

OVERBERG DISTRICT MUNICIPALITY

OCCUPATIONAL HEALTH AND SAFETY POLICY 2015



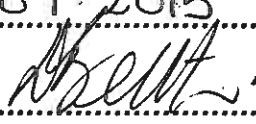

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Date	: 27.07.2015
Municipal Manager	: 
Executive Mayor	: 
Reference No	: 9/1/B
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1. PREAMBLE

The need for the policy stems from the Occupational Health and Safety Act, 1993 (Act 85 of 1993) [OHSA] which requires employers, including municipalities, amongst other things to develop and adopt an occupational health and safety policy.

Furthermore, this policy is intended to create a framework for decision making in respect of human resources management in as far as occupational health and safety is concerned in the municipality.

The policy is intended to:

- a) Promote and maintain the highest degree of physical, mental and social wellbeing of workers.
- b) Prevent amongst workers, ill health caused by their working conditions.
- c) Place and maintain workers in a working environment that is conducive to their individual physiological and psychological conditions.
- d) Protect workers from factors adverse to their health.
- e) Promote and maintain a working environment that is free from hazards.

2. DEFINITIONS

- **“accident”** means an accident arising out of and in the course of an employee’s employment and resulting in a personal injury, illness or the death of the employee.
- **“hazard”** means a source of or exposure to danger.
- **“health and safety committee”** means a committee established under section 19 of OHSA
- **“healthy”** means free from illness or injury attributable to occupational causes.
- **“incident”** means an incident as contemplated in section 24 of OHSA
- **“issue”** means personal safety equipment / protective clothing as well as other clothing and uniforms not compulsory by law.
- **“machinery”** means any article or combination of articles assembled, arranged or connected and which is used or intended to be used for converting any form of energy to performing work, or which is used or intended to be used, whether incidental thereto or not, for developing, receiving, storing, containing, confining, transforming, transmitting, transferring or controlling any form of energy.
- **“medical surveillance”** means a planned programme of 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”.
- **“occupational health”** means including occupational hygiene, occupational medicine and biological monitoring
- **“occupational health practitioner”** means an occupational medicine practitioner or a person who holds a qualification in occupational health recognized as such by the South African Medical and Dental Council as referred to in the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No 56 of 1974) or South African Nursing Council as referred to in the Nursing Act, 1978 (Act no 50 of 1978).

- **“occupational hygiene”** means the anticipation, recognition, evaluation and control of conditions arising in or from the workplace which may cause illness or adverse health effects to persons,
- **“risk”** means the probability that injury or damage will occur.
- **“safe”** means free from any hazard.

All terminology not defined under clause 2 of this policy shall bear the same meaning as in the applicable legislation.

3. LEGAL FRAMEWORK

- Basic Conditions of Employment Act, 1997 (Act 75 of 1997)
- Labour Relations Act, 1995 (Act 66 of 1995)
- Local Government Municipal Systems Act, 2000 (Act 32 of 2000)
- Local Government Municipal Finance Management Act, 2003 (Act 56 of 2003)
- Locally Negotiated Agreements (LLF Resolutions)
- Occupational Health and Safety Act, 1993 (Act 85 of 1993 and Regulations)
- Compensation for Occupational Injury and Diseases, 1993 (Act 130 of 1993)
- Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act 56 of 1974) or South African Nursing Council as referred to in the Nursing Act, 1978 (Act 50 of 1978)
- Employment Equity Act, 1998 (Act 55 of 1998)

4. SCOPE AND APPLICATION

This policy of which Annexure “A” and “B” form an integral part, applies to all employees of Overberg District Municipality.

5. OBJECTIVES OF POLICY

- To implement an Occupational Health and Safety Programme.
- To identify all risks and changes in risk factors in areas regarded as high risk.
- To stay abreast of legislative requirements and to meet it as far as is reasonably practicable.
- To train employees on matters pertaining to their work and the associated risks involved.
- To ensure that the knowledge and information available is adequate to achieve these objectives.
- To continually evaluate health and safety programmes, adapting it as and when problems are identified.
- To partake actively in the accident / incident prevention programme.

6. IMPLEMENTATION AND MONITORING

All issues may only be dealt with in terms of this policy and Annexure “A” an “B”. Additions, reductions or changes to the Annexures must be motivated by the relevant Manager in writing to the Municipal Manager or his assignee.

Each department must keep proper record of all issues to each employee and these records must be open for audit and inspection by the Internal Audit section and the designated employee in the Human Resource department, responsible for Occupational Health and Safety.

7. COMMUNICATION

The policy and related information pertaining to occupational health and safety must be communicated to all municipal employees using the full range of communication methods available (e.g meetings, e-mail, etc.) to the municipality.

8. POLICY REVIEW

This policy will be revised if necessary in the light of changing conditions and the findings of surveys/studies conducted by the Overberg District Municipal's Health and Safety Committee.

9. BUDGET AND RESOURCES

Purchases and issues must be controlled by each Manager or his assignee. Managers must budget annually accordingly.

10. RECORD KEEPING

All documentation and correspondence emanating from the policy must be kept on either personal and/or record files as dictated by the nature of issue.

11. PENALTIES

Non-compliance to any of the provisions contained in this policy will be regarded as misconduct and must be dealt with in terms of the Disciplinary Code.

12. ANNEXURE

Annexure A: Health and Safety Procedures (Work Arrangements)

Annexure B: Organisation: Roles and Responsibilities

ANNEXURE A

Health and Safety Procedures (Work Arrangements)

1. Medical Surveillance Programme

A Medical Surveillance Programme must be used to identify and record the presence of any occupational disease and the degree of exposure. The information must be used to ensure that the health of the employee will not be compromised by placement in a particular job.

Employees who have a health condition which will or could be compromised will not be placed in high risk areas. General health information, not required for the job, is used to identify health needs and the health care that the individual would require.

2. Pre-employment examination (PEM)

Certain employees must undergo a pre-employment medical examination prior to being appointed to a position. The inherent requirements of the position will determine whether medical examination is needed. The selection criteria will be the risks involved determined by the job and results must be kept confidential. The inherent medical requirement must be used to ensure non-discrimination results.

A declaration must be signed by the applicant accepting the conditions of the Medical Surveillance Programme and any testing required. The Manager must be notified of the suitability of the applicant.

3. Periodic Screenings (PS)

Employees working in specific areas or shifts must undergo screening at various intervals, depending on the health risk profile to risk – e.g. drivers must be examined annually. A certificate of fitness must be issued.

4. Transfer Screening (TS)

Employees must only be screened for the job they are initially placed in. This means that employees will not necessarily be suitable to work in another area, except if they are required to be multi – skilled to work in all areas. Any employee requiring or applying for transfer must first undergo an assessment to ensure suitability.

5. Legislative Compliance

The Municipality must follow all aspects of the OHSA and its Regulations, including any other mentioned documents (i.e. SABS codes). Any training done with regard to legislation or health and safety programmes, policies and procedures must be noted and kept on file. Any person who does not adhere to legislation will be guilty of an offence and must be disciplined according to the disciplinary code.

6. Injury Reporting

All injuries and incidents must in terms of OHSA reported immediately or as soon as practically possible for assessment, recording or possible investigation.

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7. Wearing of Personal Protective Clothing (PPC)

Occupations must be identified which requires PPC to be worn by the incumbents. Employees will be required to sign for the PPC issued, to follow the procedure and undergo training required for correct usage. Where safety clothing or equipment has been issued, it shall be deemed as an offence if it is not worn at all times, and thus disciplinary action according to the disciplinary code must be instituted on non-compliance.

8. Hazardous Chemical Substance in Daily Use

Material Safety Data Sheets must be made available regarding the safe use, storage, etc. of all chemical substances in use on site. Each department must have relevant information in an accessible file and ensure the necessary training, according to Section 13 of the OHS and Regulations, is presented to all.

9. Workplace Safety and Protective Clothing Rules

As safety is the constant concern of this municipality, every precaution must be taken to provide a safe workplace. Occupational Health and Safety Representatives must make regular inspections and conduct safety meetings as prescribed. Occupational Health and Safety Representatives must meet with management to plan and implement improvements in the safety program.

Overberg District Municipality regards the safety of employees of utmost importance and any wilful or habitual violation of safety rules shall be considered causes for disciplinary actions.

The cooperation of every employee is necessary to ensure safe places of work. Unsafe conditions or hazards must immediately be reported to the supervisor, or the Occupational Health and Safety Representative. Employees must give earnest consideration to the rules of safety presented to them by poster signs, discussions with their supervisors, posted department rules, etc.

9.1 **Accident reporting:** Any injury at work – no matter how small – must be reported immediately to the supervisor and receive first aid attention.

9.2 **Specific safety rules and guidelines:** To ensure the safety, of employees the following rules and guidelines must be observed and obeyed by all employees:

- Observe and practice the safety procedures established for the job.
- Sickness or injury, no matter how slight, must be reported at once to the supervisor. In no case must an employee treat his own or someone else's injuries other than immediate first aid to stabilize the injury or attempt to remove foreign particles from the eye.
- In case of injury resulting in possible fracture to legs, back, or neck, or any accident resulting in an unconscious condition, or a severe head injury, the employee is not to be moved until medical attention has been given by authorized personnel.
- Employees are not to wear loose clothing or jewellery in the vicinity of machinery.
- The attention of employees must never be distracted as it might cause him or her to be injured.

- Employees must, where required, wear protective equipment, such as, safety glasses, masks, gloves, hair nets, etc.
- Safety equipment such as restraints, pull backs, and two-hand devices are designed for the employee's protection and must be adjusted as such.
- Materials, skids, bins, boxes or other equipment must be piled so as not to block aisles, exits, fire fighting equipment, electric lighting or power panel, valves, etc. FIRE DOORS AND AISLES MUST BE KEPT clear at all times.
- Work areas must be kept clean at all times.
- Compressed air must be used only for the job for which it is intended and clothes must not be cleaned with it.
- Smoking regulations must be observed.
- Machines must be shut down before cleaning, repairing, or leaving.
- Tow motors and lift trucks must be operated by authorized personnel. Walk-type lift trucks will not be ridden and no one but the operator is permitted to ride tow motors.
- Speed that is safe for existing conditions must not be exceeded.
- Running and horseplay are strictly forbidden.
- Access to fire extinguishers must not be blocked.
- No tampering with electric controls or switches is allowed.
- Machines or equipment must only be operated upon proper instruction and authorization to do so by the supervisor.
- Employees must lift loads by using their legs and not their backs.
- Machine guards must be kept in their intended places.
- Objects must not be thrown.
- Clean up Spilled liquid, oil, or grease must be cleaned immediately.
- Hard sole shoes and appropriate clothing must be worn. Shorts or mini dresses are not permitted.
- Trash and paper must be placed in proper containers and not in cans provided for cigarette butts.

9.3 **Safety checklist:** It's every employee's responsibility to be on the lookout for possible hazards. Should one of the conditions on the list hereunder be observed – or any other possible hazardous situation – it must immediately be reported to his/her supervisor:

- Slippery floors and walkways.
- Tripping hazards, such as hose links, piping, etc.
- Missing (or inoperative) entrance and exit signs and lighting.
- Poorly lighted stairs.
- Loose handrails or guard rails.
- Loose or broken windows.
- Dangerously piled supplies or equipment.
- Open or broken windows.
- Unlocked doors and gates.
- Electrical equipment left operating.
- Open doors on electrical panels.
- Leaks of steam, water, oil, etc.
- Blocked aisles.
- Blocked fire extinguishers, hose sprinkler heads.
- Blocked fire doors.
- Evidence of any equipment running hot or overheating.

- Oily rags.
 - Evidence of smoking in non-smoking areas.
 - Roof leaks.
 - Directional or warning signs not in place.
 - Safety devices not operating properly.
 - Machine, power transmission, or drive guards missing, damaged, loose, or improperly placed.
- 9.4 **Safety equipment:** Supervisors must see that employees receive the protective clothing and equipment required for the job. Employees must use it as instructed and take care of it. Employees will be charged for loss or destruction of these articles only when it occurs through negligence.
- 9.5 **Safety shoes:** The Municipality must designate which jobs and work areas require safety shoes. Under no circumstances must an employee be permitted to work in sandals or open-toe shoes.
- 9.6 **Safety glasses:** The wearing of safety glasses by all shop employees is mandatory.
- 9.7 **Seat belts:** All employees must use seat belts and shoulder restraints (if available) whenever they operate a vehicle on municipal business. The driver is responsible for seeing that all passengers in front and rear seats are buckled up.
- 9.8 **Good housekeeping:** Work locations must be kept clean and orderly. Machines and other objects (merchandise, boxes, shopping carts, etc) must be kept out of the centre of aisles. Trash must be placed in the proper receptacles. Shelves must be stocked carefully in order that so merchandise will not fall over upon contact.
- 9.9 **Wear and use of issues:** Employees are compelled to wear and use the relevant issues. Managers are responsible as provided in Section 16(2) OHS. Supervisors, the Occupational Health and Safety Officer and safety representatives must continuously check on employees and report deviations to the relevant manager and the Director. No employee may use or wear issues in his/her private time or on private use.
- 9.10 **Cleaning:** Cleaning, washing and ironing of issues are the responsibility of the employee. Abnormal circumstances must be referred to the Director or his assignee for consideration.
- 9.11 **Ownership:** All issues for a specific cycle remain the property of the Municipality during that cycle. All issues of equipment remain the property of the Municipality and must be marked in such a way that the date of issue can be determined. When an item is replaced, such item, when replaced, must be taken in and subsequently destroyed.
- 9.12 **Undertaking in writing:** All employees must undertake in writing to wear and use all issues, before an issue takes place.
- 9.13 **Termination of service:** When an employee leaves the Municipality's service, Managers must see to the return or retaining of issues issued for a specific cycle

as well as recovering of outstanding monies in collaboration with the Manager: Human Resources, as determined in the employee's service contract.

- 9.14 **Induction training:** All newly appointed employees must be properly informed of this policy and its contents thereof, and must acknowledge receipt of a copy in writing. This policy is therefore a part of each employee's service contract and where necessary specific conditions in this regard must be additionally included in the service contract.
- 9.15 **Frequency / terms of issue:** Issues of overalls must be made annually according to schedules. Other issues are based on the principle of as and when needed and will therefore only be replaced when worn out. This schedules serves as determination of which equipment and clothing must be issued the quantities that must be issued as well as the minimum life expectancy of the items issued. Proof that the items are worn out or the returning of worn out items, is compulsory before a new issue can / may be made.
- 9.16 **Responsibility for issues:** Employees who negligently loose or damage their issues will be held responsible for the replacement costs.
- 9.17 **Disregarding of policy conditions:** Disregarding of the policy conditions will be dealt with in accordance with the existing disciplinary procedures of the Municipality.
- 10. Working in raining conditions (excluding emergency services busy with emergency work)**

Every employee who works in the open must wear suitable protective clothing when raining. Depending on the level, rate or concentration of the rainfall, the supervisor concerned may require employees who work in the open to continue working whilst raining provided that such employees wear suitable protective clothing.

The supervisor concerned must evaluate the rainfall level, extent, concentration and the effect it has on the safety, health and qualitative production of employees working in the rain. Should the supervisor be of the view that the level, rate or concentration of the rainfall affects the safety, health, effectiveness or qualitative production of the employees, he/she must order work to be abandoned forthwith and order such employees to move to a suitable place identified by the supervisor where there is shelter.

Should the supervisor upon his/her assessment of the weather conditions be of the view that there is slim and/or no prospect of the stoppage of rainfall, he/she may instruct the employees to abandon work and to return to the relevant depot, workshop or plant. Any employee removed from a worksite in the open due to rain may be expected to perform other duties at the depot, workshop or plant, which will not expose him/her to rain.

ANNEXURE B

ORGANISATION: ROLES AND RESPONSIBILITIES

1. Responsibilities of the Employer and its nominees:

- Identify potential hazards which may be present while work is being done, and any equipment is being used.
- Ensure that plant, tools, equipment and machinery are safe, maintained in good working order and those materials and operational processes are without risk to health.
- Establish the precautionary measures that are necessary to protect his or her workers against the identified hazards and provide means to implement these precautionary measures in order to reduce or remove the risks associated with the hazards.
- Provide the necessary information, instructions, training and supervision.
- Not permit anyone to carry on with any task unless the necessary pre-measures have been taken.
- Take steps to ensure that every person under his control comply with the requirements of the act.
- Enforce the necessary control measures in the interest of health and safety.
- See to it that work being done and equipment being used is under the general supervision of a worker who has been trained to understand the hazards associated with the work and such a worker must ensure that the precautionary measures are implemented and maintained.
- Delegate responsibilities to employees appointed in terms of OHSA.
- Decide if employees appointed in terms of OHSA may sub-delegate responsibilities.
- Provide employees appointed in terms of OHSA with appropriate information, training and facilities and time to execute.

2. Duties of the Occupational Health and Safety Officer:

- Recommend to the Municipal Manager written appointments indicating duties, functions and responsibilities.
- Document all agreements relevant to OHS.
- Report all deviations, deficiencies and concerns to the Municipal Manager for authorization, action and implementation within reasonable timeframes.
- Ensuring that all aspects of the programme are identified assessed, suitable risk control measures are implemented, maintained, evaluated and reviewed for efficiency and compliance.
- Incident Investigations
- Internal Audits.
- Monitoring of legal compliance.
- Training, development and facilitation of employees, representatives, awareness, information, formal and informal training. Committee meetings, remedial actions, contractor control.
- Support structures for representatives and committees.
- Maintain OHS information, records and database.
- Supervise the Compensation for Occupational Injuries and Diseases Act, (Act 130 of 1993) execution and compliance.
- Report on incidents, trends, risks.

3. Duties of Employees:

- Take care of his or her own health and safety, as well as that of other persons who may be affected by his or her actions or negligence to act.
- Follow all the health and safety rules and procedures that are provided and communicated by the employer or anyone authorized or competent to do so.
- Wear the prescribe safety clothing or use the prescribed safety equipment where it is required.
- Cooperate with an employer or any person who has been authorized by the employer to carry out duties in terms of the act.
- Inform the employer or their health and safety representative of any unhealthy circumstances or acts that they are aware of.
- Give information to an inspector from the Department of Labour if he or she should require it.
- Formally report any incident that they were involved in or aware of that could cause a health risks or that may results in an injury.
- Not to interfere with, damage or misuse anything that is provided in the interest of health or safety. This applies to intentional and or careless or irresponsible actions.

EXTRACT FROM THE COUNCIL MINUTES HELD ON 27 JULY 2015

Item M259. 27.07.2015

HR (HUMAN RESOURCES) POLICIES (NEW)
(Ref.:9/1/B)

J C P Tesselaar: Director Management Services/CFO

PURPOSE

To seek Council approval for the proposed HR policies.

BACKGROUND

Municipalities are required to update HR policies. All proposed policies tabled and discussed at Local Labour Forum.

LEGAL REQUIREMENTS

Annual update of HR policies

ATTACHMENT

Proposed new HR Policies:

- Time off to Attend Funeral or Memorial Service
- Occupational Health and Safety Policy
- Skills Retention Policy

UNANIMOUSLY RESOLVED: (Proposed by cllr I Sileku and seconded by cllr K Tiemie)

1) That the proposed HR Policies be approved with effect 1 August 2015.

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- Occupational Health and Safety Policy
 - Skills Retention Policy

2) That the Time of to Attend Funeral or Memorial Services be referred back to the Administration.

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