

MOPANI DISTRICT MUNICIPALITY



DIRECTORATE CORPORATE SERVICES
HUMAN RESOURCE
OCCUPATIONAL HEALTH AND SAFETY POLICY
2022 / 2023

A.S

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1. PREAMBLE

- 1.1. The Mopani District Municipality as an employer considers its employees to be its most valuable assets and undertakes to safeguard them through providing and maintaining, as far as reasonably practical, the Act requires the employer to bring about and maintain a working environment that is safe and without risk to the health of its employees. This means the employer must ensure that the workplace is inspected by OHS Officer and Facility Management unit and give recommendation for improvement, and also for free of hazardous ergonomics and substances, microorganisms which may cause injury or diseases.
- 1.2. In ensuring a safe and healthy working environment all employees of Mopani District Municipality have to work closely together with the employer in minimizing any risk that might jeopardize the health and safety of employees of the Municipality. Where this is not possible, the employer has to inform the employees of the risks and dangers, and how these may be prevented. The employer must also ensure that on all rented buildings theirs is a service level agreement / memorandum of understanding in place for compliance.

2. PRINCIPLES

The Mopani District Municipality will strive to continuously improve the occupational health and safety and environmental protection by adhering to the following principles:

- 2.1 Developing and improving programs and procedures to ensure compliance with applicable laws and regulations.
- 2.2 Ensuring that personnel are properly trained and provided with appropriate safety and emergency equipment, where applicable.
- 2.3 Encouraging personal accountability and emphasizing compliance with standards and conformance with Departmental policies and best practices during employee training and in performance reviews.
- 2.4 Taking appropriate action to correct hazards or conditions that endanger health, safety and the environment.
- 2.5 Considering safety and environmental factors in all operating decisions including planning and acquisition.
- 2.6 Engaging in sound re-use and recycling practices and exploring feasible opportunities to minimize the amount and toxicity of waste generated.

- 2.7 Communicating our desire to continuously improve our performance and fostering the expectation that every employee will follow this policy and report any environmental, health, or safety concern to management.
- 2.8 Monitoring progress through periodic evaluations.

3. LEGAL FRAMEWORK

- Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996)
- Occupational Health and Safety Act 85 of 1993, as amended and regulated issues in terms of section 43 of the Act
- Compensation for Occupational Injuries and Diseases Act 130 of 1993, as amended
- Labour Relations Act 66 of 1995, as amended
- Employment Equity Act 55 of 1998, as amended
- Disaster Management Act 57 of 2000 as amended
- Skills Development Act 97 of 1998
- Fire brigade Act 99 of 1997 as amended
- Hazardous Substance Act 15 of 1973 as amended
- General Administration Regulations 2003
- National Water Act 36 of 1998
- National Building Regulation act 103 of 1977
- National Environmental Management Act 107 of 1998
- Environmental Conservation act 73 of 1989
- The National Road Traffic Management Act, no 93 of 1996
- Tobacco control act 83 of 1993 as amended
- National Land Transport Act no 5 of 2009
- Access to Public Premises and Vehicles Act 53 of 1985
- National Health Act 61 of 2003
- COVID-19 Regulations

4. SCOPE OF APPLICATION

This policy is applicable to all Mopani District Municipality's employees including councilors, casual, part-time, volunteer workers, contract workers, contractors, maintenance officers, service providers and all members of the public while they are within Mopani District Municipality premises.

5. OBJECTIVES

To ensure a safe and healthy working environment for employees throughout the Municipality based on the following objectives:

- 5.1 To provide and maintain offices, systems and equipment that are safe and without risk to the health of Mopani District Municipality's employees.
- 5.2 To take steps to eliminate or mitigate any hazard or potential hazard to the safety or health of employees, before resorting to personal protective equipment.

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- 5.3 To make arrangements for ensuring the safety and absence of risks to health in connection with the production, processing, use, handling, storage or transport of articles with toxic substance.
- 5.4 To establish what hazards to the health or safety of persons are attached to any work which is performed, any article or substance which is produced, processed, used, handled, stored or transported and any plant or machinery which is used in business, and shall further establish what precautionary measures should be taken with respect to such work, article, substance, plant or machinery in order to protect the health and safety of persons, and shall provide the necessary means to apply such precautionary measures.
- 5.5 To provide such information, instructions, training and supervision as may be necessary to ensure a healthy and safe working environment for all employees.
- 5.6 To not permit any employee to do any work or to produce, process, use, handle, store or transport any article or substance or to operate any plant or machinery, unless the precautionary measures contemplated in paragraphs 5.2 and 5.4, or any other precautionary measures which may be prescribed, have been taken.
- 5.7 To take all necessary measures to ensure that the requirements in terms of the Occupational Health and Safety Act are complied with by every person in his/her employment or on premises under control of the Municipality where plant or machinery is used.
- 5.8 To enforce such measures as may be necessary in the interest of health and safety.
- 5.9 To ensure that work is performed and that any machinery is used under the general supervision of a person trained to understand the hazards associated with it and who have the authority to ensure that precautionary measures taken by the employer are implemented.

6. DEFINITIONS

“Act” means the Occupational Health and Safety Act 85 of 1993.

“Accident” means any accident arising out of and in the course of an employee’s employment and resulting in a personal injury, illness or death of the employee.

“Chief Executive Officer” means the accounting officer, i.e. Municipal Manager

“Chief fire coordinator” means contingency officer who is responsible for the coordination of fire team in the designated areas.

“Contingency Plan” means any action that is to be activated during any emergency situation in order to prevent and/or combat or counteract the effects and results of an emergency situation where life or property is threatened.

“Contingency Officers” for the purpose of this policy means an Occupational Health and Safety representative who are responsible for coordination during an emergency.

Compensation Commissioner means the Compensation Commissioner appointed under Section 2 of the Compensation for Occupational Injuries and Diseases Act 1993

Covid-19 means coronavirus 2 (SARS-CoV-2).

“Municipality” means Mopani District Municipality.

“Danger” means anything that may cause injury or damage to persons or property.

“Employer” means the Municipal Manager of the Mopani District Municipality or the official to whom the responsibility for compliance with the Act has been delegated.

“Employee” means any person who is employed by or works for the employer and who receives or is entitled to receive any remuneration or who works under the direction or supervision of the employer.

“Hazard” means any source of/ or exposure to danger.

“Health” means free from illness or injury attributable to occupational causes.

“Health and safety standard” means any standard irrespective of whether or not; it has the force of law, which if applied for the purpose of this policy, will in the opinion of the Municipal Manager to promote the attainment of objectives of this policy.

“Inspector” means an Occupational Health and Safety Inspector of the Department of Labour.

“Occupational health” includes occupational hygiene, occupational medicine and biological monitoring.

“Occupational Health and Safety Representative” (OHSR) means authorized person designated to perform health and safety duties in the Mopani District Municipality.

“Occupational Health and Safety Committee” means a committee established under section 19 of the Occupational Health and Safety Act 85 of 1993

“Occupational Hygiene” means anticipation, recognition evaluation and control of conditions arising in or from the workplace, which may cause illness or adverse health effects to persons.

“Occupational medicine” means the prevention, diagnosis and treatment of illness, injury and adverse health effects associated with a particular type of work.

“Premises” include any building, vehicle or aircraft owned by the Mopani District Municipality.

“Proper use” means use of any item with reasonable care, and with due regard for any information, instruction or advice supplied by the designer, manufacturer, importer seller or supplier.

“Risk” means the probability that injury or damage will occur.

“Safe” means free from any hazard.

“Workplace” means any premises or place where an official of the Mopani District Municipality performs work in the course of her/his employment.

“Injury on Duty” refers to any injury sustained while on line of duty

“First Aider” refers to a person in possession of a certificate of competence in first aid issued by SA Red Cross Society, St John's Ambulance, SA First Aid League or a person/ organization approved by the Chief Inspector, Department of Labour.

“Personal Protective Clothing” means articles of clothing issued to an employee for protection against any hazards that may affect the good health of such an employee in the workplace

“Personal Protective Equipment” means any piece of equipment issued to an employee for protection against any hazard that may affect the good health and safety of an employee in the workplace.

“Medical Practitioner” means a qualified person whose primary employment role is to diagnose physical and mental illnesses, disorders and injuries and prescribes medications and treatments that promote or restore good health.

7. RESPONSIBILITIES AND OBLIGATIONS

7.1 RESPONSIBILITIES OF EMPLOYER

- 7.1.1 The Accounting Officer, designated as the Chief Executive Officer shall be assigned in terms of subsection 16(2) of the Occupational Health and Safety Act.
- 7.1.2 Senior Managers in Mopani District Municipality have the statutory responsibility and accountability for health and safety within their components and working environment.
- 7.1.3 The Senior Manager: Corporate Service shall be responsible for annual reporting of trends, statistics, incidents, inspections or any matter relating to health and safety to the Municipal Manager.
- 7.1.4 The Senior Manager: Corporate Service shall be responsible for the development, implementation, monitoring and review of the Municipal Health and Safety Programmes.
- 7.1.5 The Municipality shall ensure that all Contractors and any person appointed by the Municipality to perform certain duties within its premises are made aware of health and safety procedures and principles and comply with the provisions of Occupational Health and Safety Act 85 of 1993.

7.2 RESPONSIBILITIES OF EMPLOYEES

7.2.1 The responsibilities of each employee are the following:

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

7.2.2 As regards any duty or requirement imposed on his/her employer or any other person, cooperate with such employer or person to enable that duty or requirement to be performed or complied with.

7.2.3 Carry out any lawful order given to him/her, and obey the health and safety rules and procedures laid down by his/her employer or by anyone authorised thereto by his/her employer, in the interest of health and safety.

7.2.4 If any situation which is unsafe or unhealthy comes to his/her attention, as soon as practical report such situation in writing to his/her employer or to the health and safety representative for his/her workplace or section thereof, as the case may be, who shall report it to the employer.

7.2.5 If he/she is involved in any incident which may affect his/her health or which has caused an injury to him/herself, report such incident to his/her employer or to anyone authorised thereto by the employer, and to his/her health and safety representative, but not later than the end of the particular working day during which the incident occurred, unless the circumstances were such that the reporting of the incident was not possible, in which case he/she shall report the incident as soon as practicable thereafter.

7.3 DESIGNATION OF HEALTH AND SAFETY REPRESENTATIVES

7.3.1 Health and Safety representatives shall be appointed on each Directorate for head office, Fire Stations and Satellite offices of the Mopani District Municipality as specified in section 17 of the Occupational Health and Safety Act.

7.3.2 At least one Health and Safety representative shall be appointed representing the relevant Directorate for every 100 employees or part thereof. The names of those designated as

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Health and Safety representatives shall be made known by placing notices on the notice boards of the various work places.

7.3.3 Only officials who are appointed in a full-time capacity at a specific work place and who are familiar with the conditions and activities at such a workplace will be eligible to be nominated and elected as health and safety representatives.

7.3.4 Health and safety representatives will be nominated from amongst the employees at a workplace voluntarily and if the nominees accept, they will be appointed accordingly and issued with appointment letters after training and being found competent. Where more nominations are received than the number of health and safety representatives required, a ballot will take place to democratically elect the required number of representatives from amongst the nominees.

7.3.5 In accordance with Section 18(4) of the Occupational Health and Safety Act, a health and safety representative shall not incur any civil liability by reason of the fact that he/she failed to do anything, which he/she may do or is required to do in terms of the Act.

7.4 FUNCTIONS OF OCCUPATIONAL HEALTH AND SAFETY REPRESENTATIVES (OHSRs)

7.4.1 Makes recommendations to the Mopani District Municipality's management or the Occupational Health and Safety inspector regarding any matter that might potentially affect or is affecting the health and safety of employees in the workplace.

7.4.2 In collaboration with the Mopani District Municipality's management, examines and investigates the causes of incidents in the workplace investigates complaints by any employee relating to that employee's health and safety at work Forms part of the Occupational Health and Safety Committee and makes representation to this body on matters affecting the health and safety of employees inspects the workplace, including any articles, substances, plants, machinery or equipment's that might pose a danger to people in the workplace on a monthly basis.

7.4.3 Participates in organizational inspections by external inspectors and report to the internal structures on such inspections

7.4.4 Attends health and safety committee meetings and audits.

7.4.5 Ensures that no other person without permission from the Occupational Health and Safety inspector disturbs the site where an incident happened or where a person died, or was injured to an extent that the person is likely to die, suffered loss of limb or part thereof.

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- 7.4.6 Ensures that no other person without permission from inspector or Mopani District Municipality's senior staff member removes any article or substance involved in the incident provided that such action may be taken as is necessary to prevent further incidents, to remove the injured or dead or to rescue the person from that danger.
- 7.4.7 An OHSR shall not incur any civil liability by the fact that he/she failed to do anything which he/she may have in terms of the OHSA
- 7.4.8 Attend health and safety representative committee meetings

7.5 TRAINING AND ASSISTANCE TO HEALTH AND SAFETY REPRESENTATIVES

- 7.5.1 To assist the health and safety representatives in performing their duties, all employees will be continually educated and guided on eliminating health and safety hazards and on the prevention of accidents.
- 7.5.2 Health and safety representatives will be provided with any other facilities, training and assistance as identified from time to time by the Municipality and as agreed upon by the OHSRC.
- 7.5.3 Field Supervisors to receive proper training to assist in handling injury on duty related incidents.

7.6. COMPOSITION OF THE OCCUPATIONAL HEALTH AND SAFETY COMMITTEES

- 7.6.1 The Occupational Health and Safety Committee higher (Main) level committee will consist of Employer representative, Senior Managers, OHS Officer, Organized labour representative or representatives from that Directorate of the Municipality.
- 7.6.2 The Occupational Health and Safety Committee Sub-committees (Fire stations) will consist of Station Supervisors, OHS Officer, Health and Safety Representative and Organized labour representative.
- 7.6.3 The functions of the Health and Safety Representative/Committees are as prescribed in sections 18 and 20 of the Occupational Health and Safety Act.
- 7.6.4 The Committee shall develop Terms of Reference that will serve as a guidance on their functions
- 7.6.5 The Senior Manager: Corporate Services shall facilitate the election, nomination and appointment of the committee representatives.

7.6.6 RISK ASSESMENT

7.6.6.1. Base Line Risk Assessment

- ✓ Identification of major risks.
- ✓ That the Municipality recommends an assessment of the potential exposure to OHS hazards by an Approved Inspection Authority, and thereafter at intervals not exceeding two years.

7.6.6.2. Issue Based Risk Assessment

- ✓ These will be conducted when:
- ✓ A system of work has been changed.
- ✓ When a new machine is introduced.
- ✓ After an accident has occurred.

7.6.6.3. COVID-19 Risk Mitigation Plan

- ✓ These mitigation plan will assist in ensuring that all COVID-19 risk and hazard are managed.

7.7 FUNCTIONS OF OCCUPATIONAL HEALTH AND SAFETY COMMITTEE (OHSC)

7.7.1 To decide on strategic issues pertaining to health and safety at Mopani District Municipality.

7.7.2 To ensure that compliance is set for health and safety measures at the Municipality as per OHSA.

7.7.3 To make recommendations to the employer or to an inspector regarding any matter affecting the health or safety of persons in the workplace.

7.7.4 To identify and recommend health and safety measures appropriate for the workplace.

7.7.5 To report to Mopani District Municipality's management on activities of the committee and on reports from inspectors and safety advisors.

7.7.6 To immediately report to Mopani District Municipality's management and Inspector from Department of Labor: if any person dies, becomes unconscious, suffers loss of limb or part of limb or is otherwise injured or becomes ill to such a degree that she/he is either likely to die or suffer a permanent physical defect or likely to be unable for a period of at least 14 days either to work or to continue with the activity for which he was employed for or is usually employed in.

7.7.7 To meet regularly to discuss any Occupational Health and Safety issues, at least once in three months.

7.7.8 To keep all record of each recommendation made to Municipality and report made to inspector.

7.8 RESPONSIBILITIES OF EMPLOYERS AND SELF-EMPLOYED PERSONS TO PERSONS OTHER THAN THEIR EMPLOYEES

7.8.1 The Municipal Manager operating within the scope of Mopani District Municipality, shall conduct his/her undertaking in such a manner as to ensure, as far as is reasonably practicable, that persons other than those in his/her employment who may be directly affected by his activities are not thereby exposed to hazards to their health or safety.

7.8.2 Contractors operating within Mopani District Municipal offices and projects site shall ensure that they comply with section 89 of the COIDA, by producing the letter of good standing and a safety file prior to rendering its services.

7.9 FIRST AID AND EMERGENCY EQUIPMENT

7.9.1 The employer shall take reasonable steps that are necessary under the circumstances, to ensure that employees at work receive prompt first aid treatment in case of injury or emergency.

7.9.2 The employer shall provide a first aid box or boxes at the workplace which shall be available and accessible for the treatment of injured employees at the workplace. The first aid box or boxes shall contain suitable first-aid equipment which includes at least the equipment listed in Annexure A of the General Safety Regulations in terms of the Occupational Health and Safety Act.

7.9.3 For every group of up to 100, at least one person readily available during normal working hours who holds a valid certificate of competency in First Aid to assist with first aid treatment at the workplace. 7.9.4 If no qualified person(s) is/are available, such person(s) shall be trained at departmental expense to obtain such valid certificate of competency in first aid, issued by –

- (a) the SA Red Cross Society;
- (b) the St John's Ambulance;
- (c) the SA First Aid League; or
- (d) a person or organisation approved by the Chief Inspector for this purpose

7.9.5 Such a First-aider shall attend trainings or First aid course to update/refresh his/her first aid knowledge/skills.

7.9.6 The name(s) of the First-aiders as well as where the first aid box or boxes are kept shall be communicated through the notice boards or through the Evacuation instructions.

7.9.7 Each injury on duty shall be reported on the prescribed forms as indicated in the Compensation for Occupational Injuries and Diseases Act to the Health and Safety representative as well as the Human Resources Management component. The OHS / Human Resources Management component shall forward the forms to the Compensation Commissioner in order to register the injury on duty. Copies of all reported work related injuries shall be submitted to the Human Resources Management for record purposes. Incidents must also be reported to the Municipal OHS officers and/or SHE Representatives for investigation to find root causes and ensure corrective measure in avoidance to recurring incidents.

7.9.8 To avoid contracting HIV/AIDS and any other disease, first aiders must ensure that they treat injured employees using hand gloves and any other protective equipment.

7.10 FUNCTIONS OF THE FIRST AIDERS

7.10.1 Treat all first aid injuries.

7.10.2 Complete the First aid dressing book.

7.10.3 Inspect the first aid box on a regular basis.

7.10.4 Ensure that the box is not obstructed.

7.10.5 Ensure that the content complies with requirements of General Safety Regulation.

7.10.6 Ensure that all injuries including COVID-19 coronavirus are reported to the OHS officers.

7.10.7 Ensure that all minor injuries are investigated.

7.10. Assist the emergency coordinator in the event of an emergency.

7.11 EMERGENCY EVACUATION MARSHALS/FIRE FIGHTERS

The Municipality must ensure that there are floor marshals appointed to assist during evacuation due to emergencies. Their functions are as follows:

7.11.1 Become familiar with the Evacuation Preparedness plan of the building/s

7.11.2 Participate during Evacuation drills

7.11.3 Conduct investigation of fires.

7.11.4 Record keeping of fires, technical and inspect fire equipment regularly.

7.11.5 Assist with extinguishing of fire in case there is fire.

7.11.6 Report to emergency coordinator if there was/ is fire.

7.11.7 Floor Marshals should keep their identification vest/reflectors handy in preparation for any emergency.

8. MEDICAL EXAMINATIONS

8.1 That Employer shall approve medical examination of employees in terms of the Act, and allow employees to undergo for Occupational Medical Surveillance and testing twice annually. The Employer shall also assist with referrals of affected employees to Employee Assistant Programmes for further engagement should the employee suffer trauma.

9. WORKING ENVIRONMENT

9.1 Buildings and offices

- 9.1.1 The employer shall ensure that all working areas are inspected on a regular basis by OHS Officer, kept in a clean, hygienic, safe, whole and leak free condition and in a good state of repair.
- 9.1.2 When floors are washed / polished proper notice boards shall indicate that such floors are wet / slippery.
- 9.1.3 Structural integrity shall be ensured through applicable maintenance of buildings and structures.
- 9.1.4 Unauthorised access of employees to areas of maintenance/ repair/building/excavation/demolition shall be prohibited.

9.2 Lighting

- 9.2.1 The employer shall ensure that sufficient lighting levels and visibility is provided and maintained under all operating circumstances by ensuring that -
 - (a) vision requirements for employees that are partly sighted are identified and addressed;
 - (b) glare in any workplace be reduced to a level that does not impair vision;
 - (c) lighting on rotating machinery is such that the hazard at stroboscopic effect is eliminated; and
 - (d) Luminaries and lamps are kept clean and, when defected, are replaced or repaired forthwith.
- 9.2.2 With a view to emergency evacuation of indoor workplaces without natural lighting, emergency sources of lighting shall be provided.

9.3 Ventilation

- 9.3.1 The employer shall ensure that every workplace occupied is ventilated either by natural or mechanical means in such a way that the air breathed by employees does not endanger their safety.
- 9.3.2 Central air conditioning and humidifier systems shall be tested annually for the presence of bacteria and pathogenic organisms.

9.4 Sanitation

- 9.4.1 The employer shall ensure that sufficient sanitary facilities in relation to the number of users (employers and clients) are provided.
- 9.4.2 The employer shall ensure that the hygienic conditions of such facilities comply with the provisions of the Occupational Health and Safety Facilities Regulations as well as with SABS 0400.
- 9.4.3 Sanitary bins shall be provided.

9.5 Lifts

- 9.5.1 The employer shall designate a competent firm(s) to examine and maintain all lifts in buildings occupied by the Department at least once a month or at such intervals as prescribed by its manufacturer.

9.6 Machinery

- 9.6.1 The employer shall safeguard machinery used by ensuring that it is installed, operated and maintained in such a manner as to prevent the exposure of persons to hazardous or potentially hazardous conditions or circumstances.
- 9.6.2 Supervisors of employees that utilise machinery shall ensure that such employees are fully aware of the dangers attached thereto and is conversant with the precautionary measures to be taken or observed to obviate such dangers.
- 9.6.3 Only competent employees shall be permitted to utilise machinery.

9.7 Electrical equipment/installation

The employer shall ensure that all electrical installations meet all legislated standards. A certificate of compliance from an accredited authority shall be kept on record. All electrical distribution boards shall be duly numbered/labelled and only authorised persons may open such distribution boards. Regular inspections of switches, plugs, jointing, fuse boxes, distribution boards, shall be inspected to ensure they are in a safe condition.

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15.8 Workplace Risk Assessment.

15.9 Major Hazard Installation Regulations Applications.

15.10 Hazardous Chemical Substances Regulations Applications

15.11 Vessels under Pressure Regulations Applications.

15.12 Diving Regulations Applications

16. INJURY ON DUTY INCIDENTS

16.1. It is the responsibility of the employer to ensure that all work related injury on duty cases are managed by;

16.1.1. Ensuring that there is availability of transport to ferry injured employee to nearby hospital facility.

16.1.2. Ensuring that directorate are responsible for the transportation of affected employees.

16.1.3. Ensuring that directorate to take injured employee to the hospital immediately and for further out-patient visits

16.1.4. Field Supervisors to receive proper training in handling IOD's

16.1.5. Ensuring that all supervisors take ownership of IoD's and assist the employer in completing W.C.L.2 forms (Employers report on injuries) through the assistant of the OHS Officer before patient can be transferred or referred to a nearby hospital facility.

17. DEFAULT

17.1 Disciplinary action shall be taken against anyone who fails to comply with the provisions of this policy

18. MONITORING AND EVALUATION

18.1 The Senior Manager: Corporate Shared Service will be responsible for monitoring and evaluation of the application and implementation of the OHS policy with the assistance of the Employee Health & Wellness Unit.

19. ADOPTION BY COUNCIL

19.1. This policy shall come into effect upon adoption by the council.

20. INCEPTION DATE

20.1. This policy will come into effect on the date on which it was adopted by the council.

21. POLICY REVIEW

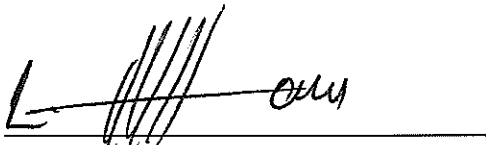
21.1. The policy will be reviewed annually.

21. STAKEHOLDER CONSULTATIONS



SAMWU

31/05/2022
DATE



IMATU

31/05/2022
DATE

23. AUTHORITY:

APPROVED BY COUNCIL.:

Policy Number:	Approved Date:31 MAY 2022
Effective Date:31 MAY 2022	Council Resolution no:SCD/25/2022



MUNICIPAL MANAGER

31/05/22
DATE



COUNCIL SPEAKER

31/05/22
DATE