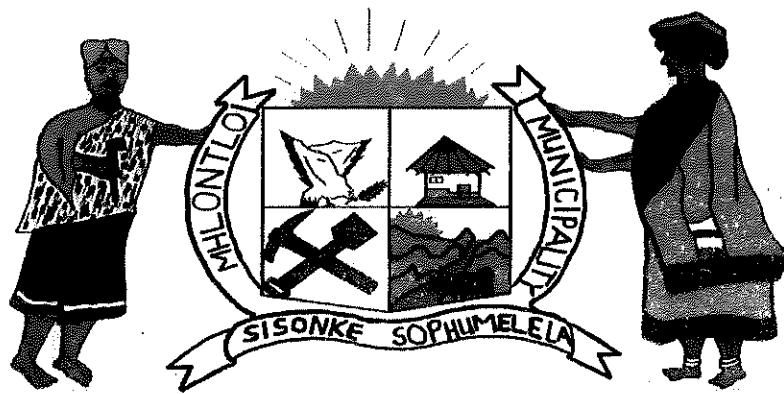


Mhlontlo Local Municipality



OCCUPATIONAL HEALTH AND SAFETY POLICY

DRAFT

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1. PREAMBLE

Mhlontlo Local Municipality (MLM) is committed in establishing a safety – first corporate culture, providing a safe and health workplace for all employees, Community members, and to any other person who may be affected by the actions of the municipal officials, councillors or the omissions thereof. The Municipality will conduct a need analysis to find the gaps within the system and thereafter, the Municipality will provide information, training and supervision needed to address the identified gaps.

2. PURPOSE

- 2.1. To establish a safety first corporate culture within the Mhlontlo Local Municipality that will be accomplished by complying with the requirements of the Act and the regulations.
- 2.2. To ensure that the requirements of the Occupational Health and Safety Act are integrated to the vision and the mission statements of the organisation.
- 2.3. The primary aim of this policy is to effectively entrench a safety – first corporate culture that will have a potential to reduce the occurrence of accidents, damage to property and to provide a working environment that is free of risks and hazards:

3. DEFINITIONS

- **“Act”** means Occupational Health and Safety Act 85 of 1993
- **“Accident”** means an accident arising out of and in the course of an employee’s employment and resulting in a personal injury, illness or the death on an employee
- **“Hazard”** means a source of or exposure to danger
- **“healthy”** means free from illness or injury attributed to occupational causes
- **“Incident”** means an occurrence of incident as contemplated in Section 24 of the Occupational Health and Safety Act 85 of 1993.
- **“Health and Safety Representatives”** means health and safety representatives nominated by their fellow employees and subsequent to that appointed by Municipal Manager in writing as health and safety representative as per the requirements of Section 17 of the Act.
- **“Health and Safety Committee”** means a committee established under section 19 of the Act.

- **“Risk”** the chance of something happening that will have an impact either positive or negative that will lead to a loss or gain.
- **“Safe”** means free from any hazard

4. LEGAL FRAMEWORK

- 1) Occupational Health and Safety Act 85 of 1993 and related regulations
- 2) Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996)
- 3) Compensation for Occupational Injury and Diseases Act 130 of 1993
- 4) Municipal System Act 32 of 2000
- 5) National Building Regulations and Building Standards Act No. 103 of 1977
- 6) Basic Conditions of Employment Act 75 of 1997
- 7) Labour Relations Act, 1995 (Act 66 of 1995)
- 8) Local Labour Forums (Resolutions)
- 9) National Environmental Management Act 107 of 1998

5. SCOPE OF WORK

The policy applies to all Employees and the Councillors who are employed by Mhlontlo Local Municipality.

6. RESPONSIBILITIES AND OBLIGATIONS

6.1. Section 8 of the Occupational Health and Safety Act 85 of 1993 stipulates that every employer shall provide and maintain, as far as reasonably practicable, a working environment that is safe and without risk to the health of his employees and any other person who may be affected by the actions or omissions of the employer

6.2. Section 14 of Occupational Health and Safety Act 85 of 1993 stipulates that every employee shall take reasonable care for the health and safety of himself and of other persons who may be affected by his / her acts or omissions.

6.3. In light of the above clauses, it is clear that everybody has a role to play in ensuring that the workplace is kept free of accidents and adverse conditions to health.

7. DUTIES OF THE MUNICIPAL MANAGER

7.1. The Municipal Manager shall as far as reasonably practicable, ensure that the duties of his employer as contemplated in the Act, are properly discharged.

This is according to section 16 of Occupational Health and Safety Act 85 of 1993. The Municipal Manager as the accounting officer in terms of the Act shall appoint a person according to section 16 (2) of the Act without absolving himself from his responsibilities as the Accounting Officer.

- 7.2. The appointed person should have competence in Occupational Health and Safety Management system. The appointed person shall have a power and authority of ensuring that all necessary activities are executed in line with the requirements of the Act.

8. ROLES AND RESPONSIBILITIES

8.1. MANAGERS

- 8.1.1. Individuals in this position are responsible for helping our organisation to maintain a safety – first corporate culture. Their responsibilities include but are not limited to the following:
- 8.1.2. Consistently setting a positive example of safety – first attitudes and practices
- 8.1.3. Integrating safety considerations into the decision – making process
- 8.1.4. Making safety an important consideration in decisions about employee recognition, rewards, promotions, wage increases, and bonuses.
- 8.1.5. Carrying out and enforcing policies relating to safety
- 8.1.6. Ensuring total compliance with all applicable National, Provincial, Regional and Local safety regulations and
- 8.1.7. Giving employees a freedom to voice their concerns relating to health and safety issues

8.2. SUPERVISORS

Individuals in this position are responsible for ensuring that employees safety – first attitudes and practices as they do their jobs. Supervisors are responsible for:

- 8.2.1. Involving employees in an ongoing hazard identification
- 8.2.2. Involving employees in developing and applying safe job procedures
- 8.2.3. Teaching employees how to properly use personal protective equipment
- 8.2.4. Teaching employee's good housekeeping practices in consultation with health and safety professionals.
- 8.2.5. Working with safety professionals to investigate accidents, incidents and near miss situations
- 8.2.6. Setting a positive example of safety first attitudes and practices

8.3. SAFETY OFFICER

The Safety Officer must assist line managers in ensuring that the necessary items are adequately budgeted for, for example:

- 8.3.1. Statutory audits and inspections
- 8.3.2. First aid training
- 8.3.3. Signage and demarcation
- 8.3.4. Personal Protective Equipment
- 8.3.5. Occupational Health and Safety Training
- 8.3.6. Conducting hazard identification and risk assessment.
- 8.3.7. Cost of sending employees to Occupational Health Practitioner for Valid medical certificate of fitness especially to those employees who are doing construction work for the Municipality (Construction Regulation 7)
- 8.3.8. Medical surveillance for workers who are exposed hazardous conditions etcetera.

8.4. EMPLOYEES

- 8.4.1. Individuals in this position are expected to work safely, follow the organisations safety rules and regulations and assist managers and supervisors in maintaining a safe and healthy work environment.

9. PRINCIPAL CONTRACTORS, CONTRACTORS, CONSULTANTS AND VISITORS

- 9.1. All visitors, Principal Contractors, Contractors, and Consultants engaged to perform work on the Mhlontlo's premises or locations are required, as part of their contract, to comply with the council's Occupational Health and Safety Policies, procedures and programs and to observe directions on health and safety from designated officers of Mhlontlo Local Municipality.

10. TRADE UNION INVOLVEMENT ON HEALTH AND SAFETY MATTERS

- 10.1. Occupational Health and Safety Management is one of the areas where unions have a vested interest of making sure that the workers they represent are working under the conditions that are healthy and safe. An employer and the representatives of his employees recognised by him shall consult in good faith regarding the arrangements and procedures for the nomination or election of Health and Safety Representatives, their term of office. This process will be conducted in line with the requirements of section 17 of Occupational Health and Safety Act 85 of 1993.

11. UNION MANAGEMENT SAFETY COMMITTEE

11.1. The Occupational Health and Safety Act 85 of 1993 call for joint consultation on health and safety. The union management safety committee will provide for joint discussion with labour on issues that affect worker health and safety on a company – wide basis. This committee will make recommendations to top management on the challenges faced by employees. Only challenges that cannot be resolved at the departmental level that would be escalated to the top management.

11.2. Union Management Safety Committee will be composed as follows:

11.2.1. Health and safety representatives, Union members and management members.

12. PROVISION OF PROTECTIVE CLOTHING AND / OR EQUIPMENT

12.1. The employer shall provide Personal Protective Equipment as informed by the risk assessment for the particular activity, for the face, ears, hands, feet, legs, and body where necessary.

12.2. The Personal Protective Equipment shall be provided annually

12.3. The personal protective equipment will be used as the last resort, after all other mitigation measures have been exhausted. PPE is the last line of defence.

12.3.1. To safe guide the employee's health, for example dust mask's will reduce inhalation of dust.

12.3.2. To protect them from injuries, for example, safety goggles will prevent the sparking particles from damaging the eye.

13. FIRST AID, EMERGENCY EQUIPMENT AND PROCEDURES

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

13.2. Where more than 5 employees are employed at a workplace, the employer shall provide a first aid box with content. The first aid box will be displayed at a visible place and a sign indicating where the first aid box is situated will be affixed.

13.3. The employer will have one qualified first aider for every 100 employees who are working at offices.

13.4. For those employees who are working in the workshops, electrical departments, refuse and collection and infrastructure Development, the employer shall provider a one first aider where more than 10 employees are working on that team.

13.5. The first aider will be expected to be in possession of a valid certificate of competence in first aid, issued by

13.5.1. The South African Red Cross Society

13.5.2. The St Johns Ambulances and

13.5.3. Any other organisation that is recognised by SAQA

13.6. The Employer will train personnel in the expected safety first attitudes and practices.

14. INTOXICATION & CONTRABAND

14.1. The employer shall not permit any person who is under the influence of liquor or drugs, to enter and remain in the work place. The employer will take steps to determine if the employee under question is really under the influence. The employer will conduct whatever test that needs to be conducting within the requirements of the labour Relations Act and the Basic Conditions of Employment Act. Allowing employees that appears to be under influence or who are under the influence to the workplace can lead to accidents.

15. PREVENTION OF INJURY, HEALTH AND ENVIRONMENTAL POLLUTION

15.1. Mhlontlo Local Municipality will strive to prevent or control any incident that may cause injury or adverse health condition, to the community and the environment by implementing our safety – first corporate culture which is in line with incident management program.

15.2. Employees will be taken through an induction / orientation program that will promote safe work practices.

15.3. Workers of Mhlontlo Local Municipality, the community and the service providers who are doing business with the Municipality are discouraged from illegal dumping, oil leaks and making fires at areas that are not designated for such.

16. RISK MANAGEMENT

16.1. The Municipality will conduct a Hazard Identification and Risk Assessment for all workplaces. The identified hazards and risks will be evaluated according to their severity and a plan will be devised to deal with identified hazards and risks.

- 16.2. The hazard Identification and Risk Assessment (HIRA) will be conducted by members of the Health and Safety Committee, Management, Supervisors and the appointed professional team.
- 16.3. The reviewing of the Identified hazards will be at every six month or when a new machinery is introduced and when there is a process change.

17. REPORT INCIDENTS TO THE DEPARTMENT OF LABOUR

17.1. The Municipality will follow the requirements of Occupational Health and Safety Act 85 of 1993 Section 24 in reporting the incidents happening at the workplace 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:

- 17.1.1. Serious injuries; (unconsciousness, unable to resume work for a period of at least 14 days)
- 17.1.2. Disabling Injuries; (Loss of a limb or part loss of a finger)
- 17.1.3. Deaths / fatalities
- 17.1.4. Major incidents; (Dangerous substance spillage, machinery ran out of control) or any other incident that cause injury or adverse effect to health.

18. WORKING AT EXTREME WEATHER CONDITIONS

18.1. Employees will be allowed to take frequent breaks when working on site and the temperature is above 35 degrees Celsius. No employee will be allowed to work at elevated position when the wind travels above 35 km/h.

19. EMERGENCY EVACUATION PLAN

- 19.1. The plan will be displayed at a visible position where everybody will be able to see it.
- 19.2. All exit and evacuation routes should not be obstructed by any means
- 19.3. Emergency drills will be performed every six months
- 19.4. Employees are discouraged from using lifts during evacuation
- 19.5. Employees who are leaving without disabilities must assist those who are leaving with disabilities.
- 19.6. Assemble point must always be free of any obstruction and it should be demarcated as Assemble point

20. THE BUILDING SICK SYNDROME

20.1. The building sick syndrome is an indoor air pollution. Employees should be encouraged to open their windows to remove carbon dioxide and provide oxygen that is needed by our bodies. The following are said to be the causes of tight building syndrome:

- 20.1.1. Irritating Agents
- 20.1.2. Biological Agents
- 20.1.3. Lack of fresh air
- 20.1.4. Job stress and work demands

20.2. Mhlontlo Local Municipality will respond to these challenges by doing the following steps:

- 20.2.1. Replace all dirty filters
- 20.2.2. Empty all condensate drainage trays
- 20.2.3. Use hot water whenever possible to clean microbial growth from condenser coils
- 20.2.4. Ensure buildings are built with windows that can be opened
- 20.2.5. Educate employees of the need to get fresh air

21. FLEET MANAGEMENT IN TERMS OF HEALTH AND SAFETY

21.1. The Municipality must ensure that all the fleet is checked on a regular basis. The checklist must be filled to serve as a proof. Vehicles must be installed with tracking system for monitoring purposes. It will also help in tracking the movement of Municipal vehicles during working hours.

22. ERGONOMICS AND WORK DESIGNS FOR OFFICES AND WORKPLACES

22.1. The municipality must ensure that all workers are provided with equipment that will allow them to work comfortable and efficiently. The issue of ergonomics can lead to health problems. Employees will be trained on how to lift heavy objects without hurting their backs.

23. POLICY REVIEW

23.1. This policy will be reviewed annually and revised as necessary in light of changing conditions and the findings of surveys / studies conducted, by health and safety workplace committee.

24. COMMUNICATION

24.1. This policy and related information pertaining to Occupational Health and Safety, shall be communicated to all Municipal employees and councillors using all available communication methods.

25. RECORD KEEPING

25.1. All documentation and correspondence emanating from or related to this policy shall be kept on file for the period of at least three (3) years.

26. PENALTIES RELATING TO NON – COMPLAINEE

26.1. Deviations / Non – compliance to any of the statements contained in this policy shall be investigated to find out the root cause of such a deviation and the findings of such an investigation will shed the light. Non – compliance due to misconduct shall be dealt with in terms of disciplinary code.

27. COMMENCEMENT

27.1. This policy will come into effect on the date of adoption by the Council.

28. INTERPRETATION OF THIS POLICY

28.1. All words contained in this policy shall have an ordinary meaning attached thereto, unless the definition or context indicates otherwise

28.2. Any dispute on interpretation of this policy shall be declared in writing by any party concerned.

28.3. The Office of the Municipal Manager shall give a final interpretation of this policy in case of a written dispute.

28.4. If the party concerned is not satisfied with the interpretation, a dispute may then be pursued with the South African Local Government Bargaining Council or Arbitration

29. PERMANENT/TEMPORARY WAIVER OR SUSPENSION OF THIS POLICY

29.1. This policy may be partly or wholly waived or suspended by the Municipal Council on a temporary or permanent basis after consultation between Management and Trade Unions.

29.2. Notwithstanding clause No. 20.1 the Municipal Manager may under circumstances of emergency temporarily waive or suspend this policy subject to reporting of such waiver or suspension to Council and Trade Unions.


30 AMENDMENT AND/OR ABOLITION OF THIS POLICY

30.1. This policy may be amended or repealed by the Council after consultation between Management and Trade Unions.

31. COMPLIANCE AND ENFORCEMENT

31.1. Violation of or non-compliance with this policy will give a just cause for disciplinary steps to be taken.

31.2. It will be the responsibility of all Directors, Deputy Directors, Supervisors, Executive Committee and Council to enforce compliance with this policy.



Cllr. N. Dywili
Mayor



Mr. S.G. Sotshongaye
Municipal Manager

DRAFT POLICY DOCUMENT