

GREAT KEI MUNICIPALITY



OCCUPATIONAL HEALTH AND SAFETY POLICY

2023/2024

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1. PREAMBLE

As an employer, the Municipality of Great Kei Municipality, recognizes and accepts the responsibility and accountability which is in charge under the Occupational Health and Safety Act, No 85 of 1993 as amended. The responsibility and accountability entails ensuring:

- The health and safety of persons at work and of persons in connection with the use of plant or machinery.
- The protection of persons other than persons at work against safety and health hazards arising out of or in connection with the activities of persons at work.
- The establishment of an advisory council or committee for occupational health and safety.
- The continuous assessment of its activities and compliance with the act.

2. PURPOSE

The purpose of this policy is to:

- To provide a working environment that is safe for all employees (risk) and other persons affected by the Municipality's business.
- Ensure that the rights of the employees are respected with regards to their health, safety, security and injury on duty.
- Provide the facilities in a management system where consultation, inspection of workplaces, investigation of incidents etc. can take place in view to provide a healthy and safe working environment which is reasonable, workable, and functioning rationally.
- To identify and eliminate hazardous situations that could result in financial losses to the Municipality.

3. OBJECTIVES OF THE HEALTH AND SAFETY POLICY

- To ensure that the Great Kei Municipality as an employer, recognizes and accepts responsibility and accountability with which it is charged under the Occupational Health and Safety Act, No 85 of 1993.
- To establish and maintain an Occupational Health and Safety Management systems and procedures that must be implemented to ensure occupational health and safety in the workplace.

4. RELATED POLICIES AND LEGISLATIONS

- The Constitution of the Republic of South Africa 1996.
- Occupational Health and Safety Act, (No 85 of 1993).
- Local Government Municipal Systems Act (No 32 of 2000).
- Basic Conditions of Employment Act, (No.75 of 1997)
- Municipal Finance Management Act (56 of 2003)
- LLF resolutions (local seating)
- Compensation for Occupational Injuries and Diseases Act (85 of 1993)

5. ELIGIBILITY TO USE THE OCCUPATIONAL HEALTH AND SAFETY POLICY

The following categories of people shall be eligible to use the policy:

- Employees
- Casuals or temporary employees with over six months of accumulated service
- Retirees
- Councillors

6. DEFINITIONS

“Hazard” means a source of exposure to danger

“Health and Safety committee” means a committee established under section 19 of Occupational Health and Safety Act, No 85 of 1993.

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

“Incident” means an incident as contemplated in section 24 of the Occupational Health and Safety Act, No 85 of 1993.

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

“Safe” means free from any hazard

“Machinery” means any article or combination of articles assembled, arranged or connected and which is used or intended to be used for converting any form of energy to perform work, or which is used or intended to be used whether incidental thereto or not, for developing, receiving or storing, containing, confining, transforming, transmitting, transferring or controlling any form of energy.

“Occupational Health” means including occupational hygiene, occupational medicine and biological monitoring.

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

All terminology not defined under clause 22 of this policy shall bear the same meaning as in the applicable legislation.

7. ROLE PLAYERS AND THEIR ASSIGNED DUTIES IN TERMS OF THE ACT

The **Employer**, as per **Section 16 (1); Occupational Health and Safety Act 85 of 1993**, that;

- The employer shall as far as is reasonably practicable ensure that the duties of his Employer as contemplated in all the relevant Acts are properly discharged.
- Without derogating from his responsibility or liability may assign any duty to any person under his control, which person shall act subject to the control and directions of the Employer.

The **duties of Employers to their Employees**, as per **Section 8; Occupational Health and Safety Act 85 of 1993**, that;

- The employer shall provide and maintain as far as is reasonably practicable a working environment that is safe and without risk to the health of his employees;
- Take such steps as may be reasonably practicable to eliminate or mitigate any hazard or potential hazard to the safety or health of employees, before resorting to personal protective equipment;

- The Employer shall conduct his undertaking in such a manner as to ensure as far as is reasonably practicable that persons other than those in his employment who may be directly affected by Municipal activities are not exposed to hazards in regard to their health or safety;
- As far as is reasonably practicable because every employee to be conversant with the hazards to his health and safety attached to any work that he has to perform. Also any article or substance which he has to produce, process, use, handle, store or transport any equipment, 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;
- Without derogating from the generality of an employer's duties under subsection 8 (1) of the Act, the matters to which those duties refer include in particular;
 - the provision and maintenance of systems of work, equipment, plant and machinery that, as far as is reasonably practicable, are without risk to health and safety;
 - making arrangements for ensuring, as far as is reasonably practicable, the safety and absence of risk to health in connection with the production, processing, use, handling, storage or transport of articles or substances;
 - establishing, as far as is reasonably practicable, 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 equipment, plant or machinery which is used in his business, and he shall, as far as is reasonably practicable, further establish what precautionary measures should be taken with respect to such work, article, substance, equipment, plant or machinery in order to protect the health and safety of persons, and he shall provide the necessary means to apply such precautionary measures;
 - providing such information, instructions, training and supervision as may be necessary to ensure, as far as is reasonably practicable, the health and safety at work of his employees;
 - as far as is reasonably practicable, not permitting any employee to do any work or to produce, process, use, handle, store or transport any article or substance or to operate any equipment, plant or machinery, unless the precautionary measures contemplated in paragraphs 8 (2) (b) and 8 (2) of the Act, or any other precautionary measures that may be prescribed, have been taken;

Human Resources

- Taking all necessary measures to ensure that every person in his employment or on premises under his control where equipment, plant or machinery is used complies with the requirements of the Act.
- Enforcing such measures as may be necessary in the interests of health and safety;
- ensuring that work is performed and that plant or 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;
- causing all employees to be informed regarding the scope of their authority as contemplated in Section 37 (1)(b) of the Act;
- ensure that the Occupational Health and Safety Act or copies thereof are available to all employees.

General duties of employees at work as per the **Section 14** of the **Occupational Health and Safety Act 85 of 1993**

Every employee shall at work:

- take reasonable care 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 the said Act, co-operate with such employer or person to enable that duty or requirement to be performed or complied with;
- carry out any lawful order given to him, and obey the health and safety rules and procedures laid down by his employer or by anyone authorized thereto by his employer, in the interest of health or safety;
- if any situation which is unsafe or unhealthy comes to his attention as soon as is reasonably practicable, report such situation to a health and safety representative or to his employer;
- 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 authorised thereto by the employer, or to his health and safety representative as soon as is reasonably 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 is reasonably practicable thereafter.

Report incidents to the department of Labour as per Section 24 Occupational Health and Safety Act 85 of 1993, that there must be:

Reporting to the Department of Labour certain incidents occurring at work or arising out of or in connection with the activities of persons at work, or in connection with the use of plant or machinery, in which, or in consequence of which are:

- Serious Injuries; (unconsciousness, unable for a period of at least 14 days, to work)
- Disabling injuries; (loss of a limb, part of a limb)
- Deaths;
- Major Incidents; (dangerous substance spillage, machinery ran out of control) and further defined in Section 24 of the Occupational Health and Safety Act 85 of 1993.

Notice of accidents by Employer (Human Resources) to the Compensation Commissioner as per the Compensation for Occupational Injuries and Diseases Act 130 of 1993, that the Employer:

Subject to the provisions of the Act, ensure that the Employer, 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 Compensation Commissioner in the prescribed manner.

Signature of the Municipal Manager..... *J. Falls*

Date *29 June 2023*

Signature of the Mayor *[Handwritten Signature]*

Date *29 June 2023*

