



## OCCUPATIONAL HEALTH, SAFETY SPECIFICATION

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04	November 2023	<ol style="list-style-type: none"> <li>1. Purpose: reworded for relevance and flow (Page7).</li> <li>2. Introduction: reworded for context and reference of applicable legal and other requirements (Page 7).</li> <li>3. Section 5: Regulatory Framework: Added National Water Act 36 of 1998 (Page 10-11).</li> <li>4. Section 8 - Table 1 - corrected description to align to "First aiders (training, rehearsal)" cost item and added working at heights to the table. (Page 13 -15).</li> <li>5. Section 11: Added the circumstances that may require the Site Safety Office (Page 19 - 20).</li> <li>6. Section 25: under "Inspections by SHE Representatives and Other Appointees" - Added last 2 bullets to clarify the importance of inspections (Page 34).</li> <li>7. Section 37: Changed heading from Covid -19 to "Disease Control" and removed reference to HBS and replaced with Hazardous Biological Agents (HBA's) - including the content specific to HBA's . (page 42-44)</li> </ol>	H&S Consultant: (Newground Projects)

		<p>8. Section 56: Replaced reference to HCS (hazardous chemical substances) with HCA (hazardous chemical Agents) to align with current terminology (Page 72 to 73).</p> <p>9. Section 58: Document Review (included document review parameters) and removed from being referenced on earlier pages (page 73).</p> <p>10. Section 59: removed pasted samples of regulatory applications in favour of descriptions of applicable approvals that must be sourced from the construction regulations (page 74).</p> <p>11. Section 60: additional section number created to ensure that “acknowledgement of specification is the last section” (page 74-75)</p>	
05	November 2024	<p>1. Table 1: Additional row no 2 was created to include the Safety Officer Appointment triggers and criteria for:</p> <p>Maintenance &amp; Repair Services to Civil Infrastructure Contractor, Roof Maintenance and Repair Services Contractor and any other Service Contractors were explained in details (page 15).</p> <p>2. Table 1: Additional row no 12 was created to include Ergonomics Compliance Requirements (page 16).</p> <p>3. Table 1: Additional row no 13 was created to include HBA Compliance Requirements (page 17)</p> <p>4. Table 1: Row no 19 Height Works compliance requirements were added namely:</p> <ul style="list-style-type: none"> <li>-Fall Protection Developer Appointment</li> <li>-Fall Protection Plan which includes Fall Rescue Plan</li> <li>- Fall risk assessment</li> </ul>	Njabulo Ntuli

		<p>-The emphasize on ensuring that Medical Fitness Certificates are correctly completed (page 18).</p> <p>5. Section 13: The additional trigger for construction work permit was added” <i>the contract is of a value of 60 million Rand or more</i>” (page 24)</p> <p>6. Table 3: The tittle for Manager was corrected from SHEQ Manager to Manager: SHEQ (page 33).</p> <p>7. Section 22: The additional trigger for construction work permit was added” the contract is of a value of 60 million Rand or more” (page 35).</p>	
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## DISTRIBUTION

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## APPROVAL

This document requires the following review / verification / approval:

Name	Designation	Role	Signature	Date
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## **PART A- General Occupational Health, Safety & Environmental requirements**

### **1. Purpose**

The purpose of the Health, Safety and Environmental Specifications is for the specification to be used as a standard on which Principal Contractors / Contractors Health and Safety Planning and safe work conditions must be based upon.

This Health, Safety and Environmental Specifications defines ELIDZ's standard by which the occupational health, safety and environmental risks identified by the client shall be controlled at the ELIDZ site.

The specifications have been designed as performance specifications to guarantee that the ELIDZ, as well as any parties entering formal agreements with the ELIDZ, such as Consultants, Contractors, Sub-contractors, and Tenants, attain a satisfactory standard of health, safety, and environmental performance.

### **2. Scope**

This Health, Safety and Environmental Specification shall be applicable to all projects commissioned by EAST LONDON IDZ (SOC) LTD involving "Construction Work" as defined in the Occupational Health and Safety Act 85 of 1993 (As Amended) and applicable regulations, regardless of the size and value of works and regardless of whether the project is controlled by the ELIDZ or an Independent Developer.

The Principal Contractor/Subcontractor are obligated to adhere to the provisions outlined in this Health and Safety Specification. The goal is to mitigate risks associated with contract work, reducing the likelihood of incidents causing injury or illness to a level that is reasonably achievable.

### **3. Introduction**

As per the Construction Regulation 2014, East London IDZ (SOC) Ltd is mandated to create a Health, Safety, and Environmental Specification for any forthcoming construction project and furnish this specification to potential bidders. The primary goal of this Health, Safety, and Environmental Specification is to ensure that Independent Developers, Principal Contractors, and Contractors, whether engaging with EAST LONDON IDZ (SOC) LTD or involved in Independent Development projects, attain a satisfactory standard of occupational health, safety, and environmental performance.

This document is an integral component of Contracts for Agents, Principals, and other Contractors, and it must be incorporated into their agreements, including those they may have with Contractors and Suppliers.

Compliance with this Health, Safety, and Environmental Specification does not absolve stakeholders, including Principal Contractors and Contractors, from adhering to the minimum



legal requirements. The Principal Contractor/Contractor remains responsible for the health and safety of their employees and those working on their behalf.

All stakeholders must ensure they fully understand the stipulations within this specification. This specification does not override the relevant Act or the Construction Regulations. The sections of the Act and the Construction Regulations that pertain to the scope of work under this Contract remain legally binding for all project stakeholders.

Every precaution has been taken to ensure the accuracy of this Specification. However, any potential errors or omissions should not be considered as grounds for claims regarding additional reimbursement or extensions of time under the contract.

Agents and Contractors, in their tender submissions, must demonstrate that they have allocated funds to meet the cost of complying with the specified health and safety requirements, the relevant Act, and the Construction Regulations 2014.

The Contractor is responsible for furnishing the Client with a comprehensive and well-documented health and safety plan that aligns with this Specification and is tailored to the specific project site, as dictated by the Act and the Construction Regulations. This plan must be in effect from the project's start date and throughout its execution."

## **4. Occupational Health, Safety and Environmental Policy**

### **4.1 Occupational Health and Safety Policy**

The East London Industrial Development Zone (SOC) Ltd (ELIDZ) is a world class Operator of a prestigious industrial complex where highly competitive organisations thrive on streamlined business benefits and stimulate regional economic growth. ELIDZ aims to apply world-class occupational health and safety (OH&S) management practices within its Industrial Development Zone (IDZ), hence becoming the model for similar developments throughout Africa. The ELIDZ shall be developed and operated in a manner, which is economically and socially acceptable and sustainable. The ELIDZ recognizes that OH&S Management is an integral part of its overall business performance as any failure in this area will negatively impact on the Organization, its employees, tenants, contractors, and the public.

**The ELIDZ (SOC) Ltd is committed to establish and maintain an OH&S Management System to:**

- Determine those OH&S hazards related to the ELIDZ development and activities which may put the health and safety of the ELIDZ employees, contractors, tenants, visitors, and community at risk.

- Plan actions to mitigate negative occupational health and safety risks within the ELIDZ's jurisdiction, creating a safe and healthy environment which will lead to the prevention of injuries and ill health.
- Monitor all ELIDZ tenant activities within ELIDZ's jurisdiction which can result in negative OH&S risks.
- Provide a framework and the means for setting, monitoring and achieving objectives to improve OH&S performance.
- Ensure adherence to all OH&S legislation, government policy and other requirements relevant to the development and operation of the ELIDZ.
- Periodically monitor, audit and review progress.
- The above will be underpinned through consultation and participation of workers.

In so doing, the ELIDZ shall wherever reasonably practicably manage potentially detrimental effects on the OH&S of all employees and the health and safety of communities affected by the ELIDZ development.

As a responsible corporate citizen, the ELIDZ shall work with companies operating within the ELIDZ and with all tiers of government to ensure appropriate management of OH&S risks within its scope of authority.

**The ELIDZ (SOC) Ltd shall pursue continual improvement through the use of:**

- Cost effective OH&S performance criteria; and
- Reduction of the risk of ill health, accidents, and incidents,

This policy will be communicated to all employees and contractors working for, or on behalf of the ELIDZ and will also be posted on the ELIDZ website.

Top Management take full responsibility for the OH&S performance of the ELIDZ and hereby assert that adherence to this OH&S Policy is mandatory to all ELIDZ employees, contractors, and visitors. Top Management hereby further pledge on behalf of the ELIDZ (SOC) Ltd to integrate OH&S considerations into our decision-making processes.

This policy will be reviewed periodically as the need arises to ensure it remains relevant and appropriate to the ELIDZ and will be distributed to the public on request.

## **4.2 Environmental Policy**

The East London Industrial Development Zone (SOC) Ltd (ELIDZ) is the world class of prestigious industrial complex where highly competitive organisations thrive on streamlined business benefits and stimulate regional economic growth. The ELIDZ aims to apply world-class environmental management practices within its Industrial Development Zone (IDZ), hence becoming the model for similar developments throughout Africa. The ELIDZ shall be developed and operated in a manner, which is economically, socially acceptable, and sustainable. The ELIDZ recognizes that Environmental Management is an integral part of its overall business

performance, as any failure in this area will negatively impact on the Organization, its employees, tenants, contractors, and the public.

**The ELIDZ (SOC) Ltd is committed to striving for environmental best practice in all phases of development by:**

- i. Complying with all applicable environmental legislation, government policies and any other requirements that pertain to the ELIDZ.
- ii. Encourage the participation of all interested and affected parties in all phases of development of the ELIDZ.
- iii. Monitoring all tenant activities within ELIDZ's jurisdiction that could have potential detrimental impacts on the environment.
- iv. Avoiding or limiting the disturbance of landforms, ecosystems, and loss of biological diversity through all phases of development and operations.
- v. Promote the responsible use of water, energy, and other non-renewable natural resources where feasible.
- vi. Preventing pollution and waste where feasible.
- vii. Limiting potentially detrimental impacts of the ELIDZ activities on neighbouring communities.
- viii. Continual improvement of the Environmental Management System.

These objectives focus on the planning, design, development, and operations phases of the ELIDZ.

To achieve the aforementioned objectives, the ELIDZ will develop and maintain an Environmental Management System according to the principles contained in the globally recognized and adopted ISO 14001 Environmental Management System.

This policy will be communicated to all employees and contractors working for or on behalf of the ELIDZ.

Top Management take full responsibility for the Environmental responsibility of the ELIDZ and hereby assert that adherence to this Environmental Policy is mandatory to all employees, contractors, and visitors within the ELIDZ. Top Management hereby further pledge on behalf of the ELIDZ to integrate Environmental considerations into our decision-making processes.

The environmental policy will be reviewed periodically as the need arises to ensure it remains relevant and appropriate to the ELIDZ and will be distributed to the public on request.

## **5. Regulatory Framework (Legal Requirements)**

All Principal Contractors / Contractors entering a contract with EAST LONDON IDZ (SOC) LTD shall, as a minimum requirement, comply with the following regulatory framework:

- The Occupational Health & Safety Act and Regulations (Act 85 of 1993), hereinafter referred to as "the Act".
- The applicable promulgated Construction Regulations. These regulations are hereinafter referred to as "the Construction Regulations 2014".

- The South African Building Regulations
- The Compensation for Occupational Injuries & Diseases Act (Act 130 of 1993).
- All applicable National Environmental Management Act and Regulations.
- All incorporated South Africa National Standards (SANS codes) in terms of section 40 of the Occupational Health & Safety Act and Regulations (Act 85 of 1993)
- The by-laws of the local Municipality e.g., storage of flammable material, waste disposal, fire, effluent etc.
- The National Road Traffic Act, 1996.
- The Employment Equity Act No. 55 of 1998
- The National Water Act 36 of 1998.

## 6. Definitions

For the purpose of this Health Safety and Environmental Specification, the abbreviations or definitions given hereunder shall apply:

- **“Agent”** refers to the appointed Agent by ELIDZ to act on its behalf, and who is appointed in writing.
- **“Client”** refers to ELIDZ
- **“COIDA”** means Compensation for Occupational Injuries and Diseases Act 130 of 1993
- **“Competent person”** means a person who-
  - (a) has in respect of the work or task to be performed the required knowledge, training, and experience and, where applicable, qualifications, specific to that work or task: Provided that where appropriate qualifications and training are registered in terms of the provisions of the National Qualification Framework Act, 2000 (Act No 67 of 2000), those qualifications and that training must be regarded as the required qualifications and training; and
  - (b) is familiar with the Act and with the applicable regulations made under the Act.
- **“Construction manager”** means a competent person responsible for the management of the physical construction processes and the coordination, administration, and management of resources on a construction site.
- **“Construction site”** means a workplace where construction work is being performed;
- **“Construction supervisor”** means a competent person responsible for supervising construction activities on a construction site.
- **“Construction work”** means any work in connection with—
  - the construction, erection, alteration, renovation, repair, demolition or dismantling of or addition to a building or any similar structure; or
  - the construction, erection, maintenance, demolition or dismantling of any bridge, dam, canal, road, railway, runway, sewer, or water reticulation system; or the moving of earth, clearing of land, the making of excavation, piling, or any similar civil engineering structure or type of work.
- **“Construction vehicle”** means a vehicle used as a means of conveyance for transporting persons or material, or persons and material, on and off the construction site for the

purposes of performing construction work; and includes a bakkie or LDV used by the principal contractor or any contractor.

- **“Contractor”** refers to a Contractor of the Principal Contractor.
- **“CR”** refers to the applicable Construction Regulation.
- **“East London IDZ (SOC)”** refers to **East London Industrial Development Zone**.
- **“Excavation work”** means the making of any man-made cavity, trench, pit or depression formed by cutting, digging or scooping.
- **“Fall arrest equipment”** means equipment used to arrest a person in a fall, including personal equipment, a body harness, lanyards, deceleration devices, lifelines, or similar equipment.
- **“Fall prevention equipment”** means equipment used to prevent persons from falling from a fall risk position, including personal equipment, a body harness, lanyards, lifelines, or physical equipment such as guardrails, screens, barricades, anchorages, or similar equipment.
- **“Fall protection plan”** means a documented plan, which includes and provides for-
  - (a). All risks relating to working from a fall risk position and work where there is a risk of dropping materials.
  - (b). The procedures and methods to be applied in order to eliminate the risk of falling and dropping of materials on persons; and
  - (c). A rescue plan and procedures.
- **“Fall risk”** means any potential exposure to falling either from, off or into.
- **“Health and Safety Plan”** refers to a documented plan which addresses hazards identified and includes safe work procedures to mitigate, reduce or control the hazards identified.
- **“Health and Safety Specification”** (this documents) refers to a documented specification of all health and safety requirements pertaining to the associated works on a construction site, to ensure the health and safety of persons.
- **“Hot Work”** means any work where there is a fire or explosion risk, including but not limited to all welding, plasma cutting, LPG-or acetylene gas applications, grinding, work with flammable or explosive substances and work with chemicals with the potential of exothermic reactions.
- **“Medical certificate of fitness”** means a valid medical certificate of fitness issued by an occupational medicine practitioner after personally examining and testing the employee; such medical testing shall be relevant to the risks of the construction work on the Construction Site and shall conform to the Occupational Health and Safety Act and Regulations and to the requirements in this H&S specification. The medical certificate of fitness shall be documented on the registered doctor’s letterhead and shall contain the information required in Annexure 3 of the Construction Regulations. The medical certificate of fitness shall include proof of registration of the occupational medicine practitioner issuing the medical certificate and the practice number of the practitioner, including a statement that the doctor has personally examined the employee prior to issuing the medical certificate of fitness.
- **“Method statement”** refers to a document detailing the key activities to be performed in order to reduce as reasonably as practicable the hazard identified in the risk assessment.

- **“OHSA”** refers to the Occupational Health & Safety Act of 1993.
- **“Plant”** includes fixtures, fittings, implements, equipment, tools and appliances, and anything which is used for any purpose in connection with such plant.
- **“Principal Contractor”** means an employer who performs construction work for the client.
- **“Regulations”** refers to the Regulations issued under the Occupational Health & Safety Act.
- **“SHE”** refers to Safety, Health and Environmental.

## 7. List of References

- Occupational Health & Safety Act and Regulations (Act 85 of 1993).
- Construction Regulations 2014.
- National Environmental Management Act, 107 of 1998 and Amendment Act, 56 of 2002.
- Buffalo City Municipality By-Laws.

## 8. Implementation of Safety, Health and Environmental Specification

This specification forms an integral part of the Contract, and Principal Contractors are required to make it an integral part of their contracts with subcontractors and suppliers. Except where explicitly indicated, all standards applicable to the Principal Contractor shall equally apply to all contractors and all employees on the Site.

This document must be signed by the Principal Contractor and placed in the H&S plan. and must be signed by every appointed Contractor and placed in their respective H&S plan for approval by the Principal Contractor (where applicable).

The Principal Contractor and any Contractor shall ensure that there is sufficient evidence of:

- Adequate provision for the cost of health and safety measures.
- The principal contractor’s access to and intention to appoint persons with the necessary competencies to carry out the construction work safely.
- Access to the necessary resources to carry out the construction work safely and without risk to the health of the workers.

All Contractors shall allow in their H&S plans for the cost of complying with the requirements of this Health, Safety and Environmental Specification.

**Table 1.**

	H&S Cost Item	Description
1.	Full time construction Health and Safety officer	The Principal Contractor shall budget for the planned full-time attendance on site of a SACPCMP-registered health and safety officer with duties specified in writing in the H&S plan. Notwithstanding the CR, the Principal Contractor and the Agent shall decide whether contractors require a safety officer.
2.	Safety Officer for: Maintenance & Repair Services to Civil Infrastructure Contractor, Roof Maintenance and Repair Services Contractor and any other Service Contractors	<p><b>1.Maintenance &amp; Repair Services to Civil Infrastructure</b> The appointed contractor shall appoint a competent part time Safety Officer. However, if the need arises, ELIDZ may instruct the contractor to appoint a full time Safety Officer</p> <p><b>2. Roof Maintenance and Repair Services Contractor</b> The appointed contractor shall appoint a competent part time Safety Officer. The appointed contractor shall appoint a part time competent Safety Officer. However, if the need arises, ELIDZ may instruct the contractor to appoint a full time Safety Officer</p> <p><b>3. Any other Service Contractors</b> Based on the nature of work and risks attached to activities, ELIDZ may at any time evaluate and decide if the job requires a full-time, part-time safety officer or none at all. If the outcome of the evaluation emerges that one of the two is required. The contractor shall appoint a Safety Officer in the category decided by ELIDZ. The Safety Officer category competency requirements will be determined by ELIDZ based on nature of work performed.</p>
3.	Competent H&S design	Services of competent designer for demolition, temporary works, including scaffolding, a temporary goods lift or hoist, lifting operations, fall arrest installations as may be required and for work designs by the principal contractor.
4.	First aiders (training, rehearsal)	First Aider will be level 2 depending on the risks of the project.
5.	Competent inspectors (trained, certified competent)	Statutory inspections of temporary works, fire extinguishers, lifting equipment, lifting machinery, ladders, portable electrical equipment, electrical installations, pressure equipment and gas systems

	H&S Cost Item	Description
6.	Mandatory training in site legal register and risk assessments	Training of all employees holding statutory appointments as 'competent' persons, ensuring that they are familiar with the Act and Regulations H&S induction and Risk Assessment training all employees. Daily safe task instructions.
7.	Training of employees in H&S	Occupational health and safety training in accordance with the skills matrix included in the approved H&S plan.
8.	Medical certificates of fitness	Medical examination of all employees and certification of fitness by an occupational medicine practitioner (not a nurse).
9.	Medical surveillance in hearing conservation program	Where applicable, pre-placement, periodical and exit audiometry by registered audio metrist.
10.	Medical surveillance in respiratory conservation program	Where applicable, pre-placement, periodical and exit spirometry by competent spirometry technician.
11.	Medical surveillance in hazardous chemical substance management	Where applicable, pre-placement, periodical and exit medical examination of all exposed employees + sampling and assessment of biological exposure tests against the prescribed BEI.
12.	Ergonomics Compliance Requirements	<p><b>1. Ergonomics Risk Assessment</b> A contractor must, before the commencement of any work that might expose employees to ergonomics risks, have an ergonomic risk assessment performed by the competent person.</p> <p><b>2. Information, training &amp; Instructions</b> A contractor/employer must conduct training contemplated in regulations 3 (1) of the Ergonomic Regulations before placement and further conduct periodic refresher training on intervals agreed upon with a designated Health and Safety Committee.</p> <p><b>3. Medical Surveillance</b> A contractor/employer must establish and maintain a documented system of medial surveillance of employees, which is seen by and Occupational Medical Practitioner if the results indicated in regulation 6 (of Ergonomics Regulations) indicate an employee is at risk of exposure to Ergonomics Risks.</p>



	H&S Cost Item	Description
13.	Biological Compliance Requirements Agents	<p><b>1. Scope of Application</b></p> <p>These regulations are applicable to all contractors/employer's workplaces where HBA is produced, processed, used, handled, stored, transported or exposure to HBA may occur.</p> <p><b>2. Risk Assessment for HBA</b></p> <p>A contractor/employer must conduct and document the risks assessment to determine if any person could be exposed to HBA and ensure the risk assessment is conducted by a competent person.</p> <p><b>3. Information, instructions and Training</b></p> <p>An employer/contractor must ensure that all employees at the risk of exposed to HBA have been comprehensively informed, instructed and trained in both practical and theoretical aspects of HBA knowledge including but not limited to: Content, risks related to exposure, measures taken by an employer to protect employees and the precautionary measures to be taken by employees to protect themselves from being exposed.</p> <p><b>4. Medical Surveillance</b></p> <p>A contractor/employer must establish and maintain a documented system of medical surveillance of employees, which is seen by and Occupational Medical Practitioner if the result indicated in regulation 6 (of HBA regulations) indicate an employee is at risk of exposure to HBA.</p>
14.	Supply & training for PPE	<p>Standard set for all employees</p> <p>Where applicable, special sets including welding protection (head &amp; neck cover, overall, apron, face shield) special respiratory, adapted hearing protection, adapted hand protection, adapted eye and face protection.</p>
15.	Employee facilities	See OHSA Facilities- and Construction Regulations (drinking water, change facility, personal lockers, wash facilities, eating facilities)
16.	First aid facilities	<p>Standard first aid box per first aider</p> <p>Fall recovery additional items</p>
17.	Access control	All appropriate means of ensuring that no person accesses risk areas and no employees enter ELIDZ work areas other than the authorised work site

	H&S Cost Item	Description
18.	Safety signage	Access control, access and egress notification, drop zones, danger areas.
19.	Working at Heights	<p>Fall recovery training if fall arrest equipment is required.</p> <p>Fall Arrest Equipment</p> <p>Fall Protection Developer Appointment</p> <p>Fall Protection Plan which includes Fall Rescue Plan</p> <p>Fall risk assessment</p> <p>Working at heights equipment (SABS approved)</p> <p>Working at Heights medicals must obtain for each employee working at heights. It is a contractor's responsibility to ensure that Medical Fitness Certificates confirm that employees were assessed against working at heights.</p>

## 9. General duties of Contractors to their employees.

*(Construction Regulation 7)*

### 7. (1) A principal contractor must—

(a) provide and demonstrate to the client a suitable, sufficiently documented and coherent site-specific health and safety plan, based on the client's documented health and safety specifications contemplated in regulation 5(1)(b), which plan must be applied from the date of commencement of and for the duration of the construction work and which must be reviewed and updated by the principal contractor as work progresses.

(b) open and keep on site a health and safety file, which must include all documentation required in terms of the Act and these Regulations, which must be made available on request to an inspector, the client, the client's agent or a contractor; and

(c) on appointing any other contractor, in order to ensure compliance with the provisions of the Act—

(i) provide contractors who are tendering to perform construction work for the principal contractor, with the relevant sections of the health and safety specifications contemplated in regulation 5(1)(b) pertaining to the construction work which has to be performed.

(ii) ensure that potential contractors submitting tenders have made sufficient provision for health and safety measures during the construction process.

- (iii) ensure that no contractor is appointed to perform construction work unless the principal contractor is reasonably satisfied that the contractor that he or she intends to appoint, has the necessary competencies and resources to perform the construction work safely.
  - (iv) ensure prior to work commencing on the site that every contractor is registered and in good standing with the compensation fund or with a licensed compensation insurer as contemplated in the Compensation for Occupational Injuries and Diseases Act, 1993.
  - (v) appoint each contractor in writing for the part of the project on the construction site.
  - (vi) take reasonable steps to ensure that each contractor's health and safety plan contemplated in sub regulation (2)(a) is implemented and maintained on the construction site.
  - (vii) ensure that the periodic site audits and document verification are conducted at intervals mutually agreed upon between the principal contractor and any contractor, but at least once every 30 days.
  - (viii) stop any contractor from executing construction work which is not in accordance with the client's health and safety specifications and the principal contractor's health and safety plan for the site or which poses a threat to the health and safety of persons.
  - (ix) where changes are brought about to the design and construction, make available sufficient health and safety information and appropriate resources to the contractor to execute the work safely; and
  - (x) discuss and negotiate with the contractor the contents of the health and safety plan contemplated in sub regulation (2)(a), and must thereafter finally approve that plan for implementation.
- (d) ensure that a copy of his or her health and safety plan contemplated in paragraph (a), as well as the contractor's health and safety plan contemplated in sub regulation (2)(a), is available on request to an employee, an inspector, a contractor, the client or the client's agent.
- (e) hand over a consolidated health and safety file to the client upon completion of the construction work and must, in addition to the documentation referred to in sub regulation (2)(b), include a record of all drawings, designs, materials used and other similar information concerning the completed structure.
- (f) in addition to the documentation required in the health and safety file in terms of paragraph (c)(v) and sub regulation (2)(b), include and make available a comprehensive and updated list of all the contractors on site accountable to the principal contractor, the agreements between the parties and the type of work being done; and
- (g) ensure that all his or her employees have a valid medical certificate of fitness specific to the construction work to be performed and issued by an occupational health practitioner in the form of Annexure 3.

(2) A contractor must prior to performing any construction work—

- (a) provide and demonstrate to the principal contractor a suitable and sufficiently documented health and safety plan, based on the relevant sections of the client's health and safety specification contemplated in regulation 5(1)(b) and provided by the principal

contractor in terms of sub regulation (1)(a), which plan must be applied from the date of commencement of and for the duration of the construction work and which must be reviewed and updated by the contractor as work progresses.

(b) open and keep on site a health and safety file, which must include all documentation required in terms of the Act and these Regulations, and which must be made available on request to an inspector, the client, the client's agent or the principal contractor.

(c) before appointing another contractor to perform construction work be reasonably satisfied that the contractor that he or she intends to appoint has the necessary competencies and resources to perform the construction work safely.

(d) co-operate with the principal contractor as far as is necessary to enable each of them to comply with the provisions of the Act; and

(e) as far as is reasonably practicable, promptly provide the principal contractor with any information which might affect the health and safety of any person at work carrying out construction work on the site, any person who might be affected by the work of such a person at work, or which might justify a review of the health and safety plan.

(3) Where a contractor appoints another contractor to perform construction work, the duties determined in sub regulation (1)(b) to (g) that apply to the principal contractor apply to the contractor as if he or she were the principal contractor.

(4) A principal contractor must take reasonable steps to ensure co-operation between all contractors appointed by the principal contractor to enable each of those contractors to comply with these Regulations.

(5) No contractor may allow or permit any employee or person to enter any site, unless that employee or person has undergone health and safety induction training pertaining to the hazards prevalent on the site at the time of entry.

(6) A contractor must ensure that all visitors to a construction site undergo health and safety induction pertaining to the hazards prevalent on the site and must ensure that such visitors have the necessary personal protective equipment.

(7) A contractor must at all times keep on his or her construction site records of the health and safety induction training contemplated in sub regulation (6) and such records must be made available on request to an inspector, the client, the client's agent or the principal contractor.

(8) A contractor must ensure that all his or her employees have a valid medical certificate of fitness specific to the construction work to be performed and issued by an occupational health practitioner in the form of Annexure 3.

### **Notes**

*a) Regulation 7(4) Where there are multiple contractors on site appointed by the principal contractor, the principal contractor shall coordinate cooperation between contractors to ensure health and safety control, read with regulation 5 (1)(i).*

## 10. Management and supervision of construction work

*(Construction Regulation 8 of the Occupational Health and Safety Act, Act No. 85 of 1993)*

8. (1) A principal contractor must in writing appoint one full-time competent person as the construction manager with the duty of managing all the construction work on a single site, including the duty of ensuring occupational health and safety compliance, and in the absence of the construction manager an alternate must be appointed by the principal contractor.

(2) A principal contractor must upon having considered the size of the project, in writing appoint one or more assistant construction managers for different sections thereof: Provided that the designation of any such person does not relieve the construction manager of any personal accountability for failing in his or her management duties in terms of this regulation.

(3) Where the construction manager has not appointed assistant construction managers as contemplated in sub regulation (2), or, in the opinion of an inspector, a sufficient number of such assistant construction managers have not been appointed, that inspector must direct the construction manager in writing to appoint the number of assistant construction managers indicated by the inspector, and those assistant construction managers must be regarded as having been appointed under sub regulation (2).

(4) No construction manager appointed under sub regulation (1) may manage any construction work on or in any construction site other than the site in respect of which he or she has been appointed.

(5) A contractor must, after consultation with the client and having considered the size of the project, the degree of danger likely to be encountered or the accumulation of hazards or risks on the site, **appoint a full-time or part-time construction health and safety officer** in writing to assist in the control of all health and safety related aspects on the site: Provided that, where the question arises as to whether a construction health and safety officer is necessary, the decision of an inspector is decisive. This item needs to be determined by project risks and size.

(6) No contractor may appoint a construction health and safety officer to assist in the control of health and safety related aspects on the site unless he or she is reasonably satisfied that the construction health and safety officer that he or she intends to appoint is registered with a statutory body approved by the Chief Inspector and has necessary competencies and resources to assist the contractor.

(7) A construction manager must in writing appoint construction supervisors responsible for construction activities and ensuring occupational health and safety compliance on the construction site.

(8) A contractor must, upon having considered the size of the project, in writing appoint one or more competent employees for different sections thereof to assist the construction supervisor contemplated in sub regulation (7), and every such employee has, to the extent clearly defined by the contractor in the letter of appointment, the same duties as the construction supervisor: Provided that the designation of any such employee does not relieve the construction supervisor of any personal accountability for failing in his or her supervisory duties in terms of this regulation.

(9) Where the contractor has not appointed an employee as contemplated in sub regulation

(8), or, in the opinion of an inspector, a sufficient number of such employees have not been appointed, that inspector must instruct the employer to appoint the number of employees indicated by the inspector, and those employees must be regarded as having been appointed under sub regulation (8).

(10) No construction supervisor appointed under sub regulation (7) may supervise any construction work on or in any construction site other than the site in respect of which he or she has been appointed: Provided that if a sufficient number of competent employees have been appropriately designated under sub regulation (7) on all the relevant construction sites, the appointed construction supervisor may supervise more than one site.

**Notes:**

*Regulation 8(1) The Construction manager must demonstrate competency in relation to work being performed and the ability to manage construction work which may include making all statutory appointments in terms of health and safety.*

## **11. Duty to Inform**

*(Section 13 of the Occupational Health and Safety Act, Act No. 85 of 1993)*

Without derogating from any specific duty imposed on the Contractor by this Act, every Principal Contractor / Contractor shall—

- As far as is reasonably practicable, cause every employee to be made conversant with the SHE hazards attached to any work which he has to perform, any article or substance which he has to produce, process, use, handle, store or transport and any plant or machinery which he is required or permitted to use, as well as with the precautionary measures which should be taken and observed with respect to those hazards.

- Inform the SHE representatives concerned beforehand of inspections, investigations or formal inquiries of which he has been notified by an inspector, and of any application for exemption made by him in terms of section 40 of the Act; and
- Inform a SHE representative as soon as reasonably practicable of the occurrence of an incident in the workplace or section of the workplace for which such representative has been designated.

## **12. General duties of the Contractors Employees on site**

*(Section 14 of the Occupational Health and Safety Act, Act No. 85 of 1993)*

All Principal Contractors / Contractors shall ensure that the requirements governing the General duties of employees at work as defined here below are carried out in terms of the Act.

Every Principal Contractor's / Contractor's employee shall on the premises of EAST LONDON IDZ (SOC) LTD—

- Take reasonable care for the environment and for the health and safety of himself and of other persons who may be affected by his acts or omissions.
- As regards any duty or requirement 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 SHE rules and procedures laid down by his employer or by anyone authorized thereto by his employer, in the interest of health, safety or the protection of the environment.
- If any situation which is unsafe, unhealthy, or detrimental to the environment comes to his attention, as soon as practicable report such situation to his employer or to the SHE representative for his workplace or section thereof, as the case may be, who shall report it to the employer; and
- If he is involved in any incident which may affect his health or which has caused an injury to himself, report such incident to his employer or to anyone authorized thereto by the employer, or to his SHE representative, as soon as practicable but not later than the end of the particular shift during which the incident occurred, unless the circumstances were such that the reporting of the incident was not possible, in which case he shall report the incident as soon as practicable thereafter.

## **13. Duty not to interfere with, damage or misuse things in the interest of health and safety.**

*(Section 15 of the Occupational Health and Safety Act, Act No. 85 of 1993 )*

The Principal Contractor / Contractor shall ensure that no person under his/her control shall intentionally or recklessly interfere with, damage or misuse anything, which is provided in the interest of SHE protection.

## 14. Structure and responsibilities

### Overall Supervision and Responsibility for Occupational Health and Safety

The Chief Executive Officer of the Principal Contractor / Contractor, in terms of Section 16(1) of the Act shall ensure that the duties of his employer as contemplated in the Act, are properly discharged.

Every Principal Contractor / Contractor when entering in a contract with EAST LONDON IDZ (SOC) LTD and when appointing Contractors (Sub-contractors) in terms of the applicable Construction Regulations, shall do so in terms of section 37(2) of the Act.

The Contractor shall accept the appointment under the terms and Conditions of Contract.

The Contractor shall sign and agree to those terms and conditions and shall, before commencing work, notify the Department of Labour of the intended construction work in terms of the applicable Construction Regulations. Proof of this must be submitted to EAST LONDON IDZ (SOC) LTD.

Where the construction work requires a construction work permit the clients Agent will apply at least 30 days before the work may be carried out to the provisional directors of Department of Employment and Labour in writing for the construction work permit.

A work permit must be submitted if the construction work if the intended construction work will—

- (a) exceed 365 days.
- (b) will involve more than 3600 person days of construction work, or
- (c) the contract is of a value of 60 million Rand or more
- (d) the works contract is of a value is grade 7,8 or 9 of the Construction Industry Development Board (CIDB) grading.

The following documents must be provided to the client Agent to enable submission to the provisional director:

Annexure 1- Application for a permit to do construction work	CR 3(1)
Baseline Risk Assessment	CR 3(5)(a) read with 5(1)(a)
Health and Safety Specification	CR 3(5)(a) read with 5(1)(b)
Proof in writing that an Agent has been appointed (SACPCMP)	CR 3(5)(b)(ii) read with 5(5)
Proof in writing of Letter of Good Standing -Workmen's Compensation of Principal Contractor	CR 3(5)(b)(ii) read with 5(1)(j)
Proof that Designer has received the H&S Specification	CR 3(5)(b)(iii) read with 5(1)(c)
Proof that Designer has complied with all the duties in Reg 6	CR 3(5)(b)(iii) read with 5(1)(d)



Temporary work designer appointment	CR 3(5)(b)(iii) read with 5(1)(e) & 6(2)
Proof that Designer took H&S Specification in consideration for design	
Proof Principal Contractor made adequate provision for health & safety	CR 3(5)(b)(iii) read with 5(1)(g)
Proof Principal Contractor is competent and has the necessary resources	CR 3(5)(b)(iii) read with 5(1)(f)
Proof of written appointment of Principal Contractor	CR 5(1)(k)
Principal Contractor's Health Safety Plan	CR 5(1)(l)

Any acceptance, approval, check, certificate, consent, examination, inspection, instruction, notice, observation, proposal, request, test, or similar act by either the Employer, any of his Agents or the Representative / OH&S Agent including lack of disapproval shall not relieve the Contractor from any responsibility he has under the Act and the applicable Construction Regulations, including responsibility for errors, omissions, discrepancies and non-compliance.

The Client or his Representative / OH&S Agent will stop the Contractor from executing construction work should the Contractor at any stage in the execution of the works.

- fail to implement or maintain his SHE plans.
- execute construction work which is not in accordance with his SHE plans; or
- act in any way which may pose a threat to the health and safety of persons and/or the environment.

Any loss of time to the contract resulting from this type of stoppage will be for the account of the Contractor.

Every Principal Contractor / Subcontractor shall appoint designated competent employees and/or other competent persons as required by the Act and associated Regulations.

Below is a list of identified possible (not limited to these) appointments / designations required depending on the size and nature of the project where applicable.

**Table 2**  
**Guidance on Designations / Appointments (see applicable Regulations of the Act)**

Designation		Legal reference
* Indicates non-obligatory		
1.	Assigned Responsibility Designation	OHSA S16(1)
2.	Assigned Responsibility Designation	OHSA S16(2)
3.	Construction manager	CR 8(1)
4.	Assistant Construction manager*	CR 8(2)
5.	Construction Supervisor	CR 8(7)
6.	Construction Supervisor Assistant*	CR 8(8)
7.	Contractor	Contractor – CR 5(k) CR 7(1)(c)(v)

Designation		Legal reference
* Indicates non-obligatory		
8.	Emergency / Fire Co-ordinator	OHS Act S 8
9.	Fire Extinguisher Inspector	CR 29(h)– PER 19
10.	First Aider	GSR 3
11.	Health and Safety Officer	CR 8(5)
12.	Incident Investigator	GAR 9
13.	Risk Assessor	CR 9(1)
14.	Fall Protection Plan Developer	CR 10(1)(a)
15.	Temporary works designer	CR 12(1)
16.	Temporary works supervisor	CR 12(2)
17.	Demolition Supervisor	CR 14(1)
18.	Electrical Installation Controller	CR 24(c)
19.	Electrical Installation Inspector	CR 24(d)
20.	Ladder Inspector	GSR 13A
21.	Lifting Machine Operator	DMR 18
22.	Portable Electrical Equipment Inspector	EMR 10
23.	Scaffold designer	CR 12(1)
24.	Scaffold Erector	SANS 10085
25.	Scaffold Inspector	SANS 10085
26.	Scaffolding Supervisor	CR 16(1)
27.	Stacking & Storage Supervisor, including chemicals	CR 28 GSR 8
28.	Responsible for housekeeping	CR 27
29.	Explosive Actuated Fasting Device inspector*	CR 21(2)(b)
30.	Explosive Actuated Fasting Device Controller / Issuer*	CR 21(2)(g)(i)
31.	SHE Representative	OHS Act s17
32.	SHE Committee	OHS Act s19

EAST LONDON IDZ (SOC) LTD reserves the right to approve / disapprove an appointee and any changes in appointed / designated personnel shall be brought to the attention of EAST LONDON IDZ (SOC) LTD before the appointee assumes responsibility.

The Principal Contractor / Contractor shall, provide EAST LONDON IDZ (SOC) LTD with an organogram of all appointed / designated personnel and contractors and keep an up-to-date copy on site at all times.

In terms of the applicable Construction Regulation, or when instructed by EAST LONDON IDZ (SOC) LTD or an Inspector of the Department of Labour, the Principal Contractor / Contractor shall appoint a full-time or part-time competent Occupational Health and Safety Construction Officer (SHE Officer). This appointment shall be subject to approval by EAST LONDON IDZ (SOC) LTD.

## 15. Designation of SHE Representatives

*(Section 17 of the Occupational Health and Safety Act, Act No. 85 of 1993)*

Where the Principal Contractor / Contractor employs more than 20 persons (including the employees of others), he shall ensure that SHE Representatives are appointed in terms of the General Administrative Regulations 6 and section 17 of the Act.

SHE Representatives shall be designated in writing and the designation must include the area of responsibility of the person and term of the designation.

The Contractor's safety representative shall make available to EAST LONDON IDZ (SOC) LTD a telephone number at which the representative can be contacted at any time in the event of an emergency involving any of the Contractor's employees, or other persons at the Works.

## **16. Duties and Function of SHE Representatives**

*(Section 19 of the Occupational Health and Safety Act, Act No. 85 of 1993)*

The Principal Contractor / Contractor shall ensure that the designated SHE representatives conduct inspections where required, using a checklist, of their respective areas of responsibility and report thereon to the Principal Contractor. The duties and responsibilities of the SHE representative are defined in section 19 of the Act.

## **17. Establishment of SHE Committee**

*(Section 19 & 20 of the Occupational Health and Safety Act, Act No. 85 of 1993)*

The Principal Contractor / Contractor shall establish a SHE Committee where necessary consisting of all the designated SHE representatives and other co-opted persons.

Members of this committee shall be appointed in writing and shall meet at least monthly and the meeting Agenda shall contain the following but not limited to:

- Opening & Welcome.
- Present/Apologies/Absent.
- Minutes of previous Meeting.
- Matters Arising from the previous Minutes.
- SHE Representatives Reports.
- Incident Reports & Investigations.
- Incident /Injury Statistics.
- Other Matters.
- Endorsement of Registers and other statutory documents by a representative of the Principal Contractor.
- Close/Next Meeting.

## **18. Hazard Identification and Risk Assessment**

*(Section 9 read in conjunction Construction Regulation 9 of the Occupational Health and Safety Act, Act No. 85 of 1993)*

CR 5. (1) A client must—

(a) prepare a baseline risk assessment for an intended construction work project.

- (b) **prepare a suitable, sufficiently documented** and coherent **site-specific** health and safety specification for the intended construction work **based on the baseline risk assessment** contemplated in paragraph (a);
- (c) provide the designer with the health and safety specification contemplated in paragraph (b).
- (d) ensure that the designer takes the prepared health and safety specification into consideration during the design stage.
- (e) ensure that the designer carries out all responsibilities contemplated in regulation 6.

CR 9. (1) A contractor must, before the commencement of any construction work and during such construction work, have risk assessments performed by a **competent person appointed in writing**, which risk assessments form part of the health and safety plan to be applied on the site, and must include—

- (a) the identification of the risks and hazards to which persons may be exposed to.
  - (b) an analysis and evaluation of the risks and hazards identified based on a documented method.
  - (c) a documented plan and applicable safe work procedures to mitigate, reduce or control the risks and hazards that have been identified.
  - (d) a monitoring plan; and
  - (e) a review plan.
- (2) A contractor must ensure that as far as is reasonably practicable, ergonomic related hazards are analysed, evaluated and addressed in a risk assessment.
- (3) A contractor must ensure that all employees under his or her control are informed, instructed and trained by a competent person regarding any hazard and the related work procedures and or control measures before any work commences, and thereafter at the times determined in the risk assessment monitoring and review plan of the relevant site.
- (4) A principal contractor must ensure that all contractors are informed regarding any hazard that is stipulated in the risk assessment before any work commences, and thereafter at the times that may be determined in the risk assessment monitoring and review plan of the relevant site.
- (5) A contractor must consult with the health and safety committee or, if no health and safety committee exists, with a representative trade union or representative group of employees, on the monitoring and review of the risk assessments of the relevant site.
- (6) A contractor must ensure that copies of the risk assessments of the relevant site are available on site for inspection by an inspector, the client, the client's agent, any contractor, any employee, a representative trade union, a health and safety representative or any member of the health and safety committee.
- (7) A contractor must review the relevant risk assessment—
- (a) where changes are affected to the design and or construction that result in a change to the risk profile; or
  - (b) when an incident has occurred.

### Development of Risk Assessments

Every Principal Contractor / Contractor performing Construction Work shall, before the commencement of any Construction Work or work associated with the aforesaid Construction Work and during such work, cause a Project and site-specific Risk Assessment to be performed

by a competent person, appointed in writing, and the Risk Assessment shall form part of the SHE Plan and be implemented and maintained as contemplated in applicable Construction Regulation.

A copy of the risk assessment shall be always available on site for inspection.

The Risk Assessment Shall Include, at least:

- the identification of the risks and hazards to which persons may be exposed to.
- the identification of the risks and hazards to the environment.
- the analysis and evaluation of the risks and hazards identified.
- a documented plan of safe work procedures to mitigate, reduce or control the risks and hazards that have been identified.
- a monitoring plan and,
- A review plan.

Based on the Risk Assessments, the Principal Contractor / Contractor shall develop a set of site-specific Safe Work Procedures (SWP's)/ that will be applied to regulate the SHE aspects of the construction.

The Risk Assessments, together with the site-specific SWP's shall be submitted together with the SHE Plan to EAST LONDON IDZ (SOC) LTD before site hand over.

The Contractor shall at all times carry out the Works in a manner to avoid the risk of bodily harm to persons or risk of damage to any property or the environment.

The Contractor shall take all precautions, which are necessary and adequate to eliminate any conditions which contribute to the risk of injury to persons or damage to property or the environment.

### **Review of Risk Assessments**

The Principal Contractor / Contractor shall review the Hazard Identification, Risk Assessments and SWP's as the construction work develops and progresses and each time changes are made to the designs, plans and construction methods and processes.

The Principal Contractor / Contractor shall provide the EAST LONDON IDZ (SOC) LTD and other Contractors with copies of any changes, alterations or amendments of the above-mentioned review.

## **19. The SHE File**

*(Construction Regulation 7(1)(b) of the Occupational Health and Safety Act, Act No. 85 of 1993)*

As required by the applicable Construction Regulation the Principal Contractor / Contractors shall keep and maintain a Site Health and Safety File on the premises to be made available to the Employer or Inspector upon request, containing the following documents but not limited to which emanated from the H&S Plan.

1	Index of the SHE File
2	Notification of Construction Work;
3	Application for Construction work permit <i>*where required.</i>
4	Copy of Act and applicable Regulations;
5	Proof of Registration and letter of good standing with a compensation fund;
6	Occupational Health, Safety and Environmental Management Plans agreed with the Client including the underpinning Risk Assessment/s & (Copies of SHE Committee and other relevant Minutes;
7	Copy of SHE policies, HIV/AIDS policy
8	Updated Organisational Chart, signed letters of Appointment and proof of competency
9	Updated Medical Certificates of Fitness
10	Updated Training and Competency Matrix
11	Completed inspection checklists, audits
12	Accident and incident register and investigation forms
13	COIDA Accident and incident management
14	PPE Issue Register
15	Waste Manifests
16	Safety Data Sheets
17	Training and competency records
18	Designs / drawings;
19	Risk/Hazard assessment plan.
20	Method statement & SWI training records
21	Induction Training Programme & Records
22	A list of Contractors (Sub-Contractors) including copies of the agreements between the parties and the type of work being done by each Contractor
23	Letters of approval of sub-contractors H&S Plans
24	Letters appointment of sub-contractors
25	Copies of 37(2) appointments in terms of Act
27	Monthly Statistical monitoring of OHS incidents as per ELIDZ requirements
26	Monthly contractor reports of close outs to OHS Non-conformities reported by OH&S agent.
27	Internal Audit reports conducted by Client representatives or Principal Contractors on sub-contractors
28	Department of Employment and Labour audits
29	Corrective / Preventive Action plans for client audits
30	Certified documents (COC- PV test- Lifting equipment certificates)
31	Archived documents

Upon completion of the Works, the Contractor shall hand over the consolidated health and safety file to the Employer.

## 20. Legal Inspection Registers

The Principal Contractor / Contractor shall conduct all prescribed inspections. All registers shall be kept on file and EAST LONDON IDZ (SOC) LTD reserves the right to inspect all legal compliance registers. Find example below of inspection register but not limited to the following:

- Accident/Incident Register (Annexure 1 of the General Administrative Regulations 9);
- OH&S Representatives Inspection Register.
- Asbestos Demolition & Stripping Register.
- Batch Plant Inspections.
- Construction Vehicles & Mobile Plant Inspections by Controller.
- Daily Inspection of Vehicles. Plant and other Equipment by the operator/Driver/Use r
- Demolition Inspection Register.
- Designer's Inspection of Structures Record.
- Electrical Installations, -Equipment & -Appliances (including Portable Electrical Tools).
- Excavations Inspection.
- Explosive Powered Tool Inspection/Maintenance/Issue/Returns Register (incl. cartridges & nails).
- Fall Protection Inspection Register.
- First Aid Box Contents.
- Fire Equipment Inspection & Maintenance.
- Formwork & Support work Inspections.
- Hazardous Chemical Substances Record.
- Ladder Inspections.
- Lifting Equipment Register.
- Materials Hoist Inspection Register.
- Machinery Safety Inspection Register (incl. machine guards, lockouts etc.).
- Scaffolding Inspections.
- Stacking & Storage Inspection.
- Inspection of Structures.
- Inspection of Suspended Platforms.
- Inspection of Tunnelling Operations.
- Inspection of Vessels under Pressure.
- Welding Equipment Inspections.
- Oxy-Acetylene equipment inspections.
- Inspection of Work conducted on or Near Water.
- All other applicable records based on risk and project specific requirements.

## 21. SHE goals, objectives & arrangements for monitoring & review of she performance.

The Principal Contractor shall maintain incident/ injury statistics and report on this to EAST LONDON IDZ (SOC) LTD on a monthly basis.

**Disabling Injury:** is defined as any incident which arises directly out and in the course of duty, resulting in any occupational illness, injury or disease: giving rise to any related temporary or permanent disablement as determined by a medical practitioner. Furthermore, incidents shall be classified as **disabling** where one or more of the following criteria are applicable:

- The affected person is unable to continue with all of the task for which they were appointed responsible for, and which constitutes their normal work duties.
- The loss of one or more days or shifts following the shift during which the incident occurred, inclusive of weekends and scheduled off-duty days.
- All fractures and amputations, irrespective whether any days were lost (with exception of a hairline fracture which is certified by an attending physician as needing no further medical treatment, and provided no supportive materials are applied).
- Unconsciousness, irrespective of duration, resulting from workplace exposure or incident.
- Occupational illness which necessitates medical treatment resulting in restricted duties; and
- Any bone damage except close damage to the tuft of the terminal phalanx e.g. closed fracture, amputation of the tip of a finger.

The Contractor shall report monthly incident/injury statistics in the following manner:

Each contractor must maintain and provide a monthly summary register of incidents in the following tabulated format.

**Table 3**

Contractor Name	Month
FATAL	
LTI	
MT	
FA	
Man hours worked for the month	

FATAL = Fatal injury

LTI = Lost time injury

Mt = Medical Treatment

FA = First aid



These statistics are to be completed month on month representative of a calendar month. These statistics are to be submitted within the first week of the new month to the ELIDZ Manager: SHEQ or any authorised representative.

### Non-conformities and corrective actions

Non-conformities are raised by appointed SHE agents representing the ELIDZ. These are typically reported on a daily or weekly basis for action by the contractors. Contractors are to summarise these non-conformities onto the following tabulation and submit comments re' close out of these at the end of each calendar month to the SHEM of the ELIDZ:

**Table 4**

PROJECT	DATE	SIGNIFICANT OPEN NON-CONFORMANCES/ INCIDENTS		CORRECTIVE/PREVENTIVE ACTION/ COMMENTS	STATUS Complete/open
OHS agent inspections/ audits					
Environmental non-conformances - construction					

### Employer's Incentive Programme

The Employer, through the Engineer may, develop and implement an incentive system from time to time to award, or acknowledge Contractor's health and safety performance.

### PENALTIES

The Contractor shall be penalised R1000.00 for commencing works on site without requisite approved method statements and safe working procedures.

The Contractor shall be penalised R200.00 for each day on which work continues without requisite approved method statements.

Penalties arising out of lack of method statements shall be deductible from monthly payment certificates.

Penalties can be raised in terms of the following categories:

- Minor
- Medium
- Severe

See table below for penalties.

**Table 5**

<b>Minor: Penalty: R50/count</b>	<b>Medium: Penalty: R200/count or non-conformance</b>	<b>Severe Penalty: R5000/count, non- conformance and/or activity stoppage</b>
Non-use of PPE supplied	Toilets not supplied or regularly serviced; lack of drinking water	Contractors working without Health and Safety Plan approval
Non completion of registers for plant and equipment on site	Contractors not audited	Workers transported in contravention of the OHS plan or legal requirements
Lack of H&S signage at work areas	Working without training or the appropriate H&S method statements	Invalid Letters of Good Standing
Tools and equipment identified in poor condition during inspections	Legal non-conformances identified during the previous audit and not addressed within the agreed time frame	Failure to adhere to requirements of fall protection and fall arrest controls
Minor at risk actions and or conditions of a continuous nature.	No monthly OHS report at site meeting to report on	Scaffolding and or formwork not inspected, signed off and grossly non-compliant to the SANS codes and legal requirements
	No certificates of fitness for workers as required	Deep excavations not inspected, signed off and grossly non-compliant to legal requirements
	General non-compliance to developed procedures, forms, appointments and other requirements of the contractors OHS plan	Continued or repeated gross at risk actions and or conditions.

## 22. Notification of construction work / construction work permit

*(Construction Regulation 3 & 4 of the Occupational Health and Safety Act, Act No. 85 of 1993)*

### Construction work notification / permit

A contractor who intends to carry out any construction work must at least 7 days before the work is carried out notify the provincial director in writing in the form of Annexure 2 if the intended construction work will:

- (a) include excavation work.
- (b) include working at a height where there is risk of falling.
- (c) include the demolition of a structure, or
- (d) include the use of explosives to perform construction work.

The client must at least 30 days before construction work is carried out, apply to the provincial director in writing for a construction permit to perform construction work if the intended construction work will:

- (a) exceed 365 days.
- (b) will involve more than 3600 person days of construction work, or
- (c) the contract is of a value of 60 million Rand or more
- (d) the works contract is of a value is grade 7,8 or 9 of the Construction Industry Development Board (CIDB) grading.

An application contemplated in sub regulation (1) must be done in a form similar to Annexure 1.

## **23. Training awareness, promotion and competence**

The Principal Contractor/Contractor shall include training certificates of appointed/designated personnel in the Health and Safety Plan.

### **Site Specific SHE Induction Training**

The Principal Contractor / Contractor shall develop project specific SHE Induction Training based on the Risk Assessments and ensure that all employees receive induction training. No employees shall be allowed on site unless in possession of valid proof of induction training and identification at all times. The Principal Contractor / Contractor shall present him/herself for EAST LONDON IDZ (SOC) LTD site-specific induction training at the SHEQ department office prior to commencement of work.

### **Other Training**

All operators, drivers and users of construction vehicles, mobile plant and other equipment shall be in possession of valid proof of training.

All employees in jobs requiring training in terms of the Act and Regulations shall be in possession of valid proof of training.

Failure to adhere to the above mentioned will result in the operator's eviction from site and no delay claims will be entertained by the client.

OH&S Training Requirements: (as required by the applicable Construction Regulations and as indicated by the OH&S Specification & the Risk Assessment/s):

- General Induction (Section 8 of the Act).
- Site/Job Specific Induction (also visitors) (Sections 8 & 9 of the Act).
- Site/Project Manager.
- Construction Supervisor.
- SHE Representatives (Section 18 (3) of the Act).

- Operators & Drivers of Construction Vehicles & Mobile Plant (Construction Regulation).
- Basic Fire Prevention & Protection (Applicable Environmental Regulations and Construction regulation).
- Basic First Aid (General Safety Regulations).
- Storekeeping Methods & Safe Stacking (Construction Regulation).
- Emergency, Security and Fire Co-coordinator.

### **Awareness & Promotion**

The Principal Contractor / Contractor shall develop and implement a SHE promotion and awareness scheme for all employees and others affected by work activities. The following are some of the methods that may be used:

- Toolbox Talks,
- SHE Posters,
- Videos,
- Competitions,
- Suggestion schemes,
- Participative activities such as SHE circles.

### **Competence**

The Principal Contractor / Contractor shall ensure that his and other Contractor's personnel appointed are competent and that all training required to do the work safely and without risk to health, has been completed before work commences.

The Principal Contractor / Contractor shall ensure that follow-up and refresher training is conducted as construction work progresses and the work situation changes.

Records of all training shall be kept in the OH&S file for auditing purposes.

## **24. Consultation, communication and liaison**

All SHE liaison between the Client, the Principal Contractor, other Contractors, the Designer, the Principal Agent and other concerned parties shall be through the SHE committee.

In addition to the above, communication may be directly to the Client or his appointed Agent, in writing, as and when the need arises.

Consultation with the workforce on SHE matters shall be through their Supervisors, SHE Representatives, the SHE committee and their elected Trade Union Representatives, if any.

The Principal Contractor / Contractor shall be responsible for the dissemination of all relevant SHE information to other Contractors e.g., design changes agreed with the Client and the

Designer, instructions by the Client and/or his/her Agent, exchange of information between Contractors, the reporting of hazardous/dangerous conditions/situations etc.

## **25. Inspections, auditing, reporting and corrective actions**

### **Monthly Inspections & Audit by OH&S Agents**

These Occupational Health and Safety Inspections & Audits will be conducting monthly to ensure that the principal Contractor has implemented and is maintaining the agreed and approved SHE Plan.

### **Other Audits and Inspections by EAST LONDON IDZ (SOC) LTD / Agent**

EAST LONDON IDZ (SOC) LTD reserves the right to conduct other ad hoc audits and inspections as deemed necessary.

### **Conducting an Audit**

A representative of the Principal Contractor / Contractor shall accompany EAST LONDON IDZ (SOC) LTD SHEQM team or OH&S Agent on all Audits and Inspections and may conduct his / her own audit / inspection at the same time.

### **Contractor's Audits and Inspections**

The Principal Contractor / Contractor shall conduct monthly internal audits to verify compliance with his own occupational health and safety management systems and procedures.

### **Inspections by SHE Representatives and Other Appointees**

Occupational Health and Safety Representatives shall conduct weekly inspections of their areas of responsibility and report thereon to their foreman or supervisor whilst other appointees shall conduct inspections and report thereon as specified in their appointments e.g., vehicle, plant and machinery drivers, operators and users must conduct daily inspections before start-up.

- Health and safety inspections are systematic examinations of a workplace, equipment, processes, or practices to identify potential hazards, risks, and compliance with safety standards and regulations.
- These inspections are typically carried out by qualified personnel, safety officers, or designated individuals with expertise in health and safety.
- The goal of inspections is to proactively identify and address safety issues before they lead to accidents, injuries, or health-related problems.

### **Recording and Review of Inspection Results**

All the results of the abovementioned inspections are to be reported in writing, reviewed by the relevant stakeholders, endorsed by the delegated authority and kept on file.

## 26. Incident reporting

*(Reporting Of Accidents and Incidents (Section 24 and General Administrative Regulation 8 of the Occupational Health and Safety Act, Act No. 85 of 1993)*

Subject to the provisions of this section of the Act, the Contractor shall within seven days after having received notice of an accident or having learned in some other way that an employee has met with an accident, report the accident to the commissioner in the prescribed manner.

The Principal Contractor / Contractor shall provide EAST LONDON IDZ (SOC) LTD with copies of all internal and external accident / incident investigation reports including the reports contemplated above and below within 7 days of the incident occurring.

## 27. Accident and incident investigation

*(General Administrative Regulation 9 of the Occupational Health and Safety Act, Act No. 85 of 1993)*

The Principal Contractor / Contractor shall investigate all accidents / incidents where employees and non-employees were injured to the extent that he / she / they had to be referred for medical treatment by a doctor, hospital or clinic and results recorded on file.

The Principal Contractor / Contractor shall investigate all minor and non-injury incidents as described in Section 24 (1) (b) & (c) of the Act and keeping a record of the results of such investigations including the steps taken to prevent similar accidents in future.

The Principal Contractor / Contractor shall investigate all road traffic accidents and keep a record of the results of such investigations including the steps taken to prevent similar accidents in future.

EAST LONDON IDZ (SOC) LTD reserves the right to hold its own investigation into any incident or call for an independent external investigation.

## 28. Emergency preparedness, contingency planning and response

The Principal Contractor / Contractor shall appoint a competent person to act as Emergency Controller/Coordinator.

The Principal Contractor / Contractor shall conduct an emergency identification exercise and establish what emergencies could possibly develop. He/she shall then develop detailed contingency plans and emergency procedures, taking into account any emergency plan that EAST LONDON IDZ (SOC) LTD may have in place.

The Contractor shall establish in the interest of his employees and any other person who may be affected by his/her acts or omissions an on-site emergency plan, which must be adhered to during the construction work.

The plan shall include: -

- Emergency response for seriously injured people under his/ her control requiring the assistance of an ambulance service.

- An emergency plan containing a procedure for the reporting and the cleaning up of any hazardous substance spillage.
- A firefighting emergency plan.
- Discuss the emergency plan with his/her employees, and subcontractors.
- Reviewing of the on-site emergency plan and, where necessary, update the plan.
- Signing of a copy of the on-site emergency plan in the presence of two witnesses, who shall attest the signature.
- Ensure that the on-site emergency plan is readily available at all times for implementation and use.
- Ensure that all his/her mandatories are conversant with the on-site emergency plan and
- Cause the on-site emergency plan to be tested in practice at least twice a year during the construction contract and keep a record of such test.

## 29. First Aid

*(General Safety Regulation 3 of Occupational Health and Safety Act, Act No. 85 of 1993)*

The Principal Contractor / Contractor shall provide First Aid equipment (including a stretcher) and have qualified First Aider/s as required by General Safety Regulation 3 of the Act.

The first aid box shall be checked by a responsible person, who shall be appointed by the Contractor, and a record shall be kept of the contents. Any deficient medical supplies shall be promptly replenished by the Contractor.

The Contractor shall provide a safety notice board where safety notices, site regulations concerning safe working practices and information on the nearest first aid station, ambulance, doctor and telephone numbers of the safety officer and other relevant persons can be conspicuously displayed to all its staff.

The Contingency Plan of the Principal Contractor / Contractor shall include the arrangements for speedily and timeously transporting injured / ill person/s to a medical facility or of getting emergency medical aid to person/s that may require it.

The Principal Contractor / Contractor shall have firm arrangements in writing with his other contractors in place regarding the responsibility of the other Contractor's injured / ill employees.

## 30. Fire prevention and protection

*(Construction Regulation 29 of the Occupational Health and Safety Act, Act No. 85 of 1993)*

Subject to the provisions of the Environmental Regulations for Workplaces promulgated by Government Notice No. R.2281 of 16 October 1987, as amended and Construction Regulation 29. The Principal Contractor / Contractor shall at all times ensure that:

- All appropriate measures are taken to avoid the risk of fire.
- Sufficient and suitable storage is provided for flammable liquids, solids and gases.

- Smoking is prohibited and notices in this regard are prominently displayed in all places containing readily combustible or flammable materials.
- In confined spaces and other places in which flammable gases, vapours or dust can cause danger—
  - Only suitably protected electrical installations and equipment, including portable lights, are used.
  - There are no flames or similar means of ignition.
  - There are conspicuous notices prohibiting smoking.
  - Oily rags, waste and other substances liable to ignite are without delay removed to a safe place; and
  - Adequate ventilation is provided.
- Combustible materials do not accumulate on the construction site.
- Welding, flame cutting and other hot work are done only after the appropriate precautions as required have been taken to reduce the risk of fire.
- Suitable and sufficient fire-extinguishing equipment is placed at strategic locations or as may be recommended by the Fire Chief or local authority concerned, and that such equipment is maintained in a good working order.
- The fire equipment is inspected by a competent person, who has been appointed in writing, in the manner indicated by the manufacturer thereof.
- A sufficient number of workers are trained in the use of fire- extinguishing equipment.
- Where appropriate, suitable visual signs are provided to clearly indicate the escape routes in the case of a fire.
- The means of escape is kept clear at all times.
- There is an effective evacuation plan providing for all:
  - Persons to be evacuated speedily without panic,
  - Persons to be accounted for and,
  - Plant and processes to be shut down and,
  - A siren is installed and sounded in the event of a fire.

## 31. Security

The Principal Contractor / Contractor shall comply with EAST LONDON IDZ (SOC) LTD site access rules.

The Contractor's employees are not allowed to enter any of the EAST LONDON IDZ (SOC) LTD tenant facilities except the areas demarcated as construction areas, as defined in the scope of work within the contract. Failure to comply with this instruction will result in the Contractor's employees being escorted from EAST LONDON IDZ (SOC) LTD premises.

## Fencing



The contractor shall provide temporary fencing around the site camp and for all works carried out in areas of active utilization by members of the public. The Contractor shall note that the Site perimeter is currently being walled and fenced under a separate contract, which will run concurrently with this Contract. Therefore, the Contractor should not include the cost of perimeter fencing in the tender but should include any other temporary fencing around his installations.

### **Signage**

Signs warning of presence of construction hazards and requiring unauthorized persons to keep out of the construction area shall be posted on the fencing. Where required in terms of Construction Work Permit a site-specific number contemplated in sub regulation (3) must be conspicuously displayed at the main entrance to the site for which that number is assigned.

## **32. Construction welfare facilities and living accommodation**

*(Construction Regulation 30 read in conjunction with Facility Regulation 2004 Occupational Health and Safety Act, Act No. 85 of 1993)*

The Contractor shall ensure that the requirements governing Construction welfare facilities as indicated here below are carried out in terms of the applicable Construction Regulations.

The contractor shall, depending on the number of workers and the duration of the work, provide at or within reasonable access of every construction site, the following clean and maintained facilities:

- At least one shower facility for every 15 workers.
- At least one sanitary facility for every 30 workers.
- Changing facilities for each sex and,
- Sheltered eating areas.

The Contractor shall submit to the engineer for approval plans for the layout of temporary construction buildings, facilities, fencing, access routes and anchoring systems, 10 days before installation of such temporary structures.

### **Living Accommodation**

No employee accommodation will be allowed on site.

## **33. Personal & other protective equipment**

*(Sections 8, 15 & 23 and in conjunction with General Administration regulation 2 of the of the Occupational Health and Safety Act, Act No. 85 of 1993)*

The Principal Contractor / Contractor shall identify the hazards in the workplace and deal with them. Personal Protective equipment (PPE) should, however, be the last resort and there should always first be an attempt to apply engineering and other solutions to mitigating hazardous situations before the issuing of PPE is considered.

Where it is not possible to create an absolutely safe and healthy workplace the Contractor shall inform employees regarding this and issue, free of charge, suitable equipment to protect them from any hazards being present and that allows them to work safely and without risk to health in the hazardous environment.

It is a further requirement that the Contractor maintain the said equipment, that he instructs and trains the employees in the use of the equipment and ensures that the prescribed equipment is used by the employee/s.

Employees do not have the right to refuse to use/wear the equipment prescribed by the employer and, if it is impossible for an employee to use or wear prescribed protective equipment through health or any other reason, the employee cannot be allowed to continue working under the hazardous condition/s for which the equipment was prescribed but an alternative solution has to be found that may include relocating or discharging the employee.

The Contractor may not charge any fee to an employee for protective equipment prescribed by him/her but may charge for equipment under the following conditions:

- Where the employee requests additional issue in excess of what is prescribed
- Where the employee has patently abused or neglected the equipment leading to early failure
- Where the employee has lost the equipment

All employees shall, as a minimum, be required to wear the following PPE on site:

- Hard hats - All employees of the Contractor shall wear hard hats in areas where appropriate hazard notices are displayed. The Representative/Agent shall have the right to ban certain colours if they are similar to the Client's identifying colours. Hard hats shall not be painted or otherwise defaced.
- Eye protection - Suitable eye protection shall be worn in areas where appropriate hazard notices are displayed, or when grinding, chipping, breaking, drilling, arc-welding, cutting with oxyacetylene equipment or similar activities are taking place.
- Hearing protection - Suitable hearing protection shall be worn in areas where appropriate hazard notices are displayed.
- Footwear - All employees of the Contractor shall wear undamaged, laced-up safety boots or safety shoes, suitable for the intended purpose, in prescribed areas where appropriate hazard notices are displayed.
- Gloves - All employees of the Contractor's shall wear suitable protective gloves in areas where appropriate hazard notices are displayed or when handling hot or hazardous materials or chemicals.

- Clothing - All employees of the Contractor shall wear suitable protective clothing including high visibility vest where required when working in proximity of machinery, power tools, hazardous materials or chemicals.

### **34. Public health & safety**

*(Section 9 of the Occupational Health and Safety Act, Act No. 85 of 1993)*

The Contractor shall ensure that each person visiting a site, or the public, particularly the community residing in the surrounding area, shall be made aware of the dangers likely to arise from on-site activities and the precautions to be observed to avoid or minimize those dangers. Appropriate health and safety signage shall be posted at all times. Appropriate signage shall be posted to this effect and all employees on site shall be instructed on ensuring that non-employees are protected at all times.

All non-employees entering the site shall receive induction into the hazards and risks and the control measures for these.

The Employer, Engineer and the Contractor have a duty in terms of the OHSA to do all that is reasonably practicable to prevent members of the public and others being affected by the construction processes and to be aware and put preventative measures in place.

#### **Pest and Vermin Control**

All Contractors enclosed workplaces on site shall be maintained so far as reasonably practical, to prevent entrance and harbourage of rodents and pests and other vermin. An effective extermination programme shall be instituted where the presence of such vermin is detected.

#### **Epidemics**

The Contractor shall ensure that all modifiable disease occurring on their site are reported to the relevant health authorities and proper precautions implemented to contain the disease, in accordance with the regulations promulgated under the National Health Act No. 61 of 2003.

### **35. Night Work**

The Contractor shall not undertake any night work without prior arrangement with the ELIDZ and a written work permit. The Contractor shall ensure that adequate lighting is provided for all night work and failure to do so shall result in work being stopped.

### **36. HIV/AIDS Management**

#### **HIV/AIDS Policy**

The Contractor shall submit to the Engineer a HIV/AIDS policy signed by the Chief executive of the Company.

The HIV/AIDS Policy shall address but not limited to the following:

- HIV prevention and precaution programme,
- Education and awareness programme,
- Statements on job access for applicants with HIV,
- Statement on job security of employees,
- Statement on HIV testing of employees and applicants,
- Confidentiality and or disclosure policy and,
- Statement on safety of co-workers.

## **Table 6**

Medical condition (Not and exhaustive list)
Acute flaccid paralysis
Anthrax
Brucellosis
Cholera
Congenital syphilis
Crimean Congo Haemorrhagic Fever and other Haemorrhagic diseases of Africa
Diphtheria
Food poisoning
Haemophilus Influenza type B
Lead Poisoning
Legionellosis
Leprosy
Malaria
Measles
Meningococcal infection
Paratyphoid fever
Plague
Poisoning agricultural stock remedies
Poliomyelitis
Rabies – Human
Rheumatic fever
Tetanus
Trachoma
Tuberculosis – Primary
Tuberculosis – Pulmonary
Tuberculosis – other
Typhoid
Typhus fever – Lice borne
Typhus fever – rat lead born
Viral hepatitis type A
Viral hepatitis type B
Viral hepatitis non-A non B
Viral hepatitis unspecified
Whooping cough
Yellow Fever
SARS-CoV-2 virus

#### HIV/AIDS Management Plan

The Contractor shall submit a HIV/AIDS management plan to the Engineer within 10 days of receiving a letter of appointment and before commencement of work.

### **37. Diseases Control**

38.1. All employees may be at risk of infection, or of spreading infection, especially if their role brings them into contact with blood or bodily fluids like urine, faeces, vomit or sputum. Such substances may contain micro-organisms such as bacteria and viruses which can be spread if staff do not take adequate precautions.

In order to restrict and reduce the risk of infection in the workplace. According to the recent SA stats the PC must have knowledge concerning HIV/Aids, TB, legionella bacteria, Hepatitis A and Coronavirus.

The PC will:

- have systems in place that assess the risk of and prevent, detect and control the risk of infection
- designate a lead for infection prevention and control
- ensure sufficient resources are available to secure effective prevention and control of infection
- ensure employees, contractors and other persons who directly or indirectly provide work are provided with suitable information, instruction, training and supervision in the precautions to follow
- Information is obtained from and shared with other businesses
- Audits are carried out to ensure policies and procedures are being implemented
- A suitable and sufficient risk assessment is carried out with respect to prevention and control of infection
- ensure an appropriate standard of cleanliness and hygiene is maintained throughout the premises and that the premises are maintained in good physical repair and condition
- ensure appropriate standards of cleanliness and hygiene are maintained in relation to equipment
- ensure that a suitable cleaning schedule is in place and followed
- ensure there is suitable and sufficient hand washing facilities and antimicrobial hand rubs where appropriate
- ensure the supply and provision of linen and laundry is appropriate
- ensure suitable information on infections is provided to visitors, including the importance of hand washing by visitors
- ensure information regarding infection is passed on to any other person, as necessary
- ensure individuals who develop an infection are identified promptly and that they receive the appropriate treatment and care
- inform the local health protection unit of any outbreaks or serious incidents relating to infection
- ensure all staff co-operate with our control of infection procedures

- provide regular suitable training, including induction training to all staff on the prevention and control of infection

### 38.2. Coronavirus Controls:

The Contractor shall establish a care/support team which can handle the process of cross contamination and infection on-site. The team should also be available / referred for answering workers' concerns and communicating accurate media updates etc. The PC will ensure a COVID-19 Compliance Manager is appointed in writing. This employee taking on this role is responsible for developing the company COVID-19 OHS plan and Risk Assessment

The OHS Act also imposes a duty on employees to take reasonable care for their own health and safety and that of their fellow employees. For this reason, every employer has to develop a COVID-19 Policy sign, dated and review date.

The Principal Contractor is expected to compile his Provisional Costing's and Budgets expected to derive from this Health & Safety Specification and the PC OHS Plan which will include Covid-19.

The Principal Contractor is required to record all systems implemented, controlled and handled. The Principal Contractor shall record all screening processes, hygiene maintenance, medical reports, suspected and infected cases etc.

The Contractor shall amend, where applicable, and add, where applicable, suitably designed registers for the additional systems, protocols and resources needed to be recorded.

The contractor shall include Covid-19 matters in his monthly report including statistics.

### 38.3. Diseases from Sewer Works

A health risk management plan shall be defined for work on the active sewer line and the biological and chemical hazards associated with this. The risk assessment and method statement shall include the safe work processes for

a. Pit latrine Toilets enclosed.

b. The over pumping of sewer materials; this method statement shall conform to the controls defined in the Hazardous Biological Agent Regulations and shall cover the entire timespan of such over-pumping, including, where applicable, over pumping during the night and over week-ends. Contractor must ensure the company provide or support occupational immunisations on a risk basis. Where workers are at significant occupational risk of acquiring a vaccine-preventable disease, the employer should implement a comprehensive occupational vaccination program, which includes a vaccination policy, current staff vaccination records, provision of information about the relevant vaccine-preventable diseases, and the management of vaccine refusal (e.g., reducing the risk of a healthcare worker transmitting disease to vulnerable persons). Employers should take all reasonable steps to encourage non-immune workers to be vaccinated. A vaccination program should be in place where there is a significant risk of exposure to Hepatitis A or Tetanus (eg, workers in regular contact with sewage)

Ensure the provision of hand washing facilities, showers, change rooms, equipment storage areas and eating facilities. Each first aid box shall include an eye wash bottle, for use with accidental sewer splash incidents.

#### 38.4. Legionella Disease

If the PC use water tanks and hosepipes as per this draught period. The PC must have a written Control Plan and risk assessment for purification of water tanks for drinking water and use of hosepipes for dust and usage on site. This will be to prevent Legionella disease or cholera.

## **PART B- Site Specific Requirements**

### **38. Fall Protection**

*(Construction Regulation 10 of the Occupational Health and Safety Act, Act No. 85 of 1993))*

10(1) A contractor must—

- (a) **designate a competent person** to be responsible for the preparation of a **fall protection plan**.
  - (b) ensure that the fall protection plan contemplated in paragraph (a) is implemented, amended where and when necessary and maintained as required and
  - (c) take steps to ensure continued adherence to the fall protection plan.
- (2) A fall protection plan contemplated in sub regulation (1), must include—
- (a) a **risk assessment** of all work carried out from a fall risk position and the procedures and methods used to address all the risks identified per location.
  - (b) the processes for the evaluation of the employees' **medical fitness** necessary to work at a fall risk position and the records thereof.
  - (c) a programme for the **training** of employees working from a fall risk position and the records thereof.
  - (d) the procedure addressing the **inspection, testing and maintenance** of all fall protection equipment and
  - (e) a **rescue plan** detailing the necessary procedure, personnel and suitable equipment required to affect a rescue of a person in the event of a fall incident to ensure that the rescue procedure is implemented immediately following the incident.
- (3) A contractor must ensure that a construction manager appointed under regulation 8(1) is in possession of the most recently updated version of the fall protection plan.

A Fall Protection Plan inclusive of a Risk Assessment shall be required for any work carried out where a fall risk exist, meaning where a person can either fall from, fall off or fall into.



The Construction Regulation is very clear that fall protection should be priority rather than fall arrest systems.

All contractors must ensure that they implement adequate fall protection with required controls rather than opting to only make use of fall arrest equipment.

As far as is practicable, any person working in an elevated position shall work from a platform, ladder or other device that is at least as safe as if he/she is working at ground level and whilst working in this position be wearing a full body harness with lanyard that shall be worn to prevent the person falling from the platform, ladder or other device utilized.

This full body harness shall be, as far as is possible, secured to a point away from the edge over which the person might fall and the lanyard shall be of such a length that the person will not be able to move over the edge.

Alternatively, any platform, slab, deck or surface forming an edge over which a person may fall may be fitted with guard rails at two different heights as prescribed in SANS 10085: Code of Practice for the Design, Erection, Use and Inspection of Access Scaffolding.

Where the above-mentioned requirement is not practicable, the person shall be provided with a full body harness that shall be worn and attached above the wearer's head at all times and the lanyard must be fitted with a shock absorbing device. Only double lanyard fall arrest harnesses are permitted on site.

Where the above-mentioned requirements are not practicable, a suitable catch net shall be erected. Workers working in elevated positions shall be trained to use this safely and without risk to safety and health. Where work on roofs is carried out, the Risk Assessment shall take into account the possibility of persons falling through fragile material, skylights and openings in the roof.

Where ladders are used – they are to be of good construction, sound material and adequate strength and suitable to the purpose for which it is used (e.g., electricians shall use suitable insulated ladders). Fitted with non-skid devices at the bottom of the stiles or with hooks or similar devices at the tops of the stiles.

Except for extension ladders, no ladder shall be used which is longer than 4,5m and no ladder shall have its reach extended by tying together two or more ladders.

All ladders shall be inspected weekly, and a log shall be kept of the inspections.

All contractors must ensure that the Fall Protection plans have adequate comprehensive and site-specific rescue plans in place to ensure adequate rescue in a event of an fall incidents.

## 39. Structures

*(Construction Regulation 11 of the Occupational Health and Safety Act, Act No. 85 of 1993))*

The Principal Contractor / Contractor shall ensure that:

- All reasonably practicable steps are taken to prevent the uncontrolled collapse of any new or existing pipe work or structure or any part thereof, which may become unstable or is in a temporary state of weakness or instability due to the carrying of construction work.
- No structure will be overloaded that it may become unsafe.
- He/she has received from the designer the following information:
  - Information on known or anticipated hazards relating to the construction work and the relevant information required for the safe execution of the construction work.
  - A geo-scientific report (where applicable).
  - The loading the structure is designed to withstand.
  - The methods and sequence of the construction process.
- Drawings will be kept on site and made available for inspection by an inspector, contractors, client, client's agent or employee.

## 40. Temporary works

*(CR12 of the Act)*

12. (1) A contractor must appoint a temporary works designer in writing to design, inspect and approve the erected temporary works on site before use.
- (2) A contractor must ensure that all temporary works operations are carried out under the supervision of a competent person who has been appointed in writing for that purpose.
- (3) A contractor must ensure that—
- (a) all temporary works structures are adequately erected, supported, braced and maintained by a competent person so that they are capable of supporting all anticipated vertical and lateral loads that may be applied to them, and that no loads are imposed onto the structure that the structure is not designed to withstand.
  - (b) all temporary works structures are done with close reference to the structural design drawings, and where any uncertainty exists the structural designer should be consulted.
  - (c) detailed activity specific drawings pertaining to the design of temporary works structures are kept on the site and are available on request to an inspector, other contractors, the client, the client's agent or any employee.
  - (d) all persons required to erect, move or dismantle temporary works structures are provided with adequate training and instruction to perform those operations safely.
  - (e) all equipment used in temporary works structure are carefully examined and checked for suitability by a competent person, before being used.
  - (f) all temporary works structures are inspected by a competent person immediately has been removed and the results have been recorded in a register and made available on site.
  - (g) no person may cast concrete, until authorization in writing has been given by the

- competent person contemplated in paragraph (a);
- (h) if, after erection, any temporary works structure is found to be damaged or weakened to such a degree that its integrity is affected, it is safely removed or reinforced immediately.
- (i) adequate precautionary measures are taken in order to—
- (i) secure any deck panels against displacement and
  - (ii) prevent any person from slipping on temporary works due to the application of release agents.
- (j) as far as is reasonably practicable, the health of any person is not affected through the use of solvents or oils or any other similar substances.
- (k) upon casting concrete, the temporary works structure is left in place until the concrete has acquired sufficient strength to safely support its own weight and any imposed load, and is not removed until authorization in writing has been given by the competent person contemplated in paragraph (a).
- (l) the foundation conditions are suitable to withstand the loads caused by the temporary works structure and any imposed load in accordance with the temporary works design.
- (m) provision is made for safe access by means of secured ladders or staircases for all work to be carried out above the foundation bearing level.
- (n) a temporary works drawing or any other relevant document includes construction sequences and methods statements.
- (o) the temporary works designer has been issued with the latest revision of any relevant structural design drawing.
- (p) a temporary works design and drawing is used only for its intended purpose and for a specific portion of a construction site; and
- (q) the temporary works drawings are approved by the temporary works designer before the erection of any temporary works.
- before, during and after the placement of concrete, after inclement weather or any other imposed load and at least on a daily basis until the temporary works structure.\

- (4) No contractor may use a temporary works design and drawing for any work other than its intended purpose.

## 41. Excavations

*(Construction Regulation 13 of the Occupational Health and Safety Act, Act No. 85 of 1993)*

### Hidden Hazards Penetration

In order to minimize the impact of hidden hazards when performing penetration or excavation activities the following process should be followed:

- a drawing review of the affected area,
- a site investigation,

- detection using instrumentation (as appropriate),
- the use of appropriate tools
- the use of PPE.

Workers engaging in excavation or penetration activities shall use tools, which are in good working condition and utilise PPE, electrically rated gloves and double insulated tools as appropriate.

To mitigate risk, the contractor shall ensure that adequate site investigation, utilising methods that would not penetrate hidden hazards (e.g., visual inspection, detection using instrumentation) is performed prior to any excavation or penetration activity. If hidden hazards cannot be identified through site investigation, the Client shall be notified prior to excavation or penetration activities and appropriate PPE shall be worn during the work activity.

### **Authorisation**

The Principal Contractor / Contractor shall submit a Method Statement for approval before commencing with the excavation. Permission to proceed will only be granted once the Risk Assessment and Method Statement are approved.

The Principal Contractor / Contractor shall ensure that all excavation work is carried out under the supervision of a competent person who has been appointed in writing.

The Principal Contractor / Contractor shall evaluate, as far as is reasonably practicable, the stability of the ground before excavation work begins.

Every Principal Contractor / Contractor who performs excavation work shall:

- Take suitable and sufficient steps in order to prevent, as far as is reasonably practicable, any person from being buried or trapped by a fall or dislodgement of material in an excavation.
- Not require or permit any person to work in an excavation which has not been adequately shored or braced: Provided that shoring and bracing may not be necessary where:
- The sides of the excavation are sloped to at least the maximum angle of repose measured relative to the horizontal plane; or such an excavation is instable material: Provided that:
  - a) Permission being given in writing by the appointed competent person contemplated in applicable Construction Regulation upon evaluation by him or her of the site conditions; and
  - b) Where any uncertainty pertaining to the stability of the soil still exists, the decision from a professional engineer or a professional technologist competent in excavations shall be decisive and such a decision shall be noted in writing and signed by both the competent person contemplated in the applicable Construction Regulation and the professional engineer or technologist, as the case may be.

- Take steps to ensure that the shoring or bracing contemplated in the above paragraph is designed and constructed in such a manner rendering it strong enough to support the sides of the excavation in question.
- Ensure that no load, material, plant or equipment is placed or moved near the edge of any excavation where it is likely to cause its collapse and thereby endangering the safety of, any person, unless precautions such as the revision of sufficient and suitable shoring or bracing are taken to prevent the sides from collapsing.
- Ensure that where the stability of an adjoining building, structure or road is likely to be affected by the making of an excavation, the steps are taken that may be necessary to ensure the stability of such building, structure or road and the safety of persons.
- Cause convenient and safe means of access to be provided to every excavation in which persons are required to work and such access shall not be further than 6m from the point where any worker within the excavation is working.
- Ascertain as far as is reasonably practicable the location and nature of electricity, water, gas or other similar services which may in any way be affected by the work to be performed, and shall before the commencement of excavation work that may affect any such service, take the steps that may be necessary to render the circumstances safe for all persons involved.
- Cause every excavation, including all bracing and shoring, to be inspected:
  - daily, prior to each shift,
  - after every blasting operation,
  - after an unexpected fall of ground,
  - after substantial damage to supports and
  - after rain.

by the competent person contemplated in sub regulation (1), in order to pronounce the safety of the excavation to ensure the safety of persons, and those results are to be recorded in a register kept on site and made available to an inspector, client, client's agent, contractor or employee upon request.

- Cause every excavation which is accessible to the public or which is adjacent to public roads or thoroughfares, or whereby the safety of persons may be endangered, to be:
  - Adequately protected by a barrier or fence of at least one metre in height and as close to the excavation as is practicable; and
  - Provided with warning illuminates or any other clearly visible boundary indicators at night or when visibility is poor.

### **Underground Storage Tanks**

Underground storage tank installation and maintenance operations shall comply with all international standards, DWAF, SANS and local By-law requirements. A Certified Contractor shall

perform work activities on underground storage tanks. If an unanticipated underground storage tank is discovered during construction activity, the responsible EAST LONDON IDZ (SOC) LTD Project Engineer is to be notified.

Upon entering an excavation, the requirements of General Safety Regulation 5 of the Act shall be observed in terms of Confined Space Entry.

Extract from the General Safety Regulation:

1. The Contractor or a user of machinery shall take steps to ensure that a confined space is entered by an employee or other person only after the air therein has been tested and evaluated by a person who is competent to pronounce on the safety thereof, and who has certified in writing that the confined space is safe and will remain safe while any person is in the confined space, taking into account the nature and duration of the work to be performed therein.
2. Where the provisions of sub-regulation (1) cannot be complied with the employer or user of machinery, as the case may be, shall take steps to ensure that any confined space in which there exists or is likely to exist a hazardous gas, vapour, dust or fumes, or which has or is likely to have, an oxygen content of less than 20 per cent by volume, is entered by an employee or other person only when:
  - a) Subject to the provisions of sub-regulation (3), the confined space is purged and ventilated to provide a safe atmosphere therein and measures necessary to maintain a safe atmosphere therein have been taken; and
  - b) The confined space has been isolated from all pipes, ducts and other communicating openings by means of effective blanking other than the shutting or locking of a valve or a cock, or, if this is not practicable, only when all valves and cocks, which are a potential source of danger, have been locked and securely fastened by means of chains and padlocks.
3. Where the provisions of sub-regulation (2)(a) cannot be complied with, the employer or user of machinery shall take steps to ensure that the confined space in question is entered only when the employee or person entering is using breathing apparatus of a type approved by the chief inspector and, further, that:
  - a. The provisions of sub-regulation (2)(b) are complied with.
  - b. Any employee or person entering the confined space is using a safety harness or other similar equipment, to which a rope is securely attached which reaches beyond the access to the confined space, and the free end of which is attended to by a person referred to in paragraph (c).
  - c. At least one other person trained in resuscitation is and remains in attendance immediately outside the entrance of the confined space in order to assist or remove any person or persons from the confined space, if necessary; and
  - d. Effective apparatus for breathing and resuscitation of a type approved by the chief inspector is available immediately outside the confined space.

4. The Contractor or user of machinery shall take steps to ensure that all persons vacate a confined space on completion of any work therein.
5. Where the hazardous gas, vapour, dust or fumes contemplated in sub regulation (2) are of an explosive or flammable nature, the Contractor or user of machinery shall further take steps to ensure that such a confined space is entered only if:
  - a) The concentration of the gas, vapour, dust or fumes does not exceed 25 per cent of the lower explosive limit of the gas, vapour, dust or fumes concerned where the work to be performed is of such a nature that it does not create a source of ignition; or
  - b) Such concentration does not exceed 70 per cent of the lower explosive limit of the gas, vapour, dust or fumes where other work is performed.
6. The provisions of this regulation shall mutatis mutandis also apply, in so far as they can be so applied, to any work which is performed in any place or space on the outside of and bordering on or in the immediate vicinity of, any confined space, and in which place or space, owing to its proximity to the confined space, any hazardous article, oxygen-deficient atmosphere or dangerous concentration of gas, vapour, dust or fumes may occur or be present.

All pipes, ducts etc. that may leak into the confined space shall be blanked off sufficiently to prevent any leakage or seepage into a confined space.

## **42. Demolition Work**

*(Construction Regulation 13 of the Occupational Health and Safety Act, Act No. 85 of 1993)*

The Principal Contractor /Contractor shall ensure that the contractor appoint a competent person in writing to supervise and control all demolition work on site.

The Contractor shall ensure that prior to any demolition work being carried out, and in order also to ascertain the method of demolition to be used, a detailed structural engineering survey of the structure to be demolished is carried out by a competent person and that a method statement on the procedure to be followed in demolishing the structure is developed.

During the demolition, a competent person shall check the structural integrity of the structure at intervals determined in the method statement contemplated in sub regulation (2), in order to avoid any premature collapses.

Every contractor who performs demolition work shall:

With regard to a structure being demolished, take steps to ensure that:

- No floor, roof or other part of the structure is overloaded with debris or material in a manner which would render it unsafe.
- All reasonably practicable precautions are taken to avoid the danger of the structure collapsing when any part of the framing of a framed or partly framed building is removed, or when reinforced concrete is cut; and
- Precautions are taken in the form of adequate shoring or such other means as may be necessary to prevent the accidental collapse of any part of the structure or adjoining structure.
- Not require or permit any person to work under overhanging material or structure, which has not been adequately supported, shored or braced.
- Where the stability of an adjoining building, structure or road is likely to be affected by demolition work on a structure, take such steps as may be necessary to ensure the stability of such structure or road and the safety of persons.
- Ascertain as far as is reasonably practicable the location and nature of electricity, water, gas or other similar services which may in anyway, be affected by the work to be performed, and shall before the commencement of demolition work that may affect any such service, take the steps that may be necessary to render circumstances safe for all persons involved.
- Cause every stairwell used and every floor where work is being performed in a building being demolished, to be adequately illuminated by either natural or artificial means.
- Cause convenient and safe means of access to be provided to every part of the demolition site in which persons are required to work; and
- Erect a catch platform or net above an entrance or passageway or above a place where persons work or pass under, or fence off the danger area if work is being performed above such entrance, passageway, or place so as to ensure that all persons are kept safe where there is a danger or possibility of persons being struck by falling objects.
- The contractor shall ensure that no material is dropped to any point, which falls outside the exterior walls of the structure, unless the area is effectively protected.

No person may dispose of waste and debris from a high place by a chute unless the chute:

- Is adequately constructed and rigidly fastened.
- If inclined at an angle of more than 45 degrees to the horizontal, is enclosed on its four sides.
- If of the open type, is inclined at an angle of less than 45 degrees to the horizontal .
- Where necessary, is fitted with a gate at the bottom end to control the flow of material; and
- Is discharged into a container or an enclosed area surrounded by barriers.
- The contractor shall ensure that every chute used to dispose of rubble is designed in such a manner that rubble does not free-fall and that the chute is strong enough to withstand the force of the debris travelling along the chute.



- The contractor shall ensure that equipment is not used on floors or working surfaces unless such floors or surfaces are of sufficient strength to support the imposed loads.

Where the risk assessment indicates the presence of asbestos, the contractor shall ensure that all asbestos related work is conducted in accordance with the provisions of the Abatement Asbestos Regulations 2020 and that asbestos is disposed of as per regulation 21.

- Demolition of asbestos may only be carried out by a registered (with the Department of Labour) Asbestos Contractor.
- All asbestos materials likely to become airborne must be identified.
- A Plan of Work must be submitted for approval to an Approved Asbestos Inspection Authority (AAIA) (approved by the Department of Labour) 30 days prior to commencement of demolishing work unless the Plan was drawn up by an AIA and a signed (by all parties) copy must be submitted to the Department of Labour 7 days before commencement of the demolishing.

#### **During Demolition Work:**

- All asbestos containing material shall be disposed of safely.
- Employees shall be issued with appropriate PPE and the proper use thereof enforced.
- After the demolition has been completed the area/premises shall be thoroughly checked to ensure that all asbestos waste has been removed.
- No person is allowed to:
  - Use compressed air or permit the use of compressed air to remove asbestos dust from any surface or person.
  - Smoke, eat, drink or keep food or beverages in an area not specifically designated for this.
  - Apply asbestos by spraying.

Where the risk assessment indicates the presence of lead, the contractor shall ensure that all lead related work is conducted in accordance with the provisions of the Lead Regulations promulgated by Government Notice No. R.236 of 28 February 2002, as amended.

Where the demolition work involves the use of explosives, a method statement is to be developed in accordance with the applicable explosive's legislation, by an appointed person who is competent in the use of explosives for demolition work and the procedures therein are adhered to.

The contractor shall ensure that all waste and debris is as soon as reasonably practicable removed and disposed of from the site in accordance with the applicable legislation.

### **43. Tunnelling**

*(Construction Regulation 15 of the Occupational Health and Safety Act, Act No. 85 of 1993)*

To be performed in accordance with the Tunnelling Regulations as published under the Mines Health & Safety Act (29 of 1996).

Notwithstanding the provisions of sub regulation (1), no person shall enter a tunnel, which has a height dimension of less than 800 mm.

**Definition of Tunnelling:** “the construction of any tunnel beneath the natural surface of the earth for the purpose other than the searching for or winning of a mineral.

#### 44. Access scaffolding

*(Construction Regulation of the Occupational Health and Safety Act, Act No. 85 of 1993) rea in conjunction with SANS 10085)*

Access Scaffolding shall be erected, used and maintained safely in accordance with Construction Regulation and SA Bureau of Standards Code of Practice, SANS 10085 entitled, “The Design, Erection, Use & Inspection of Access Scaffolding.

Every contractor using access scaffolding, shall ensure that such scaffolding, when used, complies with the safety standards incorporated for this purpose into these Regulations under section 44 of the Act.

Detailed consideration shall be given to all scaffolding to ensure that it is properly planned to meet the working requirements, designed to carry the necessary loadings and maintained in a sound condition. It shall also be ensured that there is sufficient material available to erect the scaffolding properly.

The contractor shall ensure that all scaffolding work operations are carried out under the supervision of a competent person who has been appointed in writing and that all scaffold erectors, team leaders and inspectors are competent to carry out their work.

The Contractor shall ensure that all contractors that erect scaffolding are in compliance to SANS 10085-1 and have on site a copy of SANS 10085-1 as amended.

- The Contractor shall ensure that all contractors that make use of scaffolding have on site a copy of SANS 10085-1 as amended.
- The Contractor shall ensure that all contractors ensure that all scaffolding is in compliance to SANS 1008-1.

**NB** The Contractor shall ensure that a notice board containing the names and contact details of their Scaffolding erectors and scaffolding inspectors are clearly displayed.

All scaffolding shall have the required safety signs advising workers that scaffolding is safe for use.

#### 45. Suspended platforms & rope access

*(Construction Regulations 17 and 18 of the Occupational Health and Safety Act, Act No. 85 of 1993)*

The Principal Contractor / Contractor shall design, erect, use and maintain suspended platforms in accordance with the requirements of the applicable Construction Regulation.

The Contractor shall ensure that all suspended platform work operations are carried out under the supervision of a competent person who has been appointed in writing, and that all suspended platform erectors, operators and inspectors are competent to carry out their work.

No Contractor / Principal Contractor shall use or permit the use of a suspended platform, unless:

- The design, stability and construction thereof comply with the safety standards incorporated for this purpose into these Regulations under section 44 of the Act.
- He or she is in possession of a certificate of system design issued by a professional engineer, certificated engineer or a professional technologist for the use of the suspended platform system; and
- He or she is, prior to the commencement of the work, in possession of an operational compliance plan developed by a competent person based on the certificate of system design contemplated in subparagraph (b) and applicable to the environment in which the system is being used, this must include proof of the:
  - Competent person who has been appointed for supervision.
  - Competency of erectors, operators and inspectors.
  - Operational design calculations which should comply with the requirements of the system design certificate.
  - Performance test results.
  - Sketches indicating the completed system with the operational loading capacity of the platform.
  - Procedures for and records of inspections having been carried out and
  - Procedures for and records of maintenance work having been carried out: Provided that sub regulation (2) shall only become applicable six months from the date of promulgation of these regulations.

The contractor making use of a suspended platform system shall forward a copy of the certificate of system design issued by a professional engineer, certificated engineer or professional technologist including a copy of the design calculations, sketches and test results, to the provincial director before commencement of the use of the system and must further indicate the intended type of work the system would be used for.

The contractor need not re-submit a copy of the certificate of system design contemplated in sub regulation (3) for every new project: Provided that the environment in which the system is being used does not change to such an extent that the system design certificate is no longer applicable and, should uncertainty exist of the applicability of the system design certificate, the decision of a professional engineer, certificated engineer or professional technologist shall be decisive.

The contractor shall ensure that the outriggers of each suspended platform:

- Are constructed of steel or any other material of similar strength and have a safety factor of at least four in relation to the load it is to carry; and
- Have suspension points provided with stop devices or other effective devices at the outer ends to prevent the displacement of ropes.

The contractor shall ensure that:

- The parts of the building or structure on which the outriggers are supported, are checked by means of calculations to ensure that the required safety factor is adhered to without risk of damage to the building or structure.
- The suspension wire rope and the safety wire rope are separately connected to the outrigger.
- Each person on a suspended platform is provided with and wears a safety harness as a fall prevention device which must at all times, be attached to the suspended platform or to the anchorage points on the structure whilst on the suspended platform.
- The hand or power-driven machinery to be used for the lifting or lowering of the working platform of a suspended platform is constructed and maintained in such a manner that an uncontrolled movement of the working platform cannot occur.
- The machinery referred to in the paragraph above is so situated that it is easily accessible for inspection.
- The rope connections to the outriggers are vertically above the connections
- to the working platform and
- Where the working platform is suspended by two ropes only, the connections of the ropes to the working platform are of such height above the level of the working platform as to ensure the stability of the working platform.

The contractor shall ensure that the suspended platform:

- Is suspended as near as possible to the structure to which work is being done and,
- except when light work is being done, is secured at every working position to prevent horizontal movement between the suspended platform and the structure.
- Is fitted with anchorage points to which workers shall attach the lanyard of the safety harness worn and used by the worker and such anchorage connections shall have sufficient strength to withstand any potential load applied to it and
- Is fitted with a conspicuous notice easily understandable by all workers working with the suspended platform, showing the maximum mass load that the suspended platform can carry.

The contractor shall cause:

- The whole installation and all working parts of the suspended platform to be thoroughly examined in accordance with the manufacturer's specification.
- The whole installation to be subjected to a performance test as determined by the standard to which the suspended platform was manufactured.

- The performance test contemplated in paragraph (b) to be done by a competent person appointed in writing with the knowledge and experience of erection and maintenance of suspended platforms or similar machinery and who shall determine the serviceability of the structures, ropes, machinery and safety devices before they are used, every time suspended platforms are erected.
- The performance test contemplated in paragraph (b) of the whole installation of the suspended platform to be subjected to a load equal to that prescribed by the manufacturer or, in the absence of such load, to a load of 110 per cent of the rated mass load, at intervals not exceeding 12 months and in such a manner that every part of the installation is stressed accordingly.

Notwithstanding the provisions of sub regulation (8), the contractor shall cause every hoisting rope, hook or other load-attaching device which forms part of the suspended platform to be thoroughly examined in accordance with the manufacturer's specification by the competent person contemplated in sub regulation (8) before they are used following every time they are assembled, and, in cases of continuous use, at intervals not exceeding three months.

A contractor must ensure that the suspended platform supervisor contemplated in sub regulation (1), or the suspended platform inspector contemplated in sub regulation (8)(c), carries out a daily inspection of all the equipment prior to use, including establishing whether:

- All connection bolts are secure.
- All safety devices are functioning.
- All safety devices are not tampered with or vandalized.
- The maximum mass load of the platform is not exceeded.
- The occupants in the suspended platform are using safety harnesses which have been properly attached.
- There are no visible signs of damage to the equipment; and
- All reported operating problems have been attended to

The contractor shall ensure that all inspection and performance test records are kept on the construction site at all times and made available to an inspector, client, client's agent or employee upon request.

The contractor shall ensure that all employees required to work or to be supported on a suspended platform are:

- Physically and psychologically fit to work safely in such an environment by being in possession of a medical certificate of fitness.
- Competent in conducting work related to suspended platforms safely.
- Trained or had received training which include at least:
  - How to access and egress the suspended platform safely.
  - How to correctly operate the controls and safety devices of the equipment; Information on the dangers related to the misuse of safety devices; and
  - Information on the procedures to be followed in the case of:

- An emergency.
  - The malfunctioning of equipment.
  - The discovery of a suspected defect in the equipment; and
- Instructions on the proper use of safety harnesses.

Where the outrigger is to be moved, the contractor shall ensure that only persons trained and competent to affect such move, perform this task and that an inspection be carried out and the results thereof be recorded by the competent person prior to re-use of the suspended platform.

The Contractor shall ensure that the suspended platform is properly isolated after use at the end of each working day such that no part of the suspended platform will present a danger to any person thereafter.

### **Rope Access Work**

*(Construction Regulation 18 of the Occupational Health and Safety Act, Act No. 85 of 1993)*

Rope Access to be erected, used maintained and inspected in accordance with the requirements of the applicable Construction Regulation 18.

18. (1) A contractor must—

(a) appoint a competent person in writing as a rope access supervisor with the duty of supervising all rope access work on the site, including the duty of ensuring occupational health and safety compliance in relation to rope access work:

Provided that the appointment of any such person does not relieve the construction manager of any personal accountability for failing in his management duties in terms of this regulation.

(b) ensure that all rope access work on the construction site is carried out under the supervision of a competent person; and

(c) ensure that all rope access operators are competent and licensed to carry out their work.

(2) No contractor may use or allow the use of rope access work unless—

(a) the design, selection and use of the equipment and anchors comply with the safety standards incorporated for this purpose into these Regulations under section 44 of the Act; and

(b) he or she is in possession of a site-specific fall protection plan developed by a competent person applicable to the specific work and environment prior to the commencement of the work, including records of maintenance and inspections of all the equipment used for the work operations.

(3) A contractor must ensure that adequate measures are in place to allow rescue procedures to commence immediately in the event of a fall incident taking place.

## 46. Material hoists

*(Construction Regulation 19 of the Occupational Health and Safety Act, Act No. 85 of 1993)*

19. (1) A contractor must ensure that every material hoist and its tower have been constructed in accordance with the generally accepted technical standards and are strong enough and free from defects.
- (2) A contractor must ensure that the tower of every material hoist is—
- (a) erected on firm foundations and secured to the structure or braced by steel wire guy ropes and extends to a distance above the highest landing to allow a clear and unobstructed space of at least 900 millimetres for over travel.
  - (b) enclosed on all sides at the bottom, and at all floors where persons are at risk of being struck by moving parts of the hoist, except on the side or sides giving access to the material hoist, with walls or other effective means to a height of at least 2100 millimetres from the ground or floor level; and
  - (c) provided with a door or gate at least 2100 millimetres in height at each landing, and that door or gate must be kept closed except when the platform is at rest at such a landing.
- (3) A contractor must cause—
- (a) the platform of every material hoist to be designed in a manner that it safely contains the loads being conveyed and that the combined mass of the platform and the load does not exceed the designed lifting capacity of the hoist.
  - (b) the hoisting rope of every material hoist which has a remote winch to be effectively protected from damage by any external cause to the portion of the hoisting rope between the winch and the tower of the hoist; and
  - (c) every material hoist to be provided with an efficient brake capable of holding the platform with its maximum load in any position when power is not being supplied to the hoisting machinery.
- (4) No contractor may require or permit trucks, barrows or material to be conveyed on the platform of a material hoist and no person may so convey trucks, barrows or material unless those articles are secured or contained in a manner that displacement thereof cannot take place during movement.
- (5) A contractor must cause a notice, indicating the maximum mass load which may be carried at any one time and the prohibition of persons from riding on the platform of the material hoist, to be affixed around the base of the tower and at each landing.
- (6) A contractor of a material hoist may not require or permit any person to operate a hoist, unless the person is competent in the operation of that hoist.
- (7) No contractor may require or permit any person to ride on a material hoist.
- (8) A contractor must ensure that every material hoist—

- (a) is inspected on daily basis by a competent person appointed in writing by the contractor and such competent person must have the experience pertaining to the erection and maintenance of material hoists or similar machinery.
- (b) inspection contemplated in paragraph (a), includes the determination of the serviceability of the entire material hoist, including guides, ropes and their connections, drums, sheaves or pulleys and all safety devices.
- (c) inspection results are entered and signed in a record book by a competent person, which book must be kept on the premises for that purpose.
- (d) is properly maintained and the maintenance records in this regard are kept on site.

## 47. Bulk mixing plant

*(Construction Regulation 20 of the Occupational Health and Safety Act, Act No. 85 of 1993)*

The Principal Contractor / Contractor shall erect, operate and maintain Bulk Mixing Plants in accordance with the requirements of Construction Regulation 20.

## 48. Explosive actuated fastening device

*(Construction Regulation 13 of the Occupational Health and Safety Act, Act No. 85 of 1993)*

21, (1) No contractor may use or permit any person to use an explosive actuated fastening device, unless—

- (a) the user is provided with and uses suitable protective equipment.
- (b) the user is trained in the operation, maintenance and use of such a device.
- (c) the explosive actuated fastening device is provided with a protective guard around the muzzle end, which effectively confines any flying fragments or particles; and
- (d) the firing mechanism is so designed that the explosive actuated fastening device, will not function unless—
  - (i) it is held against the surface with a force of at least twice its weight; and
  - (ii) the angle of inclination of the barrel to the work surface is not more than 15 degrees from a right angle.

(2) A contractor must ensure that—

- (a) only cartridges suited for the relevant explosive actuated fastening device, and the work to be performed, are used.
- (b) an explosive actuated fastening device is cleaned and examined daily before use and as often as may be necessary for its safe operation by a competent person who has been appointed for that purpose.
- (c) the safety devices of an explosive actuated fastening device are in good working order prior to use.
- (d) when not in use, an explosive actuated fastening device and its cartridges are locked up in a safe place, which is inaccessible to unauthorized persons.
- (e) an explosive actuated fastening device is not stored in a loaded condition.



(f) a warning notice is displayed in a conspicuous manner in the immediate vicinity wherever an explosive actuated fastening device is used; and  
(g) the issuing and collection of cartridges and nails or studs of an explosive actuated fastening device are—

(i) controlled and done in writing by a person having been appointed in writing for that purpose; and

(ii) recorded in a register by a competent person and that the recipient has accordingly signed for the receipt thereof as well as the returning of any spent and unspent cartridges.

No contractor shall permit or require any person to use an explosive powered tool unless such person has been—

## **49. Cranes and Lifting Equipment/ Tackle**

*(Construction Regulation 22 read in conjunction with Driven Machinery Regulation 18 of the Occupational Health and Safety Act, Act No. 85 of 1993) )*

Cranes and Lifting equipment shall be designed and constructed in accordance with generally accepted technical standards and operated, used, inspected and maintained in accordance with the requirements of Driven Machinery Regulation 18 of the Act:

A contractor must, in addition to compliance with the Driven Machinery Regulations, 1988 ensure that where tower cranes are used—

- (a) they are designed and erected under the supervision of a competent person.
- (b) a relevant risk assessment and method statement are developed and applied.
- (c) the effects of wind forces on the crane are taken into consideration and that a wind speed device is fitted that provides the operator with an audible warning when the wind speed exceeds the design engineer's specification.
- (d) the bases for the tower cranes and tracks for rail-mounted tower cranes are firm, level and secured.
- (e) the tower crane operators are competent to carry out the work safely; and
- (f) the tower crane operators have a medical certificate of fitness to work in such an environment, issued by an occupational health practitioner in the form of Annexure 3.

Notwithstanding the provisions of the Driven Machinery Regulations promulgated by Government Notice No. R.540 of 24 June 2015, as amended, the contractor shall ensure that where tower cranes are used—

- Account is taken of the effects of wind forces on the structure.
- Account is taken of the bearing capacity of the ground on which the tower crane is to stand.

- The bases for the tower cranes and tracks for rail-mounted tower cranes are firm and level.
- The tower cranes are erected at a safe distance from excavations.
- There is sufficient clear space available for erection, operation and dismantling.
- The tower crane operators are competent to carry out the work safely; and
- The tower crane operators are physically and psychologically fit to work in such an environment by being in possession of a medical certificate of fitness.
- to be clearly and conspicuously marked with the maximum mass load (MML) that it is designed to carry safely. When the MML varies with the conditions of use, that a table should be used by the driver/operator.
- each winch on a lifting machine must at all time have, at least, three full turns of rope on the drum when the winch has been run to its lowest limit.
- every lifting machine shall, where practicable, be fitted with a brake or other device capable of holding the MML. This brake or device to automatically prevent the downward movement of the load when the lifting power is interrupted.
- every chain or rope on a lifting machine that forms an integral part of the machine must have.
- a factor of safety as prescribed by the manufacturer of the machine and where no standard is available the factor of safety must be:
  - chains – 4 (four),
  - steel wire ropes - 5 (five),
  - fibre ropes-10 (ten).
- every hook or load attaching device shall be designed such or fitted with a device that will prevent the load from slipping off or disconnecting.
- every lifting machine shall be inspected and load tested by a competent person every time it has been dismantled and re-erected and every 12 months after that. The load test shall be in accordance with the manufacturer's prescription or to 110% of the MML in addition, all ropes, chains, hooks or other attaching devices, sheaves, brakes and safety devices forming an integral part of a lifting machine must be inspected every 6 months by a competent person.
- all maintenance, repairs, alterations and inspection results shall be recorded in a logbook and each lifting machine must have its own logbook.
- no person may be lifted by a lifting machine not designed for lifting persons unless in a cradle approved by an inspector of the Department of Labour.
- every jib crane with an MML of 5 000 kg or more at minimum jib radius shall be provided with a load indicator or a load lifting limiting device.
- Each crane shall have (in the cab or operating area), the following legal documents on site at all times:
  - a) The latest and up-to-date load certificate of the crane.
  - b) A record of the 6-monthly inspection of the crane by a registered inspector.
  - c) The crane operator(s) current crane license.
  - d) The crane operator(s) medical certificate of fitness, issued by an occupational medical practitioner.

- e) The inspection register or certification of 3-monthly inspection of all lifting equipment used with the crane.
- Where applicable, the H&S Plan shall include the method statement for the access- and egress and placement of mobile cranes and/or for the erection, maintenance, inspections and dismantling of a fixed crane.
- The H&S Plan shall include the method statement for safe use of the crane, including the method of communication, the protection of fall zones and the method of determining whether the weather permits safe crane work.

### Lifting Tackle

- No user may use or allow the use of any lifting tackle unless every item is manufactured of sound material, well-constructed and free from patent defects.
- to be clearly and conspicuously marked with ID number and MML.
- factor of safety:

Natural fibre ropes	-	10(ten)
Man-made fibre ropes & woven webbing	-	06(six)
Steel wire ropes – single rope	-	06(six)
Steel wire ropes – combination slings	-	08(eight)
Mild Steel chains	-	05(five)
High tensile/alloy steel chains	-	04(four)

- steel wire ropes shall be discarded (not used any further for lifting purposes) when excessive wear and corrosion is evident and must be examined by a competent person every three months or this purpose and the results recorded.
- all lifting tackle is inspected and discarded if such items show any sign of damage, defect, wear or distortion that would make them unsafe for use, as per manufacturer's specification; and such **lifting tackle is examined** at intervals not exceeding **three months** by a **competent person, appointed** by the user in writing for this purpose, who shall record and sign results of such examination.

### Operator

- Every lifting machine operator shall be trained specifically for the type of
- lifting machine that he/she is operating.
- provided that in the case of a lifting machine listed in the National Code of Practice for Training Providers of Lifting Machine Operators, the user shall not require or permit any person to operate such a lifting machine unless the operator is in possession of a certificate of training, issued by a training provider accredited by the Transport Seta approved for the purpose by the chief inspector.

## 50. Construction vehicles & mobile plant

*(Construction Regulation 23 of the Occupational Health and Safety Act, Act No. 85 of 1993)*

Construction Vehicles and Mobile Plant shall be inspected by a competent person prior to being allowed on a project site and suppliers of hired vehicles, plant and equipment will be required to comply with this specification as well as the Act and Regulations.

Construction Vehicles and Mobile Plant (CV&MP) to be:

- Are of acceptable design and construction.
- Are maintained in good working order.
- Are used in accordance with their design and intention for which they were designed, having due regard to safety and health.
- Are operated by workers who -
  - Have received appropriate training and been certified competent and been authorised to operate such machinery; and
  - Are physically and psychologically fit to operate such construction vehicles and mobile plant by being in possession of a medical certificate of fitness.
- Have safe and suitable means of access.
- Are properly organised and controlled in any work situation by providing adequate signalling or other control arrangements to guard against the dangers relating to the movement of vehicles and plant, in order to ensure their continued safe operation.
- Are prevented from falling into excavations, water or any other area lower than the working surface by installing adequate edge protection, which may include guardrails and crash barriers.
- Where appropriate, are fitted with structures designed to protect the operator from falling material or from being crushed should the vehicle or mobile plant overturn.
- Are equipped with an electrically operated acoustic signalling device and a reversing alarm; and
- Are on a daily basis inspected prior to use, by a competent person who has been appointed in writing and the findings of such inspection is recorded in a register.

Construction Vehicles and Mobile Plant to be fitted with two head and two taillights whilst operating under poor visibility conditions.

The contractor shall furthermore ensure that—

- No person rides or be required or permitted to ride on any construction vehicle or mobile plant otherwise than in a safe place provided thereon for that purpose.
- Every construction site is organised in such a way that, as far as is reasonably practicable, pedestrians and vehicles can move safely and without risks to health.
- The traffic routes are suitable for the persons using them, sufficient in number, in suitable positions and of sufficient size.

- Every traffic route is, where necessary indicated by suitable signs for reasons of health or safety.
- All construction vehicles and mobile plant left unattended at night, adjacent to a freeway in normal use or adjacent to construction areas where work is in progress, shall have appropriate lights or reflectors, or barricades equipped with appropriate lights or reflectors, in order to identify the location of the vehicles or plant.
- Bulldozers, scrapers, loaders, and other similar mobile plants are, when being repaired or when not in use, fully lowered or blocked with controls in a neutral position, motors stopped and brakes set.
- Tools and material are secured in order to prevent movement when transported in the same compartment with employees.
- Vehicles used to transport employees have seats firmly secured and adequate for the number of employees to be carried; and
- When workers are working on or adjacent to public roads, reflective indicators are provided and worn by the workers.
- All construction vehicles or mobile plant traveling, working or operating on public roads comply with the requirements of the National Road Traffic Act, 1996 Whenever visibility conditions warrant additional lighting, all mobile plants are equipped with at least two headlights and two taillights when in operation.
- Workers employed adjacent or on public roads shall wear reflective safety vests.
- All Construction Vehicles and Mobile Plant inspection records shall be kept in the OH&S File.
- All vehicles of the Contractor shall display a name board bearing the Contractor's name. Hired vehicles shall bear an identifying sticker.

### **Speed Restrictions and Protection**

The Contractor shall ensure that all persons in their employ and all those that are visiting the site are aware and comply with the site speed restriction(s). On site gravel or earth roads and within 500m of the Site, the vehicles of the Contractor and their suppliers shall be regulated to a maximum of 35km/h.

## **51. Electrical installations**

*(Construction Regulation 24 read in conjunction with Electrical Installation Regulations, 2009, and the Electrical Machinery Regulations, 1988 of the Occupational Health and Safety Act, Act No. 85 of 1993) )*

The installation of temporary electricity for Construction shall be in accordance with the Construction Regulation and the Electrical Installation Regulations.

Notwithstanding the provisions contained in the Electrical Installation Regulations 2009 and the Electrical Machinery Regulations 1988, respectively, as amended, the contractor shall ensure that—

- All services must be assumed live at all times.
- Before construction commences and during the progress thereof, adequate steps are taken to ascertain the presence of and guard against danger to workers from any electrical cable or apparatus which is under, over or on the site.
- All parts of electrical installations and machinery are of adequate strength to withstand the working conditions on construction sites.
- In working areas where the exact location of underground electric power lines is unknown, employees using jackhammers, shovels or other hand tools which may make contact with a power line, are provided with insulated protective gloves or otherwise that the handle of the tool being used is insulated.
- All temporary electrical installations are inspected at least once a week and electrical machinery on a daily basis before use on a construction site by competent persons and the records of these inspections are recorded in a register to be kept on site; and
- The control of all temporary electrical installations on the construction site is designated to a competent person who has been appointed in writing.

### **Electrical & mechanical lock-out**

An electrical and mechanical lock-out procedure shall be developed and implemented. This lock-out procedure shall be adhered to by all Contractors on site.

## **52. Use & storage of flammables.**

*(Construction Regulation 25 read in conjunction with General Safety Regulation 5 and Regulation for Hazardous Chemical Agent of the Occupational Health and Safety Act, Act No. 85 of 1993)*

A contractor must, in addition to compliance with the provisions for the use and storage of flammable liquids in the General Safety Regulations, 2003, ensure that:

- Where flammable liquids are being used, applied or stored at the workplace concerned, this is done in such a manner which would cause no fire or explosion hazard, and that the workplace is effectively ventilated: Provided that where the workplace cannot effectively be ventilated—
- Every employee involved is provided with a respirator, mask or breathing apparatus of a type approved by the chief inspector, and Steps are taken to ensure that every such employee, while using or applying flammable liquid, uses the apparatus supplied to him or her.
- No person smokes in any place in which flammable liquid is used or stored, and such contractor shall affix a suitable and conspicuous notice at all entrances to any such areas prohibiting such smoking.

- Flammable liquids on a construction site is stored in a well-ventilated reasonably fire-resistant container, cage or room and kept locked with proper access control measures in place;
- An adequate amount of efficient fire-fighting equipment is installed in suitable locations around the flammable liquids store with the recognized symbolic signs.
- Only the quantity of flammable liquid needed for work on one day is to be taken out of the store for use.
- All containers holding flammable liquids are kept tightly closed when not in actual use and, after their contents have been used up, to be removed from the construction site and safely disposed of.
- Where flammable liquids are decanted, the metal containers are bonded or earthed; and
- No flammable material such as cotton waste, paper, cleaning rags or similar material is stored together with flammable liquids.
- Stored in a locked well-ventilated reasonably fire-resistant container, cage or room conspicuously demarcated as “Flammable Store – No Smoking or Naked Lights”;
- the flammables store to be constructed of two-hour fire-retardant walls and roof and separated from adjoining rooms or workplaces by means of a two-hour fire-retardant fire wall.
- All electrical switches and fittings to be of a flameproof design.
- Any work done with tools in a flammables store or work areas to be of a non-sparking nature.
- The flammable store to be designed and constructed with a bund to, in the event of spillage of liquids in the store, to contain the full quantity + 10% of the liquids stored.
- A sign indicating the capacity of the store to be displayed on the door.
- Containers (including empty containers) to be kept closed to prevent fumes/vapours from escaping and accumulating in low lying areas.
- Welding and other flammable gases to be stored segregated as to type of gas and empty and full cylinders.
- Bulk fuel bowsers, must be installed as per the BCMM by-laws and suitably permitted by the local fire safety authority.

### 53. Housekeeping

*(Construction Regulations 27 rean in conjunction with Environmental Regulation for Workplaces 1987)*

The Principal Contractor / Contractor to ensure that:

- Housekeeping is continuously implemented.
- Materials & equipment are properly stored.
- Scrap, waste & debris are removed regularly.
- Materials placed for use are placed safely and not allowed to accumulate or cause obstruction to free flow of pedestrian and vehicular traffic.
- Waste & debris not to be removed by throwing from heights but by chute or crane.

- Construction sites in built-up areas, adjacent to a public way, are suitably and sufficiently fenced off and provided with controlled access points to prevent the entry of unauthorized persons.
- A catch platform or net is erected above an entrance or passageway or above a place where persons work or pass under, or fence off the danger area if work is being performed above such entrance, passageway, or place so as to ensure that all persons are kept safe in the case of danger or possibility of persons being struck by falling objects.
- An unimpeded workspace is maintained for every employee.
- Every workplace is kept clean, orderly and free of tools etc. that are not required for the work being done materials.
- As far as is practicable, every floor, walkway, stair, passage and gangway is kept in good state of repair, skid-free and free of obstruction, waste and materials;
- The walls and roof of every indoors workplace is sound and leak-free.  
Openings in floors, hatchways, stairways and open sides of floors or buildings are barricaded, fences, boarded over or provided with protection to prevent persons from falling.

## 54. Stacking and storage

*(Construction 28 read in conjunction with General Safety Regulation 8 of the Occupational Health and Safety Act, Act No. 85 of 1993))*

A contractor must, in addition to compliance with the provisions for the stacking of articles in the General Safety Regulations, 2003, ensure that:

- a) a competent person is appointed in writing with the duty of supervising all stacking.
- b) and storage on a construction site.
- c) (b) adequate storage areas are provided.
- d) (c) there are demarcated storage areas and,
- e) (d) storage areas are kept neat and under control.

### Extract from the General Safety Regulation:

The Contractor shall require or permit the building of stacks that consist of successive tiers, one on top of another, unless—

- The stacking operation is executed by or under the personal supervision of a person with specific knowledge and experience of this type of work.
- The base is level and capable of sustaining the weight exerted on it by the stack.
- The articles in the lower tiers are capable of sustaining the weight exerted on them by the articles stacked above them.
- All the articles which make up any single tier are consistently of the same size, shape and mass.
- Pallets and containers are in good condition; and



- Any support structure used for the stacking of articles is structurally sound and can support the articles to be stacked on it.

The Contractor shall not permit—

- Articles to be removed from a stack except from the topmost tier or part of that tier; and
- Anybody to climb onto or from a stack, except if the stack is stable and the climbing is done with the aid of a ladder or other safe facility or means.

The Contractor shall take steps to ensure that—

- Persons engaged in stacking operations do not come within reach of machinery which may endanger their safety.
- Stacks that are in danger of collapsing are dismantled immediately in a safe manner; and
- The stability of stacks is not endangered by vehicles or other machinery or persons moving past them.

Unless a stack is otherwise supported the Contractor shall take steps to ensure that tiers of stacked material consisting of sacks, cases, cartons, tins or similar containers—

- Are secured by laying up articles in a header and stretcher fashion and that corners are securely bonded; and
- Are stepped back half the depth of a single container at least every fifth tier or that, alternatively, successive tiers are stepped back by a lesser amount.
- Provided that at least the same average angle of inclination to the vertical is achieved.
- Provided further that where the containers are of a regular shape and their nature and size are such that the stack will be stable, they may be stacked with the sides of the stack vertical if the total height of the stack does not exceed three times the smaller dimension of the underlying base of the stack.

Notwithstanding the provisions of sub-regulation (4), free standing stacks that are built with the aid of machinery may, with the approval of an inspector, be built to a height and in a manner permitted by the nature of the containers being stacked: Provided that—

- The stacks are stable and do not overhang; and
- The operator of the stacking machinery is rendered safe as regards falling articles.
- Adequate storage areas are provided and demarcated.
- The storage areas are kept neat and under control.
- Cartons and other containers that may become unstable due to wet conditions are kept dry.
- Pallets and containers are in good condition and no material is allowed to spill out;
- Structures for supporting stacks are structurally sound and able to support the mass of the stack.

## 55. Portable electrical tools & equipment

*(Electrical Machinery Regulation (EMR) 10 of the Occupational Health and Safety Act, Act No. 85 of 1993)*

### Portable Electrical Tools

**EMR 10 definitions “portable electric tool”** means any electrically operated implement, with the exception of ordinary household electrical appliances, which is designed for use with –

- a) a flexible cord at the supply end and which is intended for use by hand and which is to be carried by hand at the place of work; or
  - b) a flexible cable at the supply end and which is intended for use by hand, and which is to be moved by hand at the place of work; i.e. drills, saws, grindstones, portable lights, etc.
- In addition, electrical appliances such as fridges, hotplates, heaters, etc. shall be inspected and maintained to the same standards as portable electrical tools and appliances.

The use, inspection and maintenance of portable electrical tools and equipment must be governed by the following:

- Regular inspections by a competent person appointed in writing,
- Inspection results must be recorded in a register.
- Only competent authorized persons are allowed to use portable electrical tools and equipment.
- The correct protective equipment is worn/used whilst operating portable electrical tools and equipment.
- All power tools and machinery driven by belts, gears, ropes, chains, couplings and similar drives shall be adequately guarded. The Contractor shall prohibit the use of any equipment with a damaged, missing or inadequate guard.

### ***Electrical Machinery Regulation 10***

No person shall use or permit the use of a portable electric tool with an operating voltage that exceeds 50 V to earth unless -

- a) it is connected to a source of electrical energy incorporating an earth leakage protection device, the construction of which meets the requirements of the relevant health and safety standard incorporated into these Regulations under section 44 of the Act; or
- b) it is connected to a source of electrical energy through the interposition between each tool and the source of an individually double-wound isolating transformer, the secondary winding of which is not earthed at any point and the construction of which meets the requirements of the relevant health and safety standard incorporated into these Regulations under section 44 of the Act; or

- c) it is connected to a source of high frequency electrical energy derived from a generator which is used solely for supplying energy to such portable electric tool and which arrangement is approved by the chief inspector; or
  - d) it is clearly marked that it is constructed with double or reinforced insulation.
- (2) No person shall sell a portable electric tool constructed with double or reinforced insulation referred to in sub regulation (1)(d) unless -
- a. it is clearly marked that it is constructed with such insulation; and
  - b. its insulation is constructed in accordance with the relevant health and safety standard incorporated into these Regulations under section 44 of the Act.
- (3) No employer or user shall use or permit the use of a portable electric tool which is not fitted with a switch to allow for easy and safe starting and stopping of the tool.
- (4) The employer or user shall maintain every portable electric tool, together with its flexible cord and plug, in good working order.
- Shall be maintained in good condition at all times to prevent an electrical shock to the user. The main source shall incorporate an earth leakage protection device or receive power through a double wound transformer or be double insulated and clearly marked as such.
  - All equipment shall be fitted with a switch to allow for safe & easy starting and stopping.
  - The Contractor shall ensure that all his electrical equipment conforms to operational and safety requirements.
  - All earth leakage units shall be tested at intervals of not more than one month and signed for by a qualified electrician.

### **Portable Electrical Lights**

- No employer or user shall use or permit the use of a portable light where the operating voltage exceeds 50 V unless-
- It is fitted with a robust non-hygroscopic non-conducting handle.
- Live metal parts/parts which may become live must be protected against contact.
- The lamp must be protected by a strong guard.
- The cable lead-in must withstand rough handling.
- It is suggested that a register be kept for each piece of equipment and findings of regular inspections must be entered.
- Inspections must concentrate on plug, cord, switch and any obvious faults.
- When used in wet/damp/metal container conditions, it must be protected as for portable electrical tools, above.
- the lamp is connected to a source of electrical energy incorporating an earth leakage protection device the construction of which meets the requirements of the relevant safety standard incorporated into these Regulations under section 44 of the Act; or

- the operating voltage of the lamp does not exceed 50 V, and where this electrical energy is derived from a transformer, such transformer shall have separate windings.

## 56. Hazardous chemical agents

*(Regulation for Hazardous Chemical Agents, 2020 of the Occupational Health and Safety Act, Act No. 85 of 1993)*

The Principal Contractor / Contractor shall ensure that:

- The safe use, storage, emergency procedures and safe disposal of hazardous substances are addressed in a method statement/s, included in the H&S Plan.
- Proof of competency and signed letters of appointment of the person responsible for chemical handling, is included in the H&S file.
- Any hazardous chemical agents intended to be applied on site during the project (i.e. after approval of the H&S Plan) shall be subject to an issue-based risk assessment and method statement, which must be placed in the H&S plan or, for substances / agents introduced later, presented to the client Agent prior to the substance being introduced on site.
- Employees working with hazardous chemical substances shall be subject to a specific control program compliant to the Hazardous Chemical Agents Regulations of the OHSA; the program shall include:
  - Identification of hazardous substances.
  - Educating and training of exposed employees.
  - Assessing the potential exposure risks.
  - Zoning of risk areas.
  - Air monitoring where airborne chemical vapours may be present.
- Employees receive the necessary information & training to be able to use and store HCA safely.
- Employees obey lawful instructions regarding.
- The wearing and use of protective equipment.
- The use and storage of HCA.
- The prevention of the release of HCA.
- The wearing of exposure monitoring and measuring equipment.
- The cleaning up and disposal of materials containing HCA.
- Housekeeping, personal hygiene and the protection of the environment.
- The Risk Assessments required in terms of the applicable Construction Regulation include employee exposure to HCA and that the necessary steps to protect persons from being detrimentally affected by HCA present or used in the workplace are taken.
- Suppliers to provide the necessary information in the form of a Safety Data Sheet (SDS) regarding an HCA required to ensure the safe use and storage of that HCA.
- An up-to-date list is kept on site of HCA's stored and used together with the SDS's of the said HCA's.

- HCA containers are clearly marked as to the contents and main hazardous category “Flammable” or “Corrosive” and the reference number of the HCA on the list indicated above.
- HCA e.g., Asbestos dust is not cleared by the use of compressed air hoses but is vacuumed.
- No person eats or drinks in a HCA workplace.
- HCA waste is disposed of safely in terms of hazardous waste disposal requirements.

## 57. Environmental

**In addition to the below, the ELIDZ CEMP must be strictly adhered to.**

- All Construction debris/rubble is to be stored in a skip.  
In the event of large demolition or excavation work and where this is not possible, debris/rubble is to be stored in a safe manner, to prevent any form of injury to personnel or equipment.
- When transporting rubble to a landfill site, reasonable care is to be taken to ensure that spillage of rubble from such skip or truck is avoided.
- Timber, brickwork, dry walling, non-asbestos insulation, clean concrete, and similar debris shall be transported to a landfill, authorized to receive such waste. Reasonable effort shall be made to separate recoverable metals from construction debris.
  - Personnel waste such as papers and food containers should be bagged, removed from the site, and properly disposed of by the Contractor.
  - Fluorescent, sodium, mercury vapour and incandescent light bulbs shall be removed from light fixtures and managed as Chemical waste. These items shall be boxed and then labelled to identify the contents.
  - Equipment containing oil or other petroleum products shall be drained of oil and managed as residue material. Drained oil shall be managed as chemical waste.
  - Water must be used sparingly and taps must not be left to run or leak.
  - No fires are allowed, and no smoking is permitted on ELIDZ site.
  - No construction machinery, including vehicles and bakkies, may leak oil or fuel; where this the case, the leaking item is to be removed from site.
  - No contractor shall store fuel on site unless authorised by the Agent.
  - All cement mixing must occur in a contained environment preventing spillage.

## 58. DOCUMENT REVIEW

This document shall be reviewed every three years or within such lesser period as may be required to affect any necessary amendments.

## 59. Applicable Approvals

### Construction Regulation: Annexure 1

#### APPLICATION FOR A PERMIT TO DO CONSTRUCTION WORK

This application must be submitted with the following documents:

1. Health and Safety Specification.
2. Health and Safety Plan.
3. Baseline Risk Assessment.

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### Construction Regulation: Annexure 2

#### NOTIFICATION OF CONSTRUCTION WORK

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### Construction Regulation: Annexure 3

#### MEDICAL CERTIFICATES OF FITNESS

## 60. Acknowledgement of Specification

Acknowledgement of Receipt of the Health and Safety Specifications:

I, \_\_\_\_\_ representing

\_\_\_\_\_ Principal Contractor

Have satisfied myself with the content of the construction Health, Safety and Environmental Specification and shall ensure that the Principal Contractor and its personnel comply with all obligations / requirements in respect thereof.

\_\_\_\_\_  
Signature of PRINCIPAL CONTRACTOR

\_\_\_\_\_  
DATE

\_\_\_\_\_  
Signature of CLIENT / CLIENT'S AGENT

\_\_\_\_\_  
DATE