Occupational Therapy Service** - The contractor is required to conduct a full Functional Capacity Evaluation to all referred employees based in the Cape Coastal Cluster – covering Western Cape Province employees serviced by the following medical centres:

- Bellville Clinic
- Brackenfell Clinic
- Pieketsberg Satellite Clinic
- Worcester Satellite Clinic
- George Satellite Clinic

and Eastern Cape Province employees based in the following areas:

- East London
- Mthatha
- Queenstown

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- Port Elizabeth

The services to be rendered (only to the referred employees) include but not limited to the following:

- Medical consultation (detailed history taking on consultation)
- Sites visits where required
- Functional capacity evaluation or assessment
- Writing of the functional capacity evaluation reports for all referred employees.

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

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

## 3.2 Legal Compliance

### 3.2.1 Section 37(2) (Legal) Agreement

A section 37(2) agreement must be signed between Eskom and the principal contractor at the time of awarding the contract. The principal contractor must ensure that a section 37(2) agreement is compiled between the principal contractor and all their appointed contractors for the contract.

The original copy of the section 37(2) agreement must be retained by the contractor and a copy retained by the responsible manager.

A copy all the agreements must form part of the respective contractor’s SHE file.

### 3.2.2 Hazardous work by children (Child Labour)

The constitution of the Republic of South Africa, in the “Bill of Rights” is clear on the rights of children, especially when it comes to:

1. being protected from exploitative labour practices;
2. not to be required or permitted to perform work or provide services that
  - i. are inappropriate for a person of that child’s age; or

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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 an up to date copy of the OHS Act and regulations which will be available to all employees.

### 3.2.4 Legislative compliance

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

- The Constitution of the Republic of South Africa (particularly Section 24 of the Bill of Rights).
- Occupational Health and Safety Act 1993 (Act 85 of 1993) and its Regulations.
- Compensation for Occupational Injuries and Diseases Act.

## 3.3 Eskom Requirements

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

### 3.3.1 Appointment of a contractor

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

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### 3.3.2 Appointment of sub-contractors

The principal contractor may appoint contractors to assist in the contract. All appointments shall be done in writing and will form part of the SHE plan that is required to be submitted to Eskom. Adequate training and instruction must be given to the appointees and the principal contractor must ensure that all the appointed contractors understand their roles and responsibilities.

**Note:** Copies of contractor appointments must be kept in the respective SHE file.

### 3.3.3 SHE policy

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

The principal contractor and all appointed contractors, if already not in place, will be required to compile an organisational SHE policy in line with their SHE responsibilities. The policy must be signed by the organisation's CE or the appointed assistant to the CE OHS Act Section 16(2). The policy must be displayed in a prominent place within the workplace. A copy of the policy must be filed in all the contract SHE files and as an annexure the SHE Plans.

### 3.3.4 COID

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

## 3.4 SHE Plans

Note: The plan does not necessarily have to be split into and filed under each heading, but it would make auditing easier and employees able to reference easier. In compiling the SHE plan, cognisance must be taken of the detail listed in the specification and the plan must address as to how the contractor will implement the requirements listed in the specification.

1. A safety and health plan is a documented plan that addresses hazards identified and includes safe work procedures to mitigate, reduce, or control the hazards identified. It is specific to each contract project undertaken and site where work is done, is compiled by the

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principal contractor and appointed contractor, and must be approved by Eskom prior to the commencement of any contract activities.

2. The principal contractor shall prepare a SHE plan to address and manage all applicable sources of risk as well as any other sources of risk that are identified during the execution of the contract.

3. The plan shall incorporate the requirements as listed in this SHE specification. A copy of all the project plans shall be kept in the site SHE file and be available at all times.

4. The principal contractors SHE plan shall be submitted to the contract responsible manager for review and approval before the signing of the contract and, once accepted, shall not be amended without prior consultation and acceptance by the contract responsible manager.

5. The principal contractor shall insure that his/her appointed contractors prepare their SHE plan to address and manage all applicable sources of risk as well as any other sources of risk that are identified during the execution of the project. Their SHE plan shall incorporate the requirements as listed in this SHE specification as well as the applicable requirements listed in the principal contractors SHE plan. A copy of all the project plans shall be kept in the site SHE file and be available at all times.

6. The appointed contractor's SHE plan shall be submitted to the principal contractor for review and approval before the signing of the contract and, once accepted, shall not be amended without prior consultation and acceptance by the principal contractor. The principal contractor will be required to send a copy of the appointed contractors SHE plan to the Eskom contract responsible manager for information, approval and record retention.

### 3.5 Record Keeping

1. All records required in terms of legislative and Eskom requirements shall be kept and filed in the contractor's SHE files. These records shall be kept for the duration of the contract. They shall be open to audit/inspection by any party who is entitled to audit/inspect the contract.

2. Where a contractor is unsure as to which records are required to be kept, then advice must be obtained from the contract SHE functionary at the earliest.

### 3.6 SHE Files

1. A SHE file means a file or other record in permanent form, containing the information about the safety and health management system during the contract and all information relating to

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the post-contract phase after handover to the client, so that the client can maintain the works in a healthy and safe way.

2. All contractors are required to keep a SHE file on every contract site for the contract. If there is more than one site per contract, a file per site shall be kept at that site for that site. Contractors may keep additional files at their head office as additional records. The SHE file shall be maintained by all the contractors on their contract sites and shall be available on request for audit and inspection purposes.

3. The SHE file shall consist of the requirements in terms of the contract's SHE specification, the contractor's safety and health plans.

4. The sequence of filing the documentation must be kept in the same sequence as listed in this SHE specification and the SHE plan.

5. Each record shall be separated by partitions to afford easy identification and access. Each partition must be labelled.

6. On completion of the contract, the principal contractor must hand over his/her and any appointed contractors consolidated SHE file to the Eskom contract responsible manager. The principal contractor must also hand over all drawings, designs, lists of materials used, and other applicable information about the completed structure, as well as the list of appointed contractors, the agreement, and the type of work completed.

7. Similarly, appointed contractors are required to hand over all the documentation as listed for the principal contractor, to the principal contractor.

8. Where during extended projects, documentation in the SHE files becomes cumbersome, then older documentation must be archived inboxes which shall be correctly labelled and be available for auditing purposes. The archived documentation must be also handed over at the completion of the project.

### 3.7 Personnel Health / Hygiene Facilities

#### 3.7.1 Dining areas

Where employees are required to consume food and refreshments at the food premises, the following must be complied with:

1. The contractor must be in possession of the Certificate of acceptability, to comply with Regulation 916.

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2. Undergone Safety Audit as per SANS 10049: Water Sample tests done, Microbiological tests done, Audit of the food Safety process done.
3. Dining areas shall have suitable and sufficient tables and chairs for seating whilst eating.
4. Adequate provision for washing, cooking and eating utensils must be provided for.

Dining and kitchen areas shall be kept in a clean, tidy and hygienic manner.

### 3.7.2 Ablution facilities

At the workplace, where possible, the all contractors must attempt to provide sufficient portable ablution facilities for the employees. Such facilities must be serviced regularly.

### 3.7.3 Drinking water

All contractors 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.

## 3.8 Occupational Health, Hygiene and Rehabilitation

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

### 3.8.1 Medicals

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

1. Principle contractors must ensure that their and their appointed contractors have a medical surveillance program whereby their employees under go entry, periodic and exit medical fitness examinations.
2. In order for the appropriate medical examinations to be conducted, each employee must have a person job specification (profile), which must indicate the description of

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work, list of hazards and potential occupational exposure limits, physical hazards and required physical attributes.

3. For employees working on the contract, medical fitness certificates shall be renewed annually for employees who are not office bound including drivers and once every 3 years for employees that are office bound. This shall be maintained until completion of the contract.
4. The Principal Contractor must ensure that his / her employees and sub-contractor employees have undergone pre-entry medical examination before starting work on the contract, should it be for longer than three (3) days.
5. The principal contractor shall provide a documented process for managing those employees who are issued with a conditional certificate of fitness.

### 3.8.2 Health and wellness HIV / Aids

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

### 3.9 Appointments

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

#### 3.9.1 Statutory appointments

- OHS Act Section 16 (2) Assistant to Chief Executive.
- OHS Act, Section 17 – Health and Safety Representative.
- OHS Act General Administrative Regulation 9(2) – Incident Investigator.
- OHS Act General Safety Regulations 3(4) – First Aider/s.
- OHS Act Construction Regulation 7(1) (c) (v) and 7(3) – Contractor
- OHS Act Section 8 - Person to Perform Risk Assessments.

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### 3.9.2 Non-statutory appointments

- Eskom requirement (OHS Act: Construction Regulations 29(h)) – Competent person to develop and Maintain an Emergency Plan.
- Eskom requirement – Firefighting Equipment Inspector.
- Eskom requirement- Stacking and Storage Supervisor.

### 3.10 Roles and Responsibilities

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

### 3.11 Risk Assessments

It is a legal requirement in terms of Section 8 (2)(d) of the OHS Act for an employer to carry out risk assessments to establish what hazards to the health and safety of persons are attached to any work which is performed, any article or substance which is, handled, stored, transported. A risk assessment is defined as an identification of the hazards present in an organisation and an estimate of the extent of the risks involved, taking into account whatever precautions are already being taken. It is essentially a three stage process:

- identification of all hazards;
- evaluation of the risks;
- measures to control the risks.

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

#### 3.11.1 High-risk activities

- Driving on public roads

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- Transporting of materials (tools)
- Slips, trips and falls
- Hand and finger injuries
- Housekeeping
- Risk of working with intoxicated employee

### 3.11.2 Baseline Risk Assessment

High risk activities should appear in the contractors' baseline risk assessment. The contractor should provide mitigation measures for risks identified. These mitigation measures should be at minimum in line with statutory and Eskom requirements.

### 3.11.3 Continual Risk Assessments

All contractors must conduct continual risk assessments throughout the contract, especially where risk profiles have changed. These are to be compiled and filed in SHE File.

## 3.12 Incident Investigation

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

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

### 3.12.1 Reporting

1. All occupational health, safety and environmental incidents including near misses occurring at work shall be reported to the relevant supervisor / manager as soon as practicable but before the end of the shift.

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2. All section 24 incidents shall be reported to the provincial inspector of the DoL and section 25 incidents shall be reported to the chief inspector of the DoL.

### 3.12.2 Investigation

1. All incidents must be investigated in terms of the OHS Act sections 24 and 25 and GAR 8 and 9, and conducted in terms of document Eskom Procedure Manual for conducting EH&S Incident Management 32-95.

2. Investigations shall be conducted within 7 days of the incident by a competent investigator.

3. A comprehensive and detailed investigation report shall be submitted to the Eskom responsible manager within 7 -14 days after the incident.

4. All incidents that were in contravention of any one of Eskom's lifesaving rules must be presented by the relevant contractor manager to the responsible manager and where required to the OU responsible manager.

### 3.12.3 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 OU Risk Manager. An incident investigation recommendation to be closed out within 90 days after incident is reported. Close out procedure ideally must be done as soon as practicable. Undue time delays must be avoided.

### 3.13 Environmental Management

1. One of Eskom's environmental strategies is the development and implementation of an environmental management system (EMS). Linked to this is a requirement for the development and implementation of environmental management programmes (EMPs).

2. Contract organisations are expected to develop strategies in order to prevent any environmental impact in relation to the type business they conduct.

**Note 1:** Environmental protection shall include, but not be limited to, noise pollution, gaseous emissions, noxious and/or offensive odours, liquid waste collection and solid waste separation and collection.

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3. Contractors shall be conversant and in the course of carrying out the contract works shall comply with the provisions of all Acts, regulations, ordinances, by-laws, Standards, Codes, Rules and requirements of public, municipal and other authorities.

4. The Eskom audit team may at any time without notice to the contractors examine and investigate the contractors' compliance with all applicable legislation and the environmental management conditions.

5. At all times during the execution of the works, the contractor shall preserve and protect the natural environment in the general area of the site and the external areas that may be affected by his/her operations.

6. Environmental protection shall include, but not be limited to, the following issues:

a) Noise pollution, gaseous emissions, noxious and/or offensive odours, liquid waste collection and solid waste separation and collection.

### 3.13.1 Duty of care

Where the contract involves working directly and or indirectly with the environment, contractors shall take care in preventing environmental degradation, throughout the contract. Where tasks involve damaging the environment, then the contractor shall rehabilitate such damage to its original contract state.

### 3.13.2 Environmental Incidents

1. All environmental incidents must be reported and investigated in terms of paragraph 3.8 of this specification.

2. All environmental incidents occurring at the workplace must be recorded, detailing how each incident was dealt with. Proof thereof must be kept in an incident register.

3. The Contractor will be held liable for any infringement of statutory requirements of the Environmental Conservation Act, No 73 of 1989, or any other relevant legislation.

### 3.13.3 Waste management

1. If not already in place, all contractors must compile a waste management plan before commencing of work.

2. A register of hazardous waste must be kept which will include a record of disposal.

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3. Where applicable and work is performed outdoors, no waste, whether it be biodegradable or not, is to be left on the worksite once work has ended.

4. All waste, including domestic and hazardous waste generated will not be burned, buried, or disposed of on any landowners' property. All waste must be removed to a registered waste site on a regular basis. (Daily / Weekly) and where material waste is to be returned to a storage facility, this will be done in terms of the disposal procedure for such material.

5. The contractor and sub-contractor working on site must ensure that oil, fuel, and chemicals are confined to specific and secure areas throughout the contract period. These materials must be stored in a bunded area with adequate containment for potential spills and leaks.

6. All oil-based waste material shall be kept segregated and placed in sealed 200 litre drums. This material shall be disposed of through a recognised oil recycling company.

### 3.14 Emergency Management

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

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

#### 3.14.1 Emergency Preparedness

1. Periodic emergency drills must be undertaken to test the effectiveness of the plan. This must be recorded and provided on request.
2. The plans must accommodate offices, workshops, work outdoors and work within neighbouring establishments.
3. Contractor management must ensure that sufficient number of employees is trained in the various disciplines to be able to afford prompt response in dealing with the relevant emergency and evacuation.

##### 3.14.1.1 Offices

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The EP plans must accommodate on how to react to emergency situations such as, fires, work injuries, bomb threats, building evacuation, political unrest, the contacting of the various emergency services etc.

#### **3.14.1.2 Work Areas**

When preparing worksite / workshop EP plans, cognisance must be made as to the locality of the site / shop and the response time for the emergency services. Where sites are remote, contractor management must ensure that sufficient number of employees is trained in the various disciplines to be able to afford prompt response attention.

#### **3.15 Fire Risk Management**

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.

##### **3.15.1 Offices / work sites**

1. Contractors must adhere to the fire safety procedure for the office, buildings and workshops, which they're allocated to. These procedures must meet the requirements of the local authority fire department and the OHS Act Environmental Regulations for Workplaces, regulation 9.

2. The contractor and all their employees must familiarise themselves with the relevant fire plan. This includes emergency escape routes, locations of appropriate fire extinguishing equipment, appropriate signage, maintenance of the extinguishing equipment, location of the equipment, appointments of fire officials.

3. The storage of flammable substances within offices, buildings and workshops is prohibited. Such storage shall be done in the appropriate flammable liquid storage facilities located away from buildings.

4. A suitable fire warning system for alerting personnel to a fire shall be provided, and capable of being heard in all areas of the building.

##### **3.15.2 Inspection Records**

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.

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### 3.16 First aid and Equipment

All the requirements as listed in GSR 3 must be met by the contractor for the duration of the contract.

#### 3.16.1 Boxes and Equipment

1. First aid boxes, where not already available, must contain as a minimum, the contents as listed in the Annexure of the GSR.

2. In equipping boxes, cognisance must be made of the hazards associated with the work being performed and the contents be sufficient to treat injuries until such time as the emergency services are able to take over treating the injured.

### 3.17 Transport/Mobile Plant Equipment

Where the principal contractor and/or appointed contractor will be delivering the finished products to the various

Eskom sites, then the under mentioned requirements must be met.


1. All motor vehicles driven / operated by contractors within the contract shall, in all respects, comply with the National Road Traffic Act.
2. Designated drivers shall be in possession of the relevant driver's licence, valid for the class of vehicle.
3. The driver's license shall be kept by the person so authorised and shall produce such license on request.
4. Contractor management must keep copies of the relevant drivers' licenses and monitor the validity of the licences. It must be understood that this does not absolve the license holder from the responsibility of ensuring that their license remains valid.
5. When driving on rural roads, care and caution must be exercised due to rough and uneven terrain and reckless third party drivers.
6. Drivers of vehicles and mobile equipment must have respect for landowners property and roads if and when travelling on them.

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7. Where possible the landowners access roads must be used. If deviations from the access roads need to be made, then permission shall be obtained from the landowner before making such a deviation.

8. No drivers or operators may text or talk on cell phones or two way radios whilst driving, unless a hands free kit is used.

9. It is a driver's responsibility to ensure that the vehicle and/or equipment they drive on any road is road worthy and complies with the requirements of the National Road Traffic Act.

10. Whilst on the Eskom contract and travelling for the contract, contractors are not permitted to transport passengers in the back of LDV's and trucks.

11. The speed limit within the bounds of the delivery site must be determined by the principal contractor or the contractor manager for that site.

12. Contractors shall be solely responsible for the safety and security of any of their vehicles (including private vehicles) on their or landowners premises.

13. All contractor vehicles that are permitted to enter the worksite and landowners property, shall have organisational identification markers on their vehicles.

14. Where vehicles, mobile plant and equipment has to be refuelled on site, this will be done under caution and every effort must be made to prevent any spillage and the starting of fires. The vehicles, mobile plant and equipment must be bonded to prevent static build up.

15. It is the responsibility of the driver to ensure:

- a) He/she and their passengers wear seat belts whilst the vehicle is in motion.
- b) Comply with all traffic road rules, safety, direction and speed signs.
- c) Ensure that vehicle loads are properly secured prior to moving off.
- d) Ensure that vehicles are not overloaded.

16. All drivers who are in possession Professional Driving Permits (PDPs) are to have valid medical fitness certificates.

17. Contractors must maintain their vehicles in a roadworthy condition and the vehicle license shall be valid.

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18. Contractor vehicles can be subjected to inspections by an Eskom representative. Vehicles which are not roadworthy will not be allowed onto the site.

19. Drivers/operators shall be responsible for the travel-worthiness of all loads conveyed by them.

20. Precautions shall be taken to secure all loads properly. Loads projecting from vehicles shall be securely loaded and in daytime a red flag and during darkness a red light or red reflective material shall be attached to the extreme end of such projecting material.

21. Where vehicles have seating for passengers, then seats are required to be firmly affixed to the vehicle with seat belts adequate for the number of passengers being transported;

22. Contractors are to ensure that visibility (e.g.: switching on of lights, reflectors, rotating lights etc.) is enhanced on all construction vehicles in order to be easily seen whilst travelling.

23. All vehicles and driven mobile equipment over 2 ton, when reversing must have a hooter/beeper, which

24. Sounds when the vehicle and equipment is reversing.

### 3.18 Housekeeping & Order

1. All contractors shall maintain a high standard of housekeeping within the work sites and for the duration of the contract.

2. 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.

3. The Eskom contract responsible manager has the right to instruct the principal contractor and his 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.

### 3.19 Personal Protective Equipment Requirements

1. The principal contractor, when making a tender for this project shall provide a breakdown list of the specialised PPE requirements and the costing of such requirements. Similarly,

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appointed contractor must provide the same requirements when bidding with the principal contractor.

**Note1:** Where the organisation, by virtue of performing work is required to provide such PPE in terms of the OHS Act, cannot now list the purchasing of the equipment which ordinarily would be a standard requirement. The essence of the requirement in paragraph 1 is for the purchase of specialised PPE which will be required for this specific contract and is not purchased as a norm.

2. All contractors shall comply with the requirements of GSR 2 of the OHS Act.
3. A PPE matrix must be compiled detailing the types of PPE that is required to be issued to employees performing the respective tasks for the contract.
4. 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 accordingly.
5. Where PPE is required and visitors are not in possession of, then it is the individual contractors responsibility to provide the PPE.
6. All contractors shall ensure that their visitors wear and/or use the correct PPE whilst on worksites.
7. All PPE purchased and used by all contractor employees including visitors at/to the worksites, must comply with the relevant SANS standards or the relevant internationally recognised authority standards.
8. No inferior PPE will be accepted or used during and for the contract period.

### 3.19.1 Issuing / Wearing

1. The Principal contractor must provide a detailed programme on the issuing, maintenance and replacement of PPE for all his/her employees and require the same from the appointed contractors.
2. The Principal contractor and appointed contractors are required to keep an updated register of all PPE issued.

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3. Strict non-compliance measures must be administered to any employee and/or visitor not complying with the use of PPE.
4. Where working at height, only double lanyard safety harnesses are permitted and must be used.
5. When working with hazardous chemical substances, suitable eye protection, gloves and special overalls shall be worn.
6. Appropriate ear protection shall be worn in any designated noise zone.
7. Suitable respirators shall be provided where gas and/or dust could pose a hazard.
8. Symbolic signs (To comply with SANS 1186 Symbolic Safety Signs) indicating the type and use of PPE will be placed at all entry points to the construction site.
9. Where work sites have been identified as specific PPE wearing areas / sites then the appropriate signage shall be erected at the area / site or placed on such machine / construction equipment.

### **3.19.2 Inspections**

1. Contractor supervisors are required to perform weekly inspections of the PPE issued to their employees to ensure that the PPE is still in a serviceable condition and the PPE is available on site
2. Inspections must be documented.

### **3.19.3 Training**

1. All contractors shall ensure that their employees are informed / trained and understand why the PPE is necessary, and in the use, care and maintenance thereof.
2. Thereafter, all employees shall sign an undertaking to wear such PPE supplied to them.


### **3.20 Safe Work Procedures and Practices**

All medium and high risk procedures that pose a risk to injury and or damage must have written safe work procedures (consider COVID 19 risks). Risk Assessments should refer to the safe work procedures.

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### 3.21 Disciplinary Process

#### 3.21.1 Organisational process

If not already in place then the principal contractor is required to implement a disciplinary process within his/her organisation to enforce conformance to requirements. Similarly, appointed contractors are required to do the same.

#### 3.21.2 Eskom Lifesaving Rules

**Note:** This is a requirement if the supplier performs work on an Eskom premises or travels or transports Eskom goods and equipment.


1. Eskom views health and safety in high esteem and encourages that any organisation who performs work for 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 sub-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 the guard huts), then the rules shall be obeyed by any contractor and their employees.
4. These rules are:

Rule	Description of Rule
Rule 1	<b>OPEN, ISOLATE, TEST, EARTH, BOND, AND/OR INSULATE BEFORE TOUCH</b>
Rule 2	<b>HOOK UP AT HEIGHTS</b> Working at height is defined as any work performed above a stable work surface or where a person puts himself/herself in a position where he/she exposes himself/herself to a fall from or into.
Rule 3	<b>BUCKLE UP</b> No person may drive any vehicle on Eskom business and/or on Eskom premises: Unless the driver and all passengers are wearing seat belts.

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Rule 4	<b>BE SOBER</b> No person is allowed to be under the influence of intoxicating liquor or drugs while on duty
Rule 5	<b>PERMIT TO WORK</b> Where an authorisation limitation exists, no person shall work without the required permit to work.

5. Eskom will take a stance of zero tolerance on these rules.

6. Non-compliance to a Life Saving rule will be considered serious misconduct and will lead to serious disciplinary action, which may include dismissal.

7. This is to ensure that every person who works on or visits an Eskom work site returns home safely to his or her family.

### 3.21.3 Non-Conformance and Compliance

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

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### 3.22 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, or working on, any of Eskom's equipment and premises, similarly contractors should adopt the same principles.
2. General Safety Regulation 2A is clear on the legal stance regarding intoxication.
3. Contractors are encouraged to compile their own manual and to carry out regular testing of their own employees. The legislative alcohol level is deemed to be zero percentage (0%).
4. Persons are not permitted from entering or remaining on or at a workplace whilst under the influence of either or both substances, not permitted to be under the influence or consume intoxicating substance whilst at / in the workplace. There is provision regarding the taking of medication
5. All contractors shall comply with Eskom's procedure 32-37 ("Substance Abuse Procedure") whilst being on any Eskom premises, remembering that this is an Eskom Life Saving Rule: "RULE 4: BE SOBER", that is to say, they will make themselves available to be tested by Eskom as and when required.
6. Test records must be treated as "Confidential" and filed in the employee's personal file.

### 3.23 Tools and Equipment

1. All tools and equipment for the duration of the Eskom contract shall be in accordance to legislative requirements.
2. Contractors shall ensure that all tools and equipment are identified, safe to be used and are maintained in a good condition.
3. Tools and equipment must be inspected at least monthly or as required by legislation. Equipment should be numbered or tagged so that it can be properly monitored and inspected.

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4. Where applicable, tools and equipment must have the necessary approved test or calibration documentation and maintenance calibration must be undertaken in terms of the manufacturer's requirements.

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

6. Eskom functionaries reserve the right to inspect tools or items of equipment brought to site by contractors for use on this contract.

7. Should the Eskom functionary find that any item 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 functionary shall advise the contractor in writing and the contractor shall forthwith remove the item from the site and replace it with a safe and adequate substitute.

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

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

### 3.23.1 Hand Tools

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

2. Tools with sharp points in tool boxes must be protected with a cover.

3. All files and similar tools must be fitted with handles.

4. No make shift tools are permissible on the contract.

### 3.24 Public Health and Safety

1. Legislation requires that employers shall be responsible, as far as reasonably practicable, for safeguarding persons other than those in their employment who may be directly affected by their activities so that they are not exposed to hazards to their health or safety (section 9 of the OHS Act has reference).

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2. A member of the public is any non-employed person(s) who could be directly or indirectly exposed to an organisations products or activities.

3. Eskom upholds the rights of the members of the public and maintains an awareness and educational programme to protect the public against the risks that may arise out of, and in the course of, Eskom's activities. Similarly, contractors shall share the same respect for the public.

4. Contractors, where working in any area where members of the public have access or can approach the work site, will be approached by the public for reasons of inquisitiveness, members airing complaints, vandalism, theft, public unrest, intimidation, stray/wandering animals, etc., will implement such measures to prevent access to the public and at the same time will place great emphasis on public safety.

5. Contractors shall factor in, in their safety plan, how they intend safeguarding/controlling any members of the public against their activities during the project, without damaging Eskom's name and reputation. Assistance/information in this regard can be sought from the Eskom contract responsible manager.

### 3.25 SHE Communication Systems

1. If not already in place, the principal contractor/s and their appointed contractors must develop a communication strategy outlining how they intend to communicate SHE issues to their staff, the mediums they will employ and how they will measure the effectiveness of their SHE communication. Below is a brief on how communication should take place.

2. Where contract meetings are conducted at the premises, SHE shall be included as a standing agenda point and minutes of these meetings shall be available at the premises at all times.

3. Minutes of meeting must be compiled and filed in the relevant SHE files. All employees shall have access to these minutes.


4. Attendance lists shall be kept for all the health and safety meetings.

5. It is a requirement that all employees attend and are involved in health and safety committee.

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### 3.25.1 Statutory Health and Safety Committees

1. If not already in place, the principal contractor shall establish a statutory health and safety committee in terms of Section 19 of the OHS Act.
2. Similarly, appointed contractors shall establish their own statutory health and safety committee.
3. All appointed contractors shall be members of the principal contractor's safety committee.
4. The Committee shall meet to discuss SHE issues concerning the current work being performed, training, upcoming work and SHE requirements, incidents and lessons learned, specific SHE problems, safety performance, action plans and other relevant SHE issues. Listed below is a preferred agenda.
5. SHE representatives for a workplace shall be members of the relevant workplace safety committees (Refer to Section 19 (2) (a) of the OHS Act).
6. 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)
7. A statutory health and safety committee meeting shall be held at least 3 monthly (can be more frequent if required), and all appointed members of the committee shall attend the meeting.
8. Statutory health and safety committees may make recommendations to the principal contractor and the Eskom contract responsible manager and the Inspector at the DoL.
9. All health and safety committees shall discuss all project incidents and relevant OHS Act Section 24 incidents and other notified serious incidents.
10. All health and safety committees shall follow up on incident investigation recommendations and shall keep record of all recommendations made by the committee.
11. Statutory health and safety committees may, where appropriate, make recommendations for the revision of current standards, procedures and practices.
12. The principal contractor and appointed contractors shall ensure that statutory and non-statutory health and safety committees carry out their duties.
13. The chairperson of all health and safety committees shall be selected and appointed by the contractor.

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14. The appointed chairperson must be competent to chair meetings and be able to make informed decisions.

### 3.25.2 Non-statutory health and safety committees

1. Where there are large worksites and not all employees can be accommodated in one meeting, then non statutory sub-committees 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.

### 3.25.3 Agenda

1. All health and safety committee meetings shall be covered by an agenda that is circulated or posted on a notice board at least three days before the meeting is scheduled to take place.

2. Ideally, the agenda for statutory and non-statutory safety committees should consist of the following subjects:

#### List of agenda items:

1. Matters arising from previous minutes.
2. Matters arising from Contractor's SHE meetings.
3. Audit results and feedback.
4. Review Health and Safety Representative Inspection Reports.
5. Review
  - a. Incident investigation reports
  - b. Non-Conformances
  - c. Announcements (near miss/injury/damage)
  - d. Follow up on recommendations made by the employer in incident investigation reports
6. Accident Prevention – Safety Promotion
  - a. Behavioural Observations / Planned Job Observations
  - b. SHE Training
  - c. Protective clothing and equipment
  - d. Incident Announcements / Recall
7. Forthcoming High hazard activities.

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8. Non-conformances.
9. Housekeeping.
10. Work permits.
11. Work procedures.
12. Hazardous materials / substances.
13. Fire Prevention.
14. Occupational Hygiene Assessments, Health Risks and Actions.
15. Security.
16. Construction vehicles and mobile equipment.
17. Rules, Instructions.
18. Public Safety.
19. Environmental Management.
20. Emergency Preparedness.
21. Statistics report.
22. Closure.

#### **3.25.4 Management Committees**

Where management meetings are conducted, SHE shall be include as a standing agenda point and minutes of these meetings shall be available on site at all times.

#### **3.25.5 Minutes and action items**

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.
5. All other meeting minutes where SHE 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.

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7. For principal contractor's meetings, a copy must be forwarded to the Eskom contract responsible manager within 7 calendar days. For appointed contractors, a copy must be forwarded to the principal contractor within 7 calendar days.

8. The relevant Eskom contract responsible 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.

### **3.25.6 Tool box talks / Daily team talks / pre job meetings**

1. A pre job 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 the back of that pre-job brief form, undertaking that they have an understanding of the tasks, risks and control measures required.

2. Tool box talks can be included in the pre-job brief meetings.

3. If the talks are held separately, ideally they then should be held weekly

4. The toolbox talk topics will be based on SHE issues pertaining to the work site and or the contract. The topic contents shall be in writing. Attendance registers with the topic listed shall be kept.

### **3.26 SHE Training**

#### **3.26.1 Eskom Safety Induction Training**

All contractors are to attend Eskom Safety Induction training before any project commences. The safety induction will be held on annual basis.

#### **3.26.2 Site specific induction training**

All contractor organisations should have an induction program, which will cater for all new and transferred in employees. Records of attendance must be kept for the duration of the employee's service.

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### 3.26.3 Site Visitors induction

Where there are visitors to the organisation's work site, ideally they should undergo a site induction in order to make them aware of the organisation's health and safety requirements and any associated risks at that worksite.

### 3.26.4 General Training

The principal contractor will be required to ensure that before an employee commences work on the contract that the supervisor in control with responsibility for the employee has informed the employee of their scope of authority, any hazards associated with the work to be performed as well as the control measures to be taken. This will include man-job specifications, the discussion of any standard 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 principal contractor shall ensure that all employees working on the contract have received the required training and are competent to perform the work assigned. Training records shall be filed in the SHE file.

## 3.27 Monthly Statistical Reports

Statistics is an integral part of the framework for measuring health and safety performance and assist in improving the organisation's health and safety performance.

1. The principal contractor must report to the Eskom contract responsible manager, by the 2nd of every month, their SHE statistics and those of their appointed contractors, specific to the contract and not as a total organisation,
2. The statistical information required is:
  - a) Name of contractors' company
  - b) Incidents: Lost time, medical; first aid, near misses reported
  - c) Manpower numbers per principal contractor and sub-contractor company
  - d) Actual man-hours worked
  - e) Status on incidents investigated and recommendations closed out.

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### 3.28 Planned Task Observations

1. Task observations are a crucial step in identifying any deviations from specified process and or procedures.
2. Contractors are required to carry out periodic task observations on employees who are more at risk and therefore need to be observed more frequently and more systematically than people who are at low risk.
3. Included in the observation process will be to identify any at-risk procedures as listed and/or not listed in the safe work procedures for that task.
4. Task observations may be conducted by an observer who is at least equally competent to conduct planned, unplanned or partial basis (all of which are important) observations.
5. Following a task observation, feedback and instruction must be given immediately to the worker who has been observed.

### 3.29 Auditing

#### 3.29.1 Compliance of principal contractor SHE plan

The principal contractor's SHE Plans will be audited against a compliance checklist so as to confirm compliance to the requirements in the Eskom SHE specifications. Once there is compliance only then will the principal contractors SHE plan be approved by the Eskom contract responsible manager or an appointed Eskom functionary. The implementation of the SHE plan shall be assessed/audited by Eskom functionaries on a regular basis, which will include physical conditions evaluation.

#### 3.29.2 Third Party Legal Compliance Verification Audits

All contractors involved in the contract may be subjected to a third party legal compliance verification audit that will be conducted on the contracts activities. A copy of the summary of the findings and the proposed corrective actions shall be submitted to Eskom contract responsible manager. The written report shall be submitted within one week after the completion of the audit.

#### 3.29.3 Eskom SHE audits

1. Eskom shall evaluate all contractor's SHE performance on an ongoing basis against the legal, Eskom requirements, SHE specification and the contractors SHE plans. A site / workshop inspection may form part of the audit.

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

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2. 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 or his / her representative.

3. If there are any findings / non-compliance identified as serious in these audits, work will be stopped for that specific principal contractor and appointed contractor company. Refer to section on "Work Stoppage" in this SHE Specification.

#### **3.29.4 Contractor audits**

Principal Contractors are required to conduct internal audits on both their employees and their appointed contractors on the implementation of their SHE plan on a monthly basis and when the scope of work changes. A summary of the findings and the proposed corrective actions shall be submitted to the Eskom contract manager within one week after completion of the audit. Where appointed contractors are audited by the principal contractor then a copy of the audit report shall be submitted to the appointed contractor on the last day of the audit.

#### **3.29.5 Supervisor Inspections**

Supervisors must conduct regular inspection of the work areas to ensure that a safe working environment exists and to correct any deviations noted. These inspections do not replace the inspections required to be done by the appointed Health and Safety representatives.

#### **3.30 Contract Rules**

The principal contractor shall compile a set of contract/site and general rules for the contract. These rules are a quick reference for all employees and for appointed contractors. Similarly, appointed contractors must compile a set of contract rules for their own organisations, which must complement the principal contractors' rules.

The principal contractor is fully responsible for the health and safety of his/her workers and his/her appointed contractors in accordance with the contract.

The subheadings below are an indication as to what rules could be made.

##### **3.30.1 Smoking policy**

The National smoking policy must be observed and smoking is permitted in designated areas only. (Eskom Smoking Policy 32-1126)

##### **3.30.2 Cellular phones policy**

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


##### **3.30.3 Health & Safety Representatives**

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1. The requirements of sections 17 and 18 of the OHS Act shall be complied with. If not already in place, contractors shall designate in writing, health and safety representatives for each workplace.
2. Health and safety representatives shall be nominated and elected by the employees.
3. Contractor managers shall permit their appointed health and safety representatives to carry out their functions as required by legislation and support them in fulfilling these functions.
4. The following are the functions:
  - a) Carry out monthly inspections of the workplace.
  - b) Be members of the company “statutory health and safety committee”, and attend such committee meetings.
  - c) Assist in company “incident Investigations”, and visit company incident scenes.
  - d) Review the effectiveness of company safety and health measures.
  - e) Investigate employee safety and health complaints.
5. Where deemed necessary, contractors may compile an organisation manual listing the duties, roles, and responsibilities of the health and safety representatives.

### 3.30.3.1 Checklists

When performing inspections, health and safety representatives must use an inspection check list as a reminder to enable them to cover all the risk areas within the work site / area of designation. This check list can be the inspection report or a separate formatted report can be submitted.

### 3.30.3.2 Inspection records

1. On completion of the inspection, health and safety representatives are required to compile an inspection report, listing the location, the deviation, who is responsible for actioning the deviation and a target date for completion.
2. Completed reports are required to be forwarded to the employer for their information, further comment on any recommendations for improvement and signature.
3. Thereafter, the report shall be tabled at the organisation’s statutory health and safety committee for discussion and further comment.

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4. The report is then returned to the originator to hand over to the relevant functionaries for their actions.

### 3.31 Unlawful Orders

1. Section 14 of the OHS Act stipulates that employees shall carry out any lawful order given to them. That is to say, they have the right to refuse to obey an unlawful order or work instruction.

2. In terms of the Legal and Eskom requirements, if an employee has a reasonable belief that the work to be undertaken is likely to endanger themselves or any other person/s due to at risk behaviour or working in unsafe conditions, or a lack of protective equipment or clothing, he/she has the right to refuse to work.

3. An employee may also in terms of Section 29 of the NEMA, refuse to work if the work would result in an imminent and serious threat to the environment.

4. All contractors shall ensure that their employees are conversant with the hazards to his/her health, safety and the environment, that are part of any work that he/she has to perform, as well as the precautionary measures required in respect of those hazards.

5. Contractor managers shall as soon as reasonably practicable, investigate and resolve an employee's refusal to work based on health, safety and environmental management related issues or concerns, in terms of the Incident management segment of this SHE specification.

#### 3.31.1 Refusal to work on the grounds of health and safety policy

If not already in place, it is recommended that contractors compile a refusal to work policy to fall in line with the organisations SHE policy regarding safe work and also to standardise the reporting and investigation of such instances and the clear employee understanding of their limitations.

### 3.32 Work Stoppage

1. Any person may stop any activity where an unsafe act or unsafe condition that poses or may pose an imminent threat to the safety and health of an individual or create a risk of degradation of the environment exists. This includes any unauthorised work or service performed by, or legally or contractually noncompliant acts or omissions by, any contractor contracted to work at that site.

2. Work stoppages that are initiated due to SHE concerns, non-compliance, or poor performance related to the contractor's works or services shall not warrant any financial compensation claim lodged against Eskom where the contractor has not met the requirements defined legally or contractually.

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3. Where stoppages are carried out, the required non-conformance report shall be raised.

### 3.33 Hours of work

1. The requirements of the Basic Conditions of Employment Act, Chapter Two “Regulation of Working Time” must be adhered to.

2. All contractors are required to maintain an accurate record of time worked by each employee.

#### 3.33.1 Normal Work

All work conducted on site shall fall within the legal requirements in accordance with the Basic Conditions of Employment Act.

#### 3.33.2 Night Work

1. Where any night work is to be performed, then contractors shall provide sufficient lighting to enable the entire work site to be illuminated to a degree that any employee must not have to work in any dark (unilluminated) areas. Care must be exercised as not to use a few lights with high light intensities as this will cause night blindness.

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

#### 3.33.3 Overtime

Contractors must be aware of the effects of human fatigue and regulate overtime accordingly. In order to complete a task by performing constant overtime, will be detrimental to the employee which could lead to an incident occurring.

### 3.34 Safety Achievements

1. Recognition is a key tool in employee retention programs for a reason. People need more than constructive feedback and positive affirmation. They need recognition of extra effort. They need to “feel” it. This will never go away as a basic human need.

2. One of the most effective ways to express appreciation is often one of the most overlooked: saying thank you. Even if most of the duties one performs are a normal part of the job, hearing “thank you” in a spontaneous and timely way can mean a lot to anyone.

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3. Contractors must compile a manual for recognising and rewarding outstanding achievements in the fields of safety and health within their organisations in order to promote a safety culture.

4. Rewards shall be meaningful, and employees must be encouraged to nominate worthy fellow employees for recognition.

5. Recognition does not always need to be monetary. Rewarding by giving material gifts, time-off certification, and small team functions all mean the same. It is the thought and the praise for the achievement that are rewarding.

### 3.35 Security

**Note:** The Eskom User Requirements specifications for Mobile Guard Booths are a “Confidential” document.

1. Information contained therein may not be shared or disclosed with or to any other contractor / organisation or third party without the express permission obtained from the Eskom contract responsible manager.

2. Failure to comply with this requirement could have an adverse effect on the contract

3. Where contract work will be performed on any Eskom sites, then the security requirements for such sites shall be adhered to.

4. All contractors shall be accountable and responsible for the security of all their equipment, materials etc. on any of their work sites, camp sites and when and where they utilise an agreed Eskom site.

5. Where there is access control to construction sites, any land owned sites and/or Eskom sites, such access control requirements shall be observed.

6. Eskom reserves the right to search any contractor and/or Eskom vehicle entering or leaving the site / premises any Eskom site.


### 3.36 Access to Client Sites

Where there is a requirement to enter any Eskom site, whether controlled or uncontrolled, the contractor involved shall, at least five days prior to anticipated arrival at that site, advise the Eskom contract responsible manager of their intention so appropriate arrival arrangements can be entered into. In light of the risk of COVID 19 principal contractors must adhere to the access control procedure at all sites.

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### 3.37 COVID 19 Management Response plan

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. On the issue of a healthy working environment the employer must 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 an obligation on the employer to manage the risk of contamination in the workplace. Principal contractor and the contractors must hence submit a comprehensive COVID 19 management response plan to manage risk of contamination (office workplace, on-site and visiting sites). Contractors must outline how the risk of contamination will be managed in accordance with these five process steps for the management of site COVID-19 risks namely; transport from home to site, entry to site, performing work, lunch breaks and transportation from work to home). The response plan must outline the response to employee who are screened COVID 19 positive and response to employees who have been tested COVID 19 positive. 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.

### 3.38 Omissions from Safety and Health Requirements Specification

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

Should Eskom not have addressed all SHE aspects pertaining to the work that is tendered for, the contractor needs to include them in their SHE plan and inform Eskom of such issues when submitting the tender.

### 3.39 Contract Sign-Off

On completion of the project, all appointed contractors shall close out their project documentation; SHE files and forward such to the principal contractor. The principal contractor shall likewise close out his/her project documentation and SHE files and forward such to the Eskom project manager.

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