

INTRODUCTION

- 1.1. This policy complements the Health and Safety Act and does not replace the Act; therefore the Act must be referred to whenever the necessity arises.
- 1.2. It also provides guidance to both the employer and employees of the Municipality. It ensures compliance with the Occupational Health and Safety Act (Act 85 of 1993) (hereinafter referred to as the "Act" hereinafter and any Regulations attached thereto, as may be amended from time to time and the Compensation for Injuries on Duty Act here-in-after referred as COIDA

(Note: An abridged version of the Act is available but care must be taken to ensure that any employees using this Act for reference purposes should be aware of any amendments that have been promulgated thereto.)

- 1.3. It must be noted that All Appointments prior to January 1994 when the Act replaced the MOSACT are null and void and that all persons, including supervisors, must now be appointed or re-appointed in terms of the Occupational Health and Safety Act, this includes the supervisors.

2. HEALTH AND SAFETY STATEMENT

The Council undertakes to provide the facilities to safeguard its employees from injury; nuisance or risk to health through any operations associated with the Municipal Organization as far as it is reasonably practical to do so.

The Council's objectives are:

- To ensure complete compliance with all relevant applicable statutory safety requirements ;to achieve the highest level of safety in all its operations, namely a 5 star rating and maintain a good relationship with the Department of Labour in the interests of accident prevention.
- These objectives must be accepted by every employee involved in the affairs of the Municipality, no matter what their capacity may be.
- All employees have a duty to ensure that they observe all the provisions embodied in the Municipal Safety Rules and Regulations and also to ensure that they take care of their own safety. To and to this end, they must make full use of all safety. To and they must make full use of all safety equipment provided by the Council and do nothing that is likely to cause injury to themselves or others.
- Managers and Supervisors are key officials in the Safety Programme because of their constant contact with Employees. They will be accountable to the Municipal Manager who is the legally responsible person in terms of the Act, to ensure that all matters relating to safety are brought to the attention of their sub ordinates.

The co-operation of management and employees in carrying out this policy together with the standard safety procedures is required to ensure the safest working conditions at the workplace at all times and thereby minimize possible accidents.

(A copy of this policy statement signed by the Municipal Manager must be displayed all workplace at all workplace and be available. (Available from OHS Officer)

3. OBJECTIVES

3.1. PRIMARY

- 3.1.1. To ensure the compliance with all relevant statutory requirement including the Municipal Safety Regulations and Procedures.
- 3.1.2. To minimize loss through accident or incident.
- 3.1.3. To continually strive for the achievement of the highest level of safety, namely a 5 star rating on the NOSA rating system, and the maintenance thereof once this has been achieved.

3.2. SECONDARY

- 3.2.1. To ensure that a set standard is achieved and maintained throughout the Municipal Municipality
- 3.2.2. To ensure continuity whenever the term of office of the committee members and safety representatives expires.
- 3.2.3. To compile a responsibility matrix.

4. STRATEGY

- 4.1. To implement the NOSA safety system.
- 4.2. Continually set goals in order to improve current safety conditions and awareness.
- 4.3. Identify areas which require improved safety conditions.
- 4.4. Compile list of these above areas in order of priority and update the list bi-annually.
- 4.5. To keep a record of all improvements required in order to assist with budgeting.

5. GENERAL DUTIES OF EMPLOYERS TO THEIR EMPLOYEES

- ❖ Every employer shall provide and maintain, as far as is reasonably practicable, a working environment that is safe and without risks to the health of his employees.
- ❖ Without derogating from the generality of an employer's duties under subsection(1), the matters to which those duties refer include in particular
 - (a) The provision and maintenance of systems of work, plant and machinery that, as far as reasonable practicable, are safe and without risk to health

- (b) Taking such steps as may be reasonable practicable to eliminate or mitigate any hazard or potential hazard to the safety or health of employees, before resorting to personal protective equipment.

6. GENERAL DUTIES OF EMPLOYEES AT WORK

- ❖ Every employee shall at work- take reasonable care for the health and safety of himself and of other persons who may affect by his acts or omissions
- ❖ As regards any duty or requirements imposed on his employer or any other person by this act, co-operate with such employer or person to enable that duty or requirement to be performed or complied with:
- ❖ Carry out any lawful order given to him and obey the health and safety rules and procedures laid down by his employer

These are detailed in Sections 14 and 15 of the Act.

7. RESPONSIBILITIES

7.1. MUNICIPAL MANAGER

The Municipal Manager shall, as far as is reasonably practicable, ensure that the duties of his employer as contemplated in the Act are properly discharged. Any duty may be assigned to person under his control without derogating from his responsibility or liability.

7.2. HEADS OF DEPARTMENTS

The following duties have been assigned by the Municipal Manager to the Heads of each Department and they are, regarded as the employer in terms of Section 16(2) of the Act:

7.2. HEADS OF DEPARTMENTS

- 7.2.1. Ensure the written designation of sufficient Health and Safety Representatives and Committee Members in terms of the Municipal Health and Safety Constitution
- 7.2.2. Ensure the continuing functioning of the Health and Safety Committee within each the Department and/or location.
- 7.2.3. Ensure that the employees under his control perform their functions after being trained as competent to do so.
- 7.2.4. Ensure the appointment of sufficient first-aiders as per the requirement of the Act.

7.2.5. Maintain a tolerable disabling injury frequency rate in the each Department of less than 10.

7.2.6. Endorse the minutes of the Safety Committee Meetings.

7.2.7. Act upon any recommendations regarding the Health and Safety of employees, made by the Safety Committee.

7.2.8 To submit a written monthly progress report to the OHS Officer detailing any deviations or weaknesses with regard to the above responsibilities and duties, together with any recommendations on corrective action

7.3 Sub-Heads of Department of Supervisors

7.3.1 To perform any duties that may legally be assigned to them by the Head of the Department concerned with regard to the Act.

7.3.2 To monitor and control the entire health and safety program for the Division or Section under his control.

7.3.3 To monitor and control the safety training programme of all employees within their Division/Section.

7.3.4 Strive to ensure that the disabling injury frequency rate is kept below the municipal target which is currently 10. When this target is reached, it will be readjusted.

OHS OFFICER

7.4.1 To monitor the Health and Safety Program of the entire Municipality and consult with senior management on any necessary corrective action.

7.4.2 To submit a written monthly progress report to the Municipal Manager detailing any deviations or weakness with regard to the Health and Safety Program with any recommendations on corrective action. This is, in effect, a compilation of the reports from all the Departments.

7.4.3 To train, or have trained, all employees of the municipality in matters of health and safety in order that they may competently discharge their duties.

7.4.4 To attend the Health and Safety committee meetings of the various Departments.

7.4.5 To report Section 24 incidents to the Department of Labour and the Compensation Commissioner.

7.4.6 To attend investigation hearing into any accident or incident.

HEALTH AND SAFETY COMMITTEE MEMBERS

7.5.1 To discharge the duties (functions) as detailed in Section 20 of the act. As well as those detailed in the Constitution.

CHAIRPERSON

7.6.1 To perform the duties as detailed in the Constitution.

7.6.2 To assist with the designation of sufficient Health and safety Representative and Committee Members in a department of the Council. To inform the Head of Department of any vacancy that may occur or where the situation requires any additional person to be appointed.

7.6.3 To ensure the continuing functioning of the Health and safety Committee within a Department.

7.6.4 Acknowledge the minutes of the Health and Safety Committee within a Department.

7.6.5 To make the Municipal Executive Safety Committee meetings.

7.6.6 To keep the Municipal Executive Safety Committee informed.

7.6.6 To keep the Municipal Executive Safety Committee informed of any important matters

VICE- CHAIRPERSON

7.7. To assume the duties of the Chairperson in his absence.

7.7.1 To assume the Chairpersonship upon the termination of the term of office of the current Chairperson.

7.8 Secretary

7.8.1 In consultation with the chairperson, compile an agenda for distribution to all Committee members in order that they receive it at least three working days before a Committee meeting.

7.8.2 To record and distribute the minutes of the meeting to all members of the Committee within seven working days of the meeting. The copies for record-keeping purposes shall be endorsed by the Chairperson after confirmation.

7.9 Supervisor

7.9.1 Within the scope of his/her delegated authority to monitor and control all internal Departmental/Section health and safety matters.

7.9.2 To rectify any hazardous or potential hazardous equipment or situation which may arise, should this be beyond his/her scope of authority, to report this to his/ her immediate supervisor.

7.9.3 To report any incident, accident or injury in the prescribed manner (Refer to sections 13 and 14 below).

7.9.4 To conduct investigations into the causes of any incident/accident in the prescribed manner and complete any necessary documentation and act upon any recommendations that may be made. (Refer to section 14, below).

7.9.5 To delegate persons inspect the various plant and equipment and fill in the monthly inspection registers. (See Section 10.2 below).

7.9.6 To ensure that any person acting in the post during his/her absence assumed these responsibility.

7.10 Health and safety Representatives

7.10.1 To discharge the duties (functions) as determine in section 18 of the Act, as well as those detailed in the Constitution.

7.10.2 To inspect the workplace monthly at a mutually agreed interval as detailed in his /her letter of appointment, Appointment and as detailed in section 18 of the Act. Where the safety Representative is a shift worker, a mutually acceptable arrangement must be negotiated with the Supervisor in order to accommodate these inspections and the attendance of Safety Committee meetings.

7.11 Mandatory

7.11.1 This includes an agent, a contractor or a sub-contractor for work as defined in the Act.

7.11.2 Such person shall conduct their business in accordance with any agreement entered into with the Municipality.

7.12 Employees

7.12.1 These are detailed in section 14 of the Act.

8. HEALTH AND SAFETY COMMITTEE MEETINGS

8.1 Department/Section Meetings

These are meetings which all staff in the Department/ Section attends in order that they may be actively involved in the Health and Safety program.

Should such meetings not be convened it is highly recommended that they be held as this encourages proactive involvement and is a very important source of potentially hazardous situations being brought to the attention of the Health and Safety Representatives and the Employer.

8.2 Department Committee Meetings

The following are to clarify any misinterpretations that may arise:

8.2.1 Attendance

The Committee members should Endeavour to attend all meetings and in an extended period of absence the employer should ensure that an assigned person temporarily assumes the responsibilities of the Committee member.

It is not mandatory that the Health and safety Representatives shall attend these meeting but it is recommended that they do attend in order to represent their Section/Department.

Even if they have no matter on the agenda. Should the representative work shift's a mutually accept able arrangement with the Section Head can be agreed upon. One possible solution is to appoint several representatives for the same area thereby ensuring that at least one is always on duty and can attend any meetings or conduct any inspections.

8.2.2 Quorum

In terms of the Constitution, the Employer nominated Committee Members may not exceed the number of Health and Safety Representatives elected .This ratio does not apply to the Quorum as both parties are members of the Committee and as long as 50%of the members are present, irrespective of which party they represent, this constitutes a quorum.

8.2.3 Recording of Minutes

This shall be recorded in the format which appears in annexure 5. Copies of the minutes each signed by the Chairperson and the Head Director of the Department concerned shall be made and one of each kept on record by the Director ,Head of Department or of the section concerned and the Secretary of the Health and Committee .

8.2.4 Chairpersonship

In the instance where the Chairperson is also performing is also performing the function of the Employer Representative, this latter function may possibly conflict with the duties of Chairperson .Should this be the case, then it would be advisable to appoint a second Employment nominated Representatives for the term of the Chairperson.

9.3 MUNICIPAL EXECUTIVE SAFETY COMMITTEE MEETINGS

9.3.1 unless otherwise notified, this Committee will meet every second Thursday of every month at 14hoo.

9.3.2 The Chairperson of this Committee will be appointed by the Municipal Manager.

9.3.3 The members of this Committee will be the Chairperson and /or the Vice Chairperson of the Vice Chairperson all the Department's Health and Safety Committees.

9.3.4 Other Committee members will be the OHS Officer and any co-opted members.

9.3.5 The OHS Officer will perform the duty of the Secretary

9.3.6 The purpose of this Committee is to act as a communications channel to keep both management and the various committees, and hence all employees, informed of any recommendations, developments or decisions.

9.3.7 The purpose of this Committee is to act as a communications channel to keep both management and the various committees, and hence all employees, informed of any recommendations, developments or decisions.

9.3.8 The safety performance statistics for all the Department /Section, as compiled by the OHS Officer, will be present and discussed.

10. INSPECTION PROCEDURES

10.1 Inspection Format

This will be conducted in accordance with DoL standards and the findings of the inspection shall be recorded on the DoL inspection sheet. An inspection list containing only those items applicable to the specific workplace may be compiled for use at that workplace or section of the workplace, but retain the format of the original inspection sheet.

10.2 Monthly Inspection Register

The Supervisor must delegate person/s to inspect all plant and equipment and complete the inspection registers and submit them to him/her for rectification of any faults and signing thereof. Some examples of such registers are:

Portable electric equipment, ladders, lifting gear, pressure vessels.

10.3.2 Where several Health and Safety Representative have been appointed to accommodate shift work, the Representatives on duty at agreed inspection time, shall conduct the inspection as detailed in the report his Letter of Appointment.

(NOTE: The preceding report must be consulted to ensure that all the hazards identified have been satisfactorily attended to.)

10.3.3 The completed inspection report will be presented to the Supervisor for attention and been identified and recorded .Should there be any life threatening situation this must be brought to immediate attention of the Supervisor of Division /Section and the Head of the Department corned .

10.3.4 The report must be submitted to the Head of the e employer representative and ensure that any hazards are rectified.

10.3.5The report must be submitted to the I health and Safety Committee at its next meeting for discussions and recommendation .The Chairperson must sign the inspection report

The following two audits will alternate every six months:

10.4.1 Health and Safety Committee Member's Audit

This is undertaken by the committee members that are appointed to represent Employer at the NOSA grading system.

10.4.2 Departmental Audit

This audit is where the Head or nominees shall conduct an inspection of the entire workplace of each department accompanied by the Head of Section Department, the Health and Safety Representatives and the Supervisor of that specific workplace, as well as the OHS Officer and Chairperson of the Health and Safety Committee for that Department.

10.4.3 Inspection Format

The format and the form to be used for both the above audits will be that recommended by the DoL

10.4.4 Comments by Committee

Both these audits report will be laid before the Health and Safety Committee of that specific Department for comment and possible recommendations.

TRAINING

The Human Resource Department is responsible to train, or has trained, all employees in the employment of the Municipality of the levels:

a)

1. Unskilled

- Health and Safety Representatives Course
- Employee Health and Safety 1

2. Semi skilled

- Health and Safety Representatives Course
- Employee Health and Safety 2

3. Skilled

- General Health and Safety training Course
- Labour System

b) Health and Safety Committee Members

- Health and Safety Representatives Course
- General Health and Safety Training Course
- The Advanced Safety Course
- NOSA course

c) Head of Branches /Sections Department

- Occupational Health And Safety Workshop
- NOSA Course
- Introduction to SAMTRAC (ITSAM)

d) Heads of Department Supervisors

- Occupational Health and Safety Workshop

e) All Other Employment

- Basic Induction Course and at least one other related Health and Safety Course.

12. Reporting Procedures

12.1 Injuries on Duty (I.O.D)

As soon as an I.O.D. is reported to the Supervisor He/she must:

12.1.1 Complete the accidents form (in triplicate).Part "A" and hand one copy to the Sister at the time of injured person reports to the doctor

12.1.2 The two remaining copies must be handed to the Department /Section head who will then appoint the Safety Representative to investigate the injury together with the Supervisor in charge of the injured person .

12.1.3 After completion, the two forms are handed back to the Departmental/ Section Head for signature and comments.

12.1.4 The Departmental Head then forwards one of the completed copies to the OHS Officer who will allocate a case number and file it.

12.1.5 The remaining form remains with the branch for their own record and discussions at departmental safety committee level .The Chairperson signs the form and checks that the I.O.D. is recorded in the accident register, if applicable.

Note: If an injured employee needs to be transported immediately to a doctor or hospital or when it is after normal working hour the reporting must be done as soon as possible thereafter and in the same sequence.

It must also be noted that the responsibility of accidents lies with the person in charge of the injured employee and not with the Safety Representative of the area.

12.2 Serious Injury or Death of Employee

In this instance, the inspector of the Department of Labour must be immediately contacted .During working hour, this can be done by phoning the Department of Labour .During working hours, the OHS Officer must also be contacted as soon as possible.

14. ACCIDENTS/INCIDENTS INVESTIGATION

An investigation into any reportable incident in terms of Section 24 of the Act shall be conducted

15. RECORD KEEPING

15.1. The Occupational Health and Safety Act

A copy of the Act, as may be amended from time to time, must be kept at each Department and is to be made available for perusal by all employees at their request.

15.2. Safety Policy

A copy of this document, as may be amended from time to time, must be kept at each Department and by each Head of Department and each Health and Safety Committee Chairperson to be made available for perusal by all employees at their request.

15.3. The following documents are legal documents and in terms of the Act must be retained for a period of at least three years:

- (a) Inspection registers, as detailed in the Act and Regulations attached thereto.
- (b) Minutes of Health and Safety Committee meetings.
- (c) Accident investigation report

15.4. Letter of Appointment

15.4.1. Letters of Appointment of Representatives and Committee Members must be completed in triplicate with one copy each being retained by the Head of Department, the OHS Officer and the appointee. A Photostat copy must also be retained by the Chairperson of the Department of Health and Safety Committee.

15.4.2. Copies of the Letters of Appointment of the persons appointed in terms of the Act must be retained by the Municipal Manager, the OHS Officer and the Appointee.

15.5. TRAINING RECORDS

The Head of Department shall maintain training records of courses attended by all employees.

16. UPDATING AND/OR REVIEW OF THIS POLICY

This policy will be updated and /or reviewed

16.1. When any amendments to this to the Act necessitate this policy document to be amended accordingly.

16.2. When any errors and Omissions have occurred in the compilation of this policy document.

16.3. When any changes in policy or procedures in any Department or Section thereof occur.

16.4. This policy document must review annually by the Health and Safety Committee or before the termination of their period of office.

16.5. Any changes, additions or recommendations must be made in consultation with the OHS Officer and must be circulated to each Department for comment by the Head of Department who in turn, must consult with the Health and Safety Committee. Final Written approval rests with the Municipal Manager where after it then becomes mandatory in terms of this Policy.

16.6. A master record sheet shall be kept with each copy of the Policy

17. GENDER REFERENCE

17.1 In this policy, any reference to the masculine gender includes the female gender.