

	OHS SPECIFICATION Supply and Delivery of Compression Bellows at Eskom Ingula Pumped Storage Scheme	Template Identifier	240-73418055	Rev	2
		Document Identifier	364-685547	Rev	1
		Effective Date	20 February 2016		
		Review Date	December 2022		

Project Name: Supply and Delivery of Compression Bellows at Eskom Ingula Pumped Storage Scheme

Project Address: Ingula Pumped Storage Scheme; Off De beers Road; Besters 3371 (S2819781 E2932290)

Scope of the project: Supply and Delivery of Compression Bellows at Eskom Ingula Pumped Storage Scheme

Eskom Contract's Manager
Name: Samkelisiwe Nkosi




Eskom's Safety Officer
Name: Nelisiwe Zwane



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1. INTRODUCTION

Eskom's responsibility and commitment is to ensure a safe working environment is in line with its Safety, Health, Environmental and Quality Policy, along with legislative obligations.

This SHE specification is Eskom's minimum requirements which are required to be met for the specific contract and for the duration of the contract period by Principal Contractors and where required, the delivery organisation.

The supplier is expected to develop an OHS plan which meets these requirements as well as all the relevant applicable legislation they conform to.

Eskom in no way assumes the contractor's/supplier legal responsibilities. The Principal Contractor is and remains accountable for the quality and the execution of his/her health and safety programme for his/her employees.

This OHS specification reflects minimum requirements and should not be construed as all encompassing.

Note 1: All the requirements listed hereunder are in relation to the contract and do not supersede or replace any organizational OHS requirements.

Although there are requirements listed in this specification that do not pertain directly to air charter, the requirements are expect of an air charter contractor business to conform to. These requirements are in line with Eskom's Zero Harm value.

Where requirements listed are already in place, then the organisational requirements must be taken cognisance of and listed in the respective OHS plans. If there are any additional Eskom and or legislative requirements listed in the OHS specification, then these must be addressed.

2. SUPPORTING CLAUSES

2.1 SCOPE

This OHS specification lists the legislative and Eskom requirements and where applicable, any requirements pertaining to Local Authorities / Municipal by-laws / Environmental legislation that must be met by the Principal Contractor.


2.1.1 Purpose

This document will provide a standardised approach to the compilation of OHS specifications throughout Eskom for contracts and standard and NEC 3 contracts.

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2.1.2 Applicability

This OHS specification is applicable to any contracting organisation who intends tendering for the contract.

2.2 NORMATIVE/INFORMATIVE REFERENCES

Parties using this document shall apply the most recent edition of the documents listed in the following paragraphs.

2.2.1 Normative

- [1] 32-95 Occupational Health and Safety Incident Management Procedure
- [2] Occupational Health and Safety Act and Regulations No 85 of 1993
- [5] 32-37 Eskom Substance Abuse Procedure
- [6] Disaster Management Act 57 of 2002
- [7] Disaster Management Act, 2002 (Act No.57 of 2002): Code of Practice: Managing exposure to SARS-COV-2 in the Workplace, 2022
- [8] 240-62946386 - Vehicle driver safety management
- [9] 32-520 - Risk Assessment Procedure
- [10] 240-62196227 - Life Saving Rules Procedure

2.2.2 Informative


- [1] 32-136 Contractor Health and Safety Requirements
- [2] Tobacco Products Control Act 83 of 1993
- [3] SANS 1186 Symbolic Safety Signs
- [4] Constitution of the Republic of South Africa No 108 of 1996
- [5] Basic Conditions of Employment Act No 75 of 1997
- [6] National Road Traffic Act 93 of 1996

Note: The Principal Contractor and its contractor (sub-contractor) are to ensure compliance to those legal requirements and conformance to those Eskom procedures not listed above, but that are according to the scope of works, applicable to the project. The applicable Eskom procedures can be requested during the tender enquiry phase

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2.3 Definitions

Definition	Explanation
Baseline assessment risk	(32-520) baseline operational risks refer to the health and safety risks associated with all standard processes and routine activities in the business
Client	Eskom representative (Internal – Asset Owner), also referred to as the contract administrator/custodian or agent or project manager (as defined in the contract). He/she is the person responsible for ensuring that the works or services are executed in terms of the contract, as well as adherence to legislation pertaining to the contract.
Competent person	(OHS Act) means any person having the knowledge, training, experience, and qualifications, specific to the work or task being performed, provided that, where appropriate, qualifications and training are registered in terms of the South African Qualifications Authority Act, 1995 (Act No. 58 of 1995)
Contractor (Sub-contractor)	means a contractor(sub-contractor) who is employed by a principal contractor and has no direct formal contractual agreement of employment with the client.
Consultant	means a person providing professional advice
Duty of care to the environment	(32-136) anybody who causes or has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing, or recurring. If such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, such person must minimise and rectify such pollution or degradation of the environment
Employee	(OHS Act) means, subject to the provisions of subsection (2), any person who is employed by or works for an employer and who receives or is entitled to receive any remuneration or who works under the direction or supervision of an employer or any other person
Employer	(OHS Act) means, subject to the provisions of subsection (2), any person who employs or provides work for any person and remunerates that person or expressly or tacitly undertakes to remunerate him/her, but excludes a TES (ex labour broker) as defined in section 1(1) of the Labour Relations Act 1956 (Act No. 28 of 1956)
Eskom requirements	Eskom requirements flowing from directives, policies, standards, procedures, specifications, work instructions, guidelines, or manuals
Hazard	(OHS Act) means a source of, or exposure to, danger
Hazard identification	(OHS Act) means the identification and documenting of existing or expected hazards to the health and safety of persons, which are normally associated with the type of work being executed or to be executed
Health and safety file	(OHS Act) means a file or other record, containing the information in writing required by the regulations.
Health and safety plan	(OHS Act) means a site, activity or project specific document plan in accordance with the client's health and safety specifications.

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Definition	Explanation
Health and safety specification	(OHS Act) means a site, activity or project specific document prepared by the client pertaining to all health and safety requirements related to work.
Health and safety requirements	means comprehensive health and safety requirements for a contract, project, site, and scope of work. This specification is intended to ensure the health and safety of persons, both workers and the public, and the duty of care to the environment. The health and safety requirements must be specific to each contract, project, site, and scope of work
Medical certificate of fitness	(OHS Act) means a certificate specific to the work to be performed and issued by an occupational health practitioner in the form of Annexure 3 of the construction regulations.
Medical surveillance	(OHS Act) means a planned programme or periodic examination (which may include clinical examinations, biological monitoring, or medical tests) of employees by an occupational health practitioner or, in prescribed cases, by an occupational medicine practitioner
Method statement	(OHS Act) means a written document detailing the key activities to be performed in order to reduce, as reasonably as practicable, the hazards identified in any risk assessment
Organisation	may be defined as a group of individuals (large or small) that is cooperating under the direction of executive leadership in accomplishment of certain common objects
Responsible Manager	Is a Manager of a department, section or operating/business unit who has been appointed as part of the Eskom delegation of authority process with the aim to assist the applicable 16(2) assigned person in executing his/her duties in terms of the Occupational Health and Safety Act
Risk assessment	(OHS Act) means a programme to determine any risk associated with any hazard at on site in order to identify the steps needed to be taken to remove, reduce, or control such hazard.
Site	(34-228) means an Eskom department, unit, complex, building, specific project, work site, or the site where agents, clients, principal contractors, contractors, suppliers, vendors, and service providers provide a service to Eskom, directly or indirectly
Principal Contractor/service provider	any private person or legal entity that provides any service(s) to Eskom for compensation
Task	(34-227) a segment of work that requires a set of specific and distinct actions for its completion

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Definition	Explanation
Toolbox talks	(34-227) where the team leader, after conducting pre-task planning, shares all the tasks at hand and discusses task allocation, the identified risks, and the control measures with all his/her team members on site before commencing a specific task and documenting the agreed strategy. (This shall be done to ensure common understanding of the tasks, risks, and control measures required.)
The Act	(OHS Act) means the Occupational Health and Safety Act No. 85 of 1993, as amended, and the Regulations thereto
Visitor	any person visiting a workplace with the knowledge of, or under the supervision of, an employer.

2.4 Abbreviations

Abbreviation	Description
COID Act	Compensation for Occupational Injuries and Diseases Act
CR	Construction Regulations
DEL	Department of Employment and Labour
EP	Emergency Preparedness
ERfW	Environmental Regulations for Workplaces
GAR	General Administrative Regulations
GSR	General Safety Regulations
OHS Act	Occupational Health and Safety Act and Regulations, 85 of 1993
SABS	South African Bureau Standard
SANS	South African National Standard

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2.5 Related/Supporting Documents

Eskom OHS Act Section 37 (2) agreement (to be completed by the Principal contractor responsible manager).

2.6 Process for monitoring

Conformance to this specification shall be assessed by the Employers representatives during site inspections and audits as stipulated in the specification.

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3. SPECIFICATION

3.1 SCOPE OF WORK

- Supply and Delivery of Compression Bellows at Ingula Pumped Storage Scheme

A copy of the scope of works must be retained by the Principal Contractor.

3.2 LEGAL COMPLIANCE

3.2.1 Section 37(2) (Legal) Agreement

A section 37(2) agreement must be signed between Eskom and the Principal Contractor at the time of awarding the contract.

The Principal Contractor must ensure that a section 37(2) agreement is compiled between the Principal Contractor leader and their appointed contractor (sub-contractor) for the project/ contract.

The original copy of the section 37(2) agreement must be retained by the Principal Contractor and a copy retained by the responsible / project manager.

A copy all the agreements must form part of the respective contractor's/supplier's OHS files

3.2.2 OHS Act

The Principal Contractor shall have an up-to-date copy of the OHS Act and regulations, which will be available to all employees if five, or more persons in his employ readily available (Reference GAR 4).

3.2.3 Legislative Compliance

The Principal Contractor will comply with all the legislation pertaining to this contract being:


- Occupational Health and Safety Act 1993 (Act 85 of 1993) and its Regulations.
- Compensation for Occupational Injuries and Diseases Act.

SANS Standards –Principal Contractor shall use the relative standards applicable to the project.

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3.3 ESKOM REQUIREMENTS

The Principal Contractor shall, before commencement of the charter ensure that all their employees are familiar with the relevant Eskom OHS documentation that is applicable to charter services.

3.3.1 Appointment of a Principal Contractor

The Principal Contractor will be appointed by Eskom on the awarding of the contract and will be responsible and accountable for all legislative and Eskom requirements for the duration of the contract.

3.3.2 Contractor (Sub-contractor) Management

Principal Contractor Accountabilities for their contractor (sub-contractor)

The Principal Contractor shall carry accountability and responsibility for the health and safety of its employees and its contractor (sub-contractor) employees within its working area, as contemplated by the OHS Act and its regulations.

When contractor (sub-contractor) is appointed, the Principal Contractor shall inform the Employer. The Principal Contractor, deemed as the “employer” in terms of the OHS Act, shall ensure that a 37.2 agreement is signed between itself and its contractor (sub-contractor), countersigned by Eskom and a copy submitted to the Employer.

Furthermore, the Principal Contractor shall ensure that all legal appointments required in terms of the OH&S Act and regulations, the scope of works and Eskom requirements, are made by itself and its contractor (sub- contractor). Proof of such appointments shall be provided to the Employers SHE management representative.

The Principal Contractor is directly accountable for the actions of its contractor (sub-contractor). The Principal Contractor will also be responsible for initiating any remedial action (recovery plan) that may be necessary to ensure that the contractor (sub-contractor) complies with all requirements.

The Principal Contractor shall provide any contractor (sub-contractor) who is making a bid or is appointed to perform construction work with the relevant sections of the documented OHS specification, who would, in turn, provide the Employer with an OHS plan for approval

3.3.3 OHS Policy


An OHS policy is a statement of intent and a commitment by the organisation’s CE and senior management in relation to the relevant OHS roles and responsibilities, the achievement of their strategic objectives, values of integrity, customer satisfaction, excellence, and innovation.

The Principal Contractor, if already not in place, will be required to compile an organisational OHS policy in line with their OHS responsibilities. The policy must be signed by the organisation’s CE or the appointed assistant to the CE OHS Act Section 16(2). The policy must be displayed in a prominent place within the workplace.

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3.3.4 COID

The Principal Contractor shall be registered with an appropriate employment compensation commissioner and have available a valid letter of good standing (LoGS) from such commissioner. The obligation lies with the Principal Contractor to ensure that the LoGS remains valid throughout the contract period. A copy of the LoGS must be filed in the entire contract OHS files and as an annexure the OHS Plans.

3.4 PERSONNEL HEALTH / HYGIENE FACILITIES

3.4.1 Dining areas

The Principal Contractor will utilise the site dining facilities.

Dining and kitchen areas shall be kept in a clean, tidy and hygienic manner.

3.4.2 Ablution facilities

The Principal Contractor will utilise the site ablution facilities.

3.4.3 Drinking Water

The Principal Contractor will utilise the site drinking facilities.

3.5 OCCUPATIONAL HEALTH, HYGIENE AND REHABILITATION,

The Principal Contractor is required to develop an Occupational Health, Hygiene and Rehabilitation program. The program is intended to ensure that the risks to health are identified and controlled.

3.5.1 Medicals


Note: Eskom will only accept medical surveillances conducted by an Occupational Health Practitioner who holds a qualification in occupational health.

1. Principal Contractor must ensure that they have a medical surveillance program whereby their employees undergo entry, periodic and exit medical fitness examinations.
2. In order for the appropriate medical examinations to be conducted, each employee must have a person job specification (profile), which must indicate the description of work, list of hazards and potential occupational exposure limits, physical hazards and required physical attributes.

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- The Principal Contractor shall provide a documented process for managing those employees who are issued with a conditional certificate of fitness.

3.6 PRINCIPAL CONTRACTOR ORGANOGRAM

The Principal Contractor shall provide the Employer with its site based organizational, OHS structure and legal appointee organograms.

The Principal Contractor must ensure that appointed contractor (sub-contractor) comply with this requirement. The Principal Contractor is responsible for keeping copies of all of the organograms' as well as submitting them with the OHS plan. All organograms shall be updated timeously when appointments are changed and filed in the OHS files.

3.7 APPOINTMENTS

For the duration of the contract, the Principal Contractor shall appoint competent employees who will meet the requirements of the OHS Act. Where appointments are made, Principal Contractor shall ensure that the appointees have been suitably trained and or informed of their responsibilities before getting them to accept such appointment. The relevant statutory appointments shall be made in accordance with the requirements of the OHS Act which includes the requirement of a competent person being appointed in the relevant roles. The statutory appointments should include but not limited to: Section 16 (2) appointment, Supervisor, Assistant Supervisor, Competent first aider, Competent person for inspection of fire equipment, Incident Investigator and Risk Assessor.

3.8 COMPETENCIES

The Principal Contractor shall ensure that its and its contractor (sub-contractor) employees undergo the appropriate training, and the scope of the training shall include, but is not limited to, the type of work being performed and the relevant procedures.

In addition, the Principal Contractor and its contractor (sub-contractor) employees will have the appropriate qualifications, certificates, and tickets and will be under competent supervision. Records of all training and qualifications of the Principal Contractor and its contractor (sub-contractor) employees must be kept. The Principal Contractor shall for the duration of the contract, maintain comprehensive records of all employees under its control (including all employees of the contractor (sub-contractor) attending induction training. Acknowledgement of receiving and understanding the induction must be signed by all persons receiving the induction.

When there is an amendment to the acts and/or to the regulations, OHS specification and or OHS plan, all affected staff shall undergo the relevant retraining as soon as reasonably practicable.


COMPETENCY REQUIREMENTS:

- Valid National Drivers Licence for driving truck on site.

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SERVICE RECORDS:

- Latest service record book for the truck coming to site

3.9 TRAINING

The Principal Contractor shall ensure that all its employees and its contractor (sub-contractor) employees working on the site are adequately trained in the type of work/tasks to be performed. The training shall extend to include relevant procedures, hazard identification, and risk assessment. They shall have the appropriate qualifications, certificates, and tickets and shall be under competent supervision. Copies of records of appropriate training and qualifications for all employees must be kept and maintained in the OHS file.

3.9.1 Induction

The Principal Contractor shall ensure that all its employees and contractor (sub-contractor) employees undergo general work induction with regard to the approved OHS plan, general hazards prevalent on the site, risk assessment, rules and regulations, and other related aspects. Job-specific induction.

The Principal Contractor shall ensure that all its employees and contractor (sub-contractor) employees have undergone the Eskom Ingula Pumped Storage Scheme induction programme prior to commencing work on site. Proof of the contractor's /supplier's inductions shall be presented to the Employers Health and Safety Practitioner on site, prior to undergoing the Eskom Ingula Pumped Storage Scheme induction.

Appropriate time must be set aside for training (induction and other appropriate training) of all employees.

3.9.2 Toolbox talk

The Principal Contractor is expected to have a daily toolbox meeting. The meeting is expected to be brief and concise. Subjects/topics are applicable to the job/task at hand. Near misses, accidents, up- and-coming work are to be discussed along with suggestions and comments and risks identified during the pre-task/work risk assessment.

3.10 OHS PLAN


The Principal Contractor shall develop and submit an OHS plan that must detail specific plans and programmes for implementing the health, safety, and environmental requirements of the contract. The OHS plan may be a collection of documents and manuals and should include, where applicable, the following as a minimum:

- OHS policies;
- Applicable standards, legislation, and guidelines to be adopted;
- OHS objectives;

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- Allocation of responsibilities and authorities;
- Details of the interface between the client and the Principal Contractor;
- Specific procedures, methods, and work instructions to be applied;
- Risk assessments;
- Safety awareness promotions;
- Personal protective equipment provision and rules;
- Transport safety;
- Occupational health and hygiene arrangements, including, but not limited to respiratory and hearing protection, alcohol and drug policies, health assessments, smoking, and first aid;
- Monitoring of employee exposure to occupational stressors as identified in the risk assessments;
- Training and competence regarding OHS;
- Incident reporting, investigation, and recording; Letter of good standing
- Legal appointments;
- Medical examinations for all employees;
- OHS personnel presence on site;
- Crisis and emergency response arrangements;
- Maintenance, inspection, and testing of vehicles, and
- Working hours - compliance with Labour Relations/Basic Conditions of Employment Act;

The OHS plan shall be submitted to the Employers representative for review and approval and, once accepted, shall not be amended without prior consultation and acceptance by the Employer representative.

3.11 RISK ASSESSMENTS

It is a legal requirement in terms of Section 8 (2)(d) of the OHS Act for an employer to carry out risk assessments to establish what hazards to the health and safety of persons are attached to any work which is performed, any article or substance which is, handled, stored, transported. A risk assessment is defined as an identification of the hazards present in an organisation and an estimate of the extent of the risks involved, taking into account whatever precautions are already being taken. It is essentially a three stage process:


- identification of all hazards;
- evaluation of the risks;
- measures to control the risks

Risk assessments are required to be maintained. This means that significant changes to a process or activity, or any new process or activity should be subjected to a risk assessment and that if new hazards come to light during the work process, then these should also be subjected to risk assessments. Method statements or written safe work procedures are an effective method as information and record of the way jobs / tasks must be performed. Prior to start of work, risk

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assessments on every job / task are ideal to allow managers and employees to assess any inherent risks that could have been overlooked during the initial risk assessment or any changes that might have occurred in a period of absence.

3.12 SAFE WORK PROCEDURES / METHOD STATEMENTS

Method statements / written safe work procedure are control measures used to prevent an incident from occurring during the execution of the project. A written safe work procedure/ method statements provide guidance how to execute the task safely.

The safe working procedure should identify:

- The supervisor for the task or job and the employees who will undertake the task.
- The tasks that are to be undertaken that pose risks.
- The equipment that are used in these tasks.
- The control measures that have been built into these tasks.
- Any training or qualification needed to undertake the task.
- The personal protective equipment to be worn.

Actions to be undertaken to address safety issues that may arise while undertaking the task.

3.13 VEHICLE SAFETY

1. It is the responsibility of the driver to ensure:
 - a. Their passengers wear seat belts whilst the vehicle is in motion.
 - b. Comply with all traffic road rules, safety, direction and speed signs.
 - c. Ensure that vehicle loads are properly secured prior to moving off.
 - d. Ensure that vehicles are not overloaded.
2. No drivers may text, talk on cell phones or two-way radios whilst driving, unless a hands-free kit is used.
3. All drivers of vehicles are to have valid medical fitness certificates.
4. Principal Contractor must maintain their vehicles in a roadworthy condition and a vehicle license must be valid at all times.
5. Only diesel driven vehicle allowed underground at Ingula Pumped Storage Scheme
6. Only 75% loading capacity allowed in the vehicle due to COVID-19
7. Fire Extinguisher to be available on the vehicle and that fire extinguisher should have been tested and serviced at recommended intervals by an accredited supplier, with the results entered in the register and signed by a competent person.


3.14 PERSONAL PROTECTIVE EQUIPMENT REQUIREMENTS

1. The Principal Contractor must provide a detailed programme that includes the issuing, maintenance and replacement of PPE for all his employees

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2. Principal Contractor shall comply with the requirements of GSR 2 of the OHS Act.
3. Site (underground) is declared as noise zone, hence wearing of hearing protective devices is mandatory.

3.15 INCIDENT INVESTIGATION

All incidents shall be investigated in terms of OHS Act General Administrative Regulations 8 and 9, using Eskom Procedure 32-95 as a reference, and where injuries as contemplated in sections 24 and 25 have been sustained, be reported to the Department of Employment and Labour.

Principal Contractor shall use the standard General Administrative Regulation Annexure 1 "Recording of an Incident" form for all incident investigation reports. The objective of incident investigation, not only being a legal requirement, is to establish why and how the incident occurred, but to find out the real causes of the incident and to decide on precautionary measures that are required to address the causes to prevent any further recurrences of the same or similar incidents.

3.16 EMERGENCY MANAGEMENT

The art of emergency preparedness and response is to minimise the effects of any emergency and to restore normal activities as soon as practical. The Principal Contractor must participate in emergency drills undertaken by site to test the effectiveness of the emergency preparedness plan.

3.16.1 First Aid and Equipment

- The requirements of the OHS Act General Safety Regulation 3 must be observed.

3.17 NON-CONFORMANCE AND COMPLIANCE

1. Any non-compliance to any health and safety requirement in this OHS specification is subject to discipline in terms of the Eskom Procurement and Supply Management Procedure.
2. Where non-conformances are issued by Eskom, then one of the close-out steps of the procedure will be for the offender to be called on by the contractor responsible manager to explain the non-conformance issued and what they intend doing to prevent a recurrence of the non-conformance.
3. Principal Contractor failure to provide adequate PPE to their employees for the tasks being performed and/or to visitors and failure to enforce the wearing of such PPE will be viewed as a transgression of the legislative and Eskom requirements.


3.18 SECURITY CLEARANCE

All Principal Contractors' employees will be subjected to security clearance; hence Principal Contractor employees will have to submit identity documents before start of work.

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3.19 REQUIREMENTS FOR COVID-19

Requirements for COVID -19 as per Disaster Management Act, 2002 (Act No.57 of 2002): Code of Practice: Managing exposure to SARS-COV-2 in the Workplace, 2022:

1. Documented risk assessment and plan giving to obligations under the OHS Act and the HBA Regulations.
2. Proof of awareness with regards to the Code of Practice: Managing exposure to SARS-COV-2 in the Workplace and plan.

3.20 OHS FILE

1. Principal Contractor is required to keep an OHS file on site. The OHS file shall be maintained by Principal Contractor on site and shall be available on request for audit and inspection purposes.
2. The OHS file shall consist of the requirements in terms of the project's OHS specification.
3. The sequence of filing the documentation must be kept in the same sequence as listed in this OHS specification and the OHS plan.
4. Each record shall be separated by partitions to afford easy identification and access. Each partition must be labelled.
5. On completion of the project, the Principal Contractor must hand over a consolidated occupational health and safety file to the project manager. The Principal Contractor must also hand over all drawings, designs, lists of materials used, and other applicable information about the completed structure.

3.21 SMOKING POLICY

Smoking is permitted in designated areas only.

3.22 OMISSIONS FROM OCCUPATIONAL HEALTH AND SAFETY REQUIREMENTS SPECIFICATION

By drawing up this OHS specification Eskom has endeavoured to address the most critical aspects relating to OHS issues in order to assist the Principal Contractor to adequately provide for the health and safety of employees on site.

Should Eskom not have addressed all OHS aspects pertaining to the work that is tendered for, the contractor needs to include it in the OHS plan and inform Eskom of such issues when signing the contract.

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3.23 CONTRACT SIGN-OFF

On completion of the project shall close out his/her project documentation and OHS files and forward such to the Eskom project manager.

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