



LIMPOPO

PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

DEPARTMENT
OF
PUBLIC WORKS

Policy Name	Occupational , Health and Safety Policy
The revision/ version of the Policy	02
Domain	Employee Wellness Programme

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COIDA- Compensation for Occupational Injuries and Diseases Act

DoL- Department of Labour

EH &W-Employee Health and Wellness

SHERQ-Safety, Health, Environmental, Risk and Quality

ILO-International Labour Organization

ISO-International Standard Organization

OHS- Occupational Health and Safety/Occupational Hygiene and Safety

OHSAS-Occupational Health Standards and Systems

WHO-World Health Organization

2. INTRODUCTION

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The Occupational Health and Safety Act no 85 of 1993 and its Regulations requires the employer to maintain as far as reasonable practicable a work environment that is safe and without risks to the health of the employees. The employer must ensure that the workplace is free from hazards and risks that may cause injuries, Occupational diseases and damage to property.

The Department of Public Works serves to maintain the highest possible quality care, health and safety remains paramount to all its operations. Every effort is made to involve all managers, supervisors and employees in the development, implementation, monitoring and evaluation of occupational health and Safety activities. The employer must provide and maintain the equipment that is necessary to do the work, all systems according to which work must be done.

3. PURPOSE AND OBJECTIVES OF THE POLICY

3.1. Purpose of the policy

The purpose of this policy is to make provision for measures through which a healthy, safe and supportive work environment can be created and maintained within the Department as contemplated by the Occupational Health and Safety Act no 85 of 1993 as mandated by the department of labour. The department must also ensure the protection of clients/customers other than employees at work against hazards to health and safety arising out of or in connection with the activities with the department of public works

3.2. Objectives of this policy are:



- 3.2.1 To ensure that Occupational Health and Safety Act and its Regulations is implemented.
- 3.2.2 To improve occupational health and safety by controlling health hazards in the workplace.
- 3.2.3 To have a healthy and safe working environment for both employees and clients.
- 3.2.4 To encourage and optimize employee involvement / participation in Occupational health and safety programs for improvement service delivery

4. AUTHORITY OF THE POLICY

This policy derives its mandate from section 8 of the Occupational Health and Safety Act, Act No. 85 of 1993.

5. SCOPE OF APPLICATION

The policy shall apply to all employees, clients/customers and contractors within the Department of Public Works as mandated by the Public Service Act 1994, and the Occupational Health and Safety Act 85 of 1993.

6. LEGISLATIVE FRAMEWORK

The policy should be read in conjunction with the following documents:

6.1. INTERNATIONAL INSTRUMENTS UNDERPINNING SHERQ MANAGEMENT

- 6.1.1 WHO Global Strategy on Occupational Health for all
- 6.1.2 WHO Global Worker's Plan 2008-2017
- 6.1.3 ILO Decent Work Agenda
- 6.1.4 ILO Promotional Framework for Occupational Safety Convention 2006.

6.2. LEGAL FRAMEWORK FOR SHERQ MANAGEMENT WITHIN THE PUBLIC SERVICE



- 6.2.1 Constitution of the RSA, (Act No. 108 of 1996)
- 6.2.2 Disaster Management Act (No. 57 of 2002)
- 6.2.3 Basic Conditions of Employment Act (No. 55 of 1997)
- 6.2.4 Occupational Health and Safety Act (No. 85 of 1993)
- 6.2.5 Public Service Act (No. 1994) as amended by Public Service Act (No. 30 of 2007)
- 6.2.6 Compensation for Occupational injuries and diseases Act (No. 130 1993)
- 6.2.7 Employment equity Act (No. 55 of 1998) as amended
- 6.2.8 Labour Relations Act (No. 66 of 1995)
- 6.2.9 National Environmental Management Act (No. 107 of 1998)
- 6.2.10 Building Standards Act (No. 103 of 1977) and National Building Regulations”
- 6.2.11 Hazardous Substance Act (No. 15 of 1973)
- 6.2.12 Tobacco Products Control Amendment Act (No. 12 of 1999)

6.3. STRATEGIC FRAMEWORKS APPLICABLE TO SHERQ WITHIN THE PUBLIC SERVICE

- 6.3.1 National Strategic Framework on Stigma and Discrimination
- 6.3.2 National Occupational Health and Safety Policy of 2005
- 6.3.3 National Disaster Management Framework.

7. DEFINITIONS

- 7.1. **“ACCIDENT”** An unplanned event that causes harm to people or damage to property.
- 7.2. **“DEPARTMENT”** Shall refer to the Department of Public Works.
- 7.3. **“CUSTOMER”** A person who seek a service.
- 7.4. **“EMPLOYEE”** Any person who has come into contract of service delivery with the Department, temporal or permanent and contractual workers.



- 7.5. **“EMPLOYER”** means any person who employs or provides work for any person and remunerates that person or expressly or tacitly undertakes to remunerate that person.
- 7.6. **“HAZARD”** Means any source of / or exposure to danger.
- 7.7. **“HEALTH AND SAFETY REPRESENTATIVES”** It is a representative for workers that each and every employer who has more than 20 employees in his employment at the workplace shall designate. This designation should be done within four months after the commencement of the Occupational health and safety Act (No. 85 Of 1993), or after commencing business, or from such time as the number of employees exceeds 20, as the case may be. The designation should be done in writing for a specific period in the workplace and for different sections thereof.
- 7.8. **“HEALTH AND SAFETY COMMITTEE”** It is a committee that initiates, develops, promotes, maintains and reviews measures to ensure the health and safety of employees at work. The employer shall in respect of each workplace where two or more health and safety representatives have been designated, established one or more health and safety committees. They must be established under section 19 of the Occupational Health and Safety Act (No. 85 of 1998).
- 7.9. **“INCIDENT”** Unusual occurrence in the workplace that could have resulted in harm to people or property if the circumstances had been slightly different. It is sometimes called a near miss.
- 7.10. **“OCCUPATIONAL HEALTH”** Includes Occupational Hygiene, Occupational Safety, Occupational Medicine and biological monitoring.
- 7.11. **“OCCUPATIONAL HYGIENE”** Is the discipline of anticipating, recognizing, evaluating and controlling health hazards in the working in

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the working environment with the objective of protecting worker health and well-being and safeguarding the community at large.

7.12. **“RISK”** Means the probability that injury or damage to health may occur.

7.13. **“SAFETY”** Means the control of accidental loss to people, equipment, material and environment.

8. POLICY PRONOUNCEMENT

The Department of Public Works in Limpopo Province is committed to enact and implement measures to ensure the health and safety of employees, and visitors. The Department is committed to preventing Occupational illness and injuries in the workplace, continually providing Health and Safety safe practices and performance and believes that all tasks can be accomplished in a safe manner and in compliance with relevant Health and Safety legislations, codes, standards and practices.

9. ROLES AND RESPONSIBILITIES

This policy involves the following role players:

9.1. The Head of Department shall:

- 9.1.1 Provide and maintain, as far as reasonably practicable, a working environment that is safe and without risks to the health of employees.
- 9.1.2 Ensure that there is a written policy concerning the protection of the health and safety of employees at work, and the safety of the visitors.
- 9.1.3 Appoint a designated senior manager to champion Safety, Health, Environmental, Risk and Quality programmes in the workplace.
- 9.1.4 Designate in writing for a specified period 16.2 appointees to oversee the OHS related matter in their respective directorates.
- 9.1.5 Designate in writing for a specified period health and safety representatives for the workplace, or for different sections thereof.

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9.1.6 Establish one or more health and safety committees and consult with the committee with a view to initiating, developing, promoting, maintaining and reviewing measures to ensure the health and safety of employees at work.

9.2. The designated Senior Manager shall:

9.2.1 Develop capacity building programmes.

9.2.2 Establish an appropriate organization structure for SHERQ.

9.2.3 Ensure Human resource planning and management.

9.2.4 Ensure financial planning and budget.

9.2.5 Mobilize management support.

9.2.6 Establish SHERQ steering committee.

9.2.7 Develop and implement management standards for SHERQ.

9.2.8 Ensure alignment with the SHERQ hazards identification and risk assessment.

9.2.9 Ensure commitment to comply a minimum with current applicable legislation regulations and other requirements to which the department subscribes.

9.3. The OHS Coordinator shall:

9.3.1 Identify personal development needs for individual employees.

9.3.2 Analyze and evaluate data and communicate information, statistics and results to management structures.

9.3.3 Coordinate activities of Health and Safety representatives and committees.

9.3.4 Coordinates implementation of OHS, projects and interventions.

9.3.5 Plan, monitor and manage OHS according to strategies, policies and budgetary guideline.

9.4. Health and Safety Representatives:

9.4.1 Make representative to the employer on general matters affecting the health or safety of the employees at the workplace.

9.4.2 Identify potential hazards and potential major incidents at the workplace.

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- 9.4.3 In collaboration with the employer, examine the causes of incidents at the workplace; investigate complaints by any employee relating to employee's health or safety at work.
- 9.4.4 Inspect the workplace, including any article, substance, plant, machinery or health and safety of equipment at the workplace with a view to improve the health and safety of employees, at such intervals as may be agreed upon with the employer: Provided that the health and safety representative shall give reasonable notice of his intention to carry out such an inspection to the employer, who may be present during the inspection.
- 9.4.5 Participate in consultations with inspections at the workplace inspections on inspections of the workplace.
- 9.4.6 In their capacity as health and safety representatives attend meetings of the health and safety committee of which they are members, in connection with any of the above functions.
- 9.4.7 Submit monthly reports of the Occupational health and safety activities to the OHS coordinator.

9.5. Health and Safety Committee shall:

- 9.5.1 Make recommendations to the employer or, where the recommendations fail to resolve the matter, to an inspector regarding any matter affecting the health or safety of persons at the workplace or any section thereof for which such committee has been established.
- 9.5.2 Discuss any incident at the workplace or section thereof in which or in consequence of which any person was injured, became ill or died, and may in writing report on the incident to an inspector.
- 9.5.3 Keep record of each recommendation made to an employer and of any report made to an inspector.
- 9.5.4 Ensure adherence to standards as set by legislation, regulations, SABS, ISO and DOL.
- 9.5.5 Involve labour relations movements.

9.6. First Aiders

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- 9.6.1 Render First Aid for all injuries and Medical emergencies.
- 9.6.2 Ensure that all injuries are reported to employee Wellness and benefits for investigation purposes.
- 9.6.3 Ensure that serious injuries are referred to Medical institution for further management.
- 9.6.4 Regularly check the first Aid box to ensure that the content complies with requirements for General Safety regulation annexure.
- 9.6.5 Ensure that your name and contact information appears on the box.
- 9.6.6 Record details of all treatments in the first aid register.
- 9.6.7 Ensure that your First Aid certificate is always up to date by informing Employee wellness and benefits section about its renewal.

9.7. Fire Fighters/Marshals

- 9.7.1 Investigate all accidents and incidents that occur on the premises.
- 9.7.2 Record the findings of those investigations on an internal accident investigation form.
- 9.7.3 Record the findings of the investigation on an annexure 2 form if the accident resulted in a claim to the Compensation Commissioner (Compensation of Occupational Injuries and Diseases Act -130 of 1993) as required in terms of General Administrative Regulation 10 of the OHS - act (85 of 1993).
- 9.7.4 In terms of Section 24 of the Occupational Health and Safety Act - 85 of 1993 report all accidents to the Divisional Inspector of Machinery.
- 9.7.5 Report the findings of all investigations to your Employer / Health and Safety Committee.
- 9.7.6 Ensure that the employer and the chairman of the Health and Safety Committee endorse the record of each incident/accident.
- 9.7.7 Keep a register of all accidents and incidents - Annexure 2 summary.

9.8. The Employee shall

Take reasonable care for the health and safety of him / her and of other persons who may be affected by his/her acts or omissions.



Obey the health and safety rules and procedures laid down by his/her employer or any authorized person in the interest of health and safety.

Report as soon as practicable any unsafe or unhealthy situation which comes to his/her attention, to the employer or to the health and safety representatives for his/her workplace or section thereof.

If involved in any incident which may affect his/her health or which has caused an injury to him/herself, report such incident to his/her employer or to his/her health and safety representative, as soon as practicable.

Comply with standards as set by legislation, regulations, SABS, ISO and DOL.

9.9. Employee Health and Wellness Advisory Committee shall:

9.9.1 Draw lessons from policy implementation, monitoring and evaluation.

9.9.2 Assess the impact of OHS on the ongoing transformation of the department.

9.9.3 Ensure that information is cascaded to all levels in the entire department.

9.10. Labour Representatives shall:

9.10.1 Represent employees in the workplace.

9.10.2 Ensure that the employer fulfill mandate of OHS Act and regulations in order to optimize Health and Safety in the workplace.

9.10.3 Sit in OHS committee meetings and make representation to the employer on agreed issues affecting the health and safety of employees at the workplace.

9.11. CONTRACTORS / SERVICE PROVIDERS

9.11.1 No contract shall be awarded to contractor that does not meet minimum requirements on Occupational Health and Safety.

9.11.2 On award of the contractor a contract, the contract shall be issued with safety rules and regulations, which a contractor must sign.

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10. MEDICAL SURVEILLANCE

- 10.1 The Department of Public Works will conduct medical surveillance to employees who are exposed to any hazardous substances on an annual basis according to man-job specification.
- 10.2 Medical check-up will be conducted by the Occupational Medical Practitioner, which includes evaluation of the employee's medical, occupational history; physical examination; and any other essential examination.
- 10.3 All medical surveillance records will be kept for a minimum period of 40 years.

11. REPORTING OF INCIDENTS

- 11.1 It is the responsibility of the Head of a component to report incidents/accidents to the Employee Health and Wellness unit as soon as possible before seven days after the occurrence of such incident.
- 11.2 A copy of the incident report must be submitted to the Health and Safety committee for discussion and recommendations.
- 11.3 A record of incident report must be kept at each regional office.

12. FINANCIAL IMPLICATIONS

The cost associated with the implementation of this policy must be provided by the Department of Public works

13. DISPUTE RESOLUTION PROCEDURE

- 13.1 In instances where a dispute arises, a health and safety committee must give notice to the Head of Department in the format to be prescribed by him.
- 13.2 The Head of Department must within a reasonable period of time, after receipt of such notice of dispute, call all meeting of all parties concerned with the purpose of finding a solution to the dispute.



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- 13.3 If it is not possible for the Head of the Department to resolve the dispute, a request must be submitted by the Head of the Department to an inspector from the Department of Labour who shall investigate the matter as contemplated in section 27 of the Occupational Health and Safety Act.

14. PROSECUTIONS

When an employee does something which in terms of the Occupational Health and Safety Act is regarded as an offence, the employer is responsible for that offence, and he or she could be found guilty and sentenced for it, unless the employer can prove that:

- He or She did not give His or Her consent
- He or She took all reasonable steps to prevent it
- An employee did not act within the scope of His or Her competence, in other words, that the worker did something that He or She should have not done.

15. CONSULTATION AND COMMUNICATION

Consultation and communication shall be maintained through:

- 15.1 Establishing suitable structures to optimize participation, commitment and involvement in aspects of Health and safety.
- 15.2 Consulting and liaising with employees' representatives and trade unions on aspects of mutual concern.
- 15.3 Co-operating with employees and union representatives in their selection of health and safety representatives supporting the appointed persons and their duties.
- 15.4 Sharing with employees the results of occupational health and safety audits performed.

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16. REPORTING OF OCCUPATIONAL INJURIES AND DISEASES PROCEDURE

- 16.1 Every employee involved in an accident that may influence his/her health or have caused an injury should report in writing **(WCL 3)** that incident to the Head of Department, any authorized person or to the health and safety representative as soon as possible, but not later than the end of shift/day.
- 16.2 The supervisor of the deceased or injured employee at the district level should complete the **(WCL 2)** form and submit to the Employee Health and Wellness unit will in turn submit to the Compensation Commissioner within seven day after notice of the incident. The employer should ensure that the medical practitioner completes the first medical report **(WCL 4)** and the progress/final medical reports **(WCL 5)**.
- 16.3 The employer must report the occupational disease using by completing the prescribed form **(W.C.L.1)**, complete the occupational history **(W.C.L.10)** and submit to Compensation Commissioner.
- 16.4 To report the claim also obtain the following reports: First medical report **(W.C.L.22)**, X-ray plates as well as the reports, Progress / final medical reports **(W.C.L.26)**, all relevant medical reports with regard to the occupational disease, i.e. diagnostic reports and submit to the Compensation Commissioner.

17. LIABILITY


- 17.1 The department is liable for the payment of compensation during the period of temporary total disablement of one of its employees.
- 17.2 All reasonable medical expenses arising from the treatment of an employee's injuries or occupational diseases must be paid at the rates prescribed by the compensation commissioner.
- 17.3 Responsible for payment of all reasonable travelling expenses in order to obtain medical treatment.



- 17.4 In the event of a fatal injury, each department pays for the reasonable burial expenses.
- 17.5 An employee, who sustains an injury on duty or contract an occupational disease due to the negligence of a superior in charge of a branch or division in the department, has the right to claim for additional compensation in terms of the Act and if successful the department will be liable to pay the amount fixed by the compensation commissioner.
- 17.6 Payment for the permanent disablement in the form of lump sum or monthly pensions is the responsibility of the Department of Public Works.

18. IMPLEMENTATION GUIDE

- 18.1 A critical aspect of the implementation process is the creation of a participative cycle of communication, which ensures a full flow of inputs about health and safety.
- 18.2 Supervisors shall be responsible for Health and Safety at work, which primary means the prevention of accidents and injury staff and other persons. It shall be the supervisor's responsibility to issue clear explicit working instructions and to ensure, by good supervision that work is carried out in accordance with health and safety rules practices and instructions.
- 18.3 Supervisors shall be primarily responsible for the health and safety at site and shall be trained accordingly. Manager shall satisfy himself or herself that this training is adequate and that the supervisor's knowledge regarding occupational health and safety and the environment is kept up to date.
- 18.4 All staff observes occupational Health and Safety practices issued by management. All supervisory staff shall ensure that these rules are enforced.



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19. IMPLEMENTATION OF POLICY OBJECTIVES

The SHERQ Pillar as indicated in the EH&W Strategic Framework is based on **three sub-objectives**, which represent the recommended core functions of SHERQ Units in line departments, and identify a critical set of initiatives to be undertaken by the SHERQ practitioners in carrying out their roles and responsibilities. SHERQ initiatives in the Public Service embrace the occupational health and safety of employees and to promote the quality of work life within the Public Service.

New developments in Governance indicate that juristic persons like government departments and other private sector companies are integral to wellbeing of individuals and their families. There is international consensus that issues of Safety, Health, Environment, Risk and Quality are issues that must be addressed as governance issues. The EH&WSF affirms through this pillar the strategic importance of SHERQ in enhancing governance of government departments in general and improvement of public servants health and wellness in particular.

This SHERQ Pillar provides for increased responsibility of executive leadership to ensure that government departments conduct their affairs in an accountable, responsible, transparent and sustainable manner; as decent citizens to promote the health and wellness of their employees and the quality of services delivered to the public; the sustainability of the environment for the long term effects of service delivery improvement; and adding value to economic growth. Implementation of both the intangible and tangible aspects of SHERQ are to be implemented guided by a human rights culture that impacts on health, environment and also the practice of quantitative measurements sciences applied in risk and quality management.

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The SHERQ Pillar has three sub objectives; Occupational Health and Safety Management, Environment Management, and Risk and Quality Management. These sub objectives are to be implemented in compliance with international instruments, national legislation, national policies and other strategic documents mentioned that form the legal and policy framework. The implementation will be in accordance with the standards identified by the International Organization of Standards OHSAS 18001 for OHS, ISO 14001 for Environmental Management, ISO 9001 for Quality Management.

All these objectives have an Aim, Policy Measures and procedural arrangements

Policy measures are actions developed to address a perceived problem or further Government objectives. It can include regulatory, fiscal (fiscal Means financial Matters) or information based tools.

All **procedural arrangements** for implementation will be the same as identified for the role of the designated senior manager. This policy will be further implemented as according to the implementation Guide.

20. OCCUPATIONAL HEALTH AND SAFETY PROCEDURE

- Provide and manage adequate and clean facilities.
- Identify and manage hazardous risks related to Health, safety
- Ensure employee participation in and responsibility for the safety health and environment system
- Establish a participative forum to discuss and action health and safety matters



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21. ENVIRONMENTAL MANAGEMENT PROCEDURES

- Align all designs and special facilities with the departments' image and culture
- Compile a maintenance schedule for buildings, floors and structures
- Provide adequate ventilation system, sufficient lighting levels and visibility under all operating circumstances as determined by risk assessments
- Provide well maintained machinery and electrical equipment

22. QUALITY AND RISK MANAGEMENT PROCEDURES

- Identify and assess effective risk reduction plans and actions
- Establish workplace preparedness plans
- Develop an emergency/evacuation plan for each office
- Comply with ISO 9001:2000 to ensure a good Quality Management System (QMS), OHSAS 18001:2007 to ensure Health and Safety and ISO 14001:2004 to ensure the required environmental issues.

23. MONITORING AND EVALUATION

Monitoring and evaluation have a significant role to play in Safety, Health, Environment, Risk and Quality interventions as it assist in assessing whether the programme is appropriate; cost effective and meeting the objectives. The 12 components that should be included in the SHERQ monitoring and evaluation system are indicated below:

- a) Organizational structures with Employee Health and Wellness and evaluation Monitoring Evaluation system.
- b) Human capacity for Employee Health and Wellness and Monitoring and Evaluation.



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- c) Partnerships to plan, coordinate, and manage the Monitoring and Evaluation system.
- d) National multi-sectoral Employee Health and Wellness and monitoring and plan and Evaluation.
- e) Annual costed national Employee Health and Wellness and monitoring and work plan.
- f) Advocacy, communications, and culture for Employee Health and Wellness and monitoring and Evaluation.
- g) Routine Employee Health and Wellness programme monitoring.
- h) Surveys and surveillance.
- i) National and sub-national Employee Health and Wellness database.
- j) Supportive supervision and data auditing.
- k) Employee Health and Wellness evaluation and research.
- l) Data dissemination and use.

24. DEFAULT

OCCUPATIONAL HEALTH AND SAFETY ACT NO 85 of 1993, Section 16: Chief Executive officer (Head of Department) shall ensure that duties of his employer as contemplated in the OHS Act are properly discharged, and shall not subject to the provisions of section 37, relieve an employer of any responsibility or liability under the Act.

Section 38 of the Act, stipulate that any person who contravenes or fail to comply with a provision of all hOHS Act sections, shall be found guilty of an offence, and shall be imprisonment not exceeding one year or R50 000 fine, or imprisonment for a period not exceeding two years or R100 000. Therefore, it is the responsibility of the employer to manage health and Safety in the workplace.

25. INCEPTION DATE

The implementation of this policy will be the date of approval.



26. TERMINATION AND REVIEW CONDITIONS

The policy shall be reviewed as and when there are new developments in the relevant legislation.

27. ENQUIRIES

All enquiries related to this policy should be forwarded to Employee Health and Wellness Unit.

APPROVED BY:



EXECUTIVE AUTHORITY

25/07/13
DATE