

	SHE SPECIFICATION Kusile Power Station Provision of Planning Resources for RWM	Template Identifier	240-73198256	Rev	2
		Document Identifier	240-154235373	Rev	2
		Effective Date	July 2022		
		Review Date	July 2024		

Project Name: Kusile Power Station Provision of Planning Resources for RWM

Project Address: Kusile Power Station, R545 Kendal/Balmoral Road, Haartebeesfontein Farm, Witbank

Scope of the project: Kusile Power Station Provision of Planning Resources for RWM

Eskom Contract's Manager


Name: Nonkululeko Mvelase

Signature: 

Date: 12/07/2022

Eskom's Health and Safety Manager

Name: Thobile Yonga

Signature: 

Date: 19/07/2022

Eskom's Procurement Manager

Name: _____

Signature: _____

Date: _____

Eskom's Snr Advisor Occ Hygiene & S


Name: N/A

Signature: _____

Date: _____

Eskom's Environmental Manager


Name: Lesiba Kgobe

Signature: 

Date: 20/07/2022

Eskom's Quality Officer

Name: Veronica Mpe


Signature: 

Date: 20/07/2022

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1. Introduction

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

The contractor is expected to develop a SHE plan which meets these requirements as well as relevant and other legal and other requirements applicable to the issued scope of work.

Kusile power station in no way assumes the contractor's legal responsibilities. The contractor is and remains accountable for the quality and the execution of his/her health and safety programme for his/her employees and appointed contractor employees.

This SHE 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 SHE requirements.

2. Supporting Clauses

2.1 Scope

This SHE specification lists the legislative and Kusile power station requirements and where applicable, any requirements pertaining to Local Authorities / Municipal by-laws / Environmental legislation that must be met by the contractor.

2.1.1 Purpose

Ensure compliance to legal and other requirements pertaining to the issued scope of work.

2.1.2 Applicability

This SHE specification is applicable to the contractor tendering for the issued scope of work at Kusile Power Station Generation Division.


2.2 Normative/Informative References

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

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2.2.1 Normative

- [1] Basic Conditions of Employment Act No 75 of 1997.
- [2] Occupational Health and Safety Act and Regulations No 85 of 1993.
- [3] National Environmental Management Act 107 of 1998.
- [4] National Road Traffic Act 93 of 1996.
- [5] 32-37 Eskom Substance Abuse Procedure.
- [6] 32-136 Contractor Health and Safety Requirements
- [7] 240-62196227 Life- saving Rules
- [8] 32-95 Occupational Health and Safety Incident Management Procedure
- [9] 32-727 SHEQ Policy
- [10] Plant Safety Regulations
- [11] ISO 45001 Safety Management System


2.2.2 Informative

- [12] Tobacco Products Control Act 83 of 1993 (Updated 2011.05.19)
- [13] SANS 1186 Symbolic Safety Signs
- [14] Constitution of the Republic of South Africa No 108 of 1996

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2.3 Definition

Definition	Explanation
Appointed contractor	Means a contractor appointed by the principal contractor
Baseline risk assessment	(32-520) baseline operational risks refer to the health and safety risks associated with all standard processes and routine activities in the business
Controlled disclosure	controlled disclosure to external parties (either enforced by law, or discretionary).
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 – includes appointed contractor	means an employer as defined in section 1 of the Act who performs contract work and includes principal contractors
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 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 construction 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 construction regulations.

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2.3 Definition

Definition	Explanation
Principal contractor	(In the text of this document) Means an employer, as defined in section 1 of the OHS Act, who intends to tender for or has signed a contract with Eskom for services rendered.
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 a construction site to identify the steps needed to be taken to remove, reduce, or control such hazard.

2.3 Abbreviations

Abbreviation	Description
CE	Chief Executive
COID Act	Compensation for Occupational Injuries and Diseases Act
DoL	Department of Labour (Inspection and Enforcement services – Provincial office)
EP	Emergency Preparedness
ERfW	Environmental Regulations for Workplaces
GAR	General Administrative Regulations
GSR	General Safety Regulations
NEMA	National Environmental Management Act
OHS Act	Occupational Health and Safety Act and Regulations, 85 of 1993
SABS	South African Bureau Standard
SANS	South African National Standard


2.4 Roles & Responsibilities

N/A

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2.5 Related/Supporting Documents

N/A

3 Specification

3.1 Scope of work

The Scope of Work is detailed on document **240-147836313** Provision of Planning Resources for RWM at Kusile Power Station Scope of Work. The employees will be based full time at Kusile Power Station

The scope of work for this contract entails the Provision of Planning Resources for RWM, as per the skills and requirements listed below:

a) Snr Data Controller (T07) x2

i. Job Description

Refer to Eskom Job description for Snr Data Controller: Work Management attached herein.

b) Planner Maintenance (T11) x4

i. Job Description

Refer to Eskom Job description for Planner Maintenance attached herein.

c) Snr Supervisor RWM (T13) x1

i. Job Description

Refer to Eskom Job description for Maintenance Snr Technician attached herein.

A copy of the scope of works must be retained by the contractor.

Note: The contractor who will be awarded this contract will be known as the “principal contractor” and any contractor appointed by the principal contractor will be known as the “appointed contractor.”

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3.2 Legal Compliance

3.2.1 Section 37(2) (Legal) Agreement

A section 37(2) agreement must be signed between Eskom Kusile Power Station 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 and all their appointed contractors for the contract.

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

A copy of all the agreements must form part of the respective contractor's SHE file

3.2.2 Hazardous work by children (Child Labour)

The constitution of the Republic of South Africa, in the "Bill of Rights" is clear on the rights of children, especially when it comes to:

- 1) *being protected from exploitative labour practices;*
- 2) *not to be required or permitted to perform work or provide services that*
 - i. *are inappropriate for a person of that child's age; or*
 - ii. *place at risk the child's well-being, education, physical or mental health or spiritual, moral or social development and the Basic Conditions of Employment Act, Chapter six Section 43 "Prohibition of employment of children".*

Before resorting to the use of child labour, due consideration must be given to the rights of the child in terms of the constitution. Where work is being performed which is not prohibited in terms of the constitution, then such work must be conducted in terms of the OHS Act "Regulations on Hazardous Work by Children in South Africa" with emphasis on paragraph 2 Purpose and Interpretation. Eskom does not condone the use of child labour and therefore all effort must be exercised and child labour should not be used.

3.2.3 OHS Act

The principal contractor and appointed contractors shall have an up to date copy of the OHS Act and regulations which will be available to all employees.


3.2.4 Legislative compliance

All contractors will comply with all the legislation pertaining to this contract being:

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- The Constitution of the Republic of South Africa (particularly Section 24 of the Bill of Rights).
- Occupational Health and Safety Act 1993 (Act 85 of 1993) and its Regulations.
- Compensation for Occupational Injuries and Diseases Act.
- National Environmental Management Act 107 of 1998.
- National Road Traffic Act 93 of 1996.

3.3 Kusile Power Station Requirements

All contractors shall, before commencement of the project ensure that all their employees are familiar with the relevant Eskom Kusile Power Station SHE documentation that is applicable to contract services.

3.3.1 Appointment of a contractor

The Appointed contractor will be appointed by Kusile power station on the awarding of the contract and will be responsible and accountable for all legislative and Kusile power station requirements for the duration of the contract.

3.3.2 Appointment of sub-contractors

The Appointed contractor may appoint contractors to assist in the contract. All appointments shall be done in writing and will form part of the SHE plan that is required to be submitted to Kusile power station. Adequate training and instruction must be given to the appointees and the principal contractor must ensure that all the appointed contractors understand their roles and responsibilities.

Note: Copies of contractor appointments must be kept in the respective SHE file.


3.3.3 SHE policy

The appointed contractor and all sub- contractors, if already not in place, will be required to compile an organisational SHE policy in line with their SHE 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. A copy of the policy must be filed in the contractor SHE files and attached as an annexure in the SHE Plan.

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3.3.4 COID

The appointed contractor and all his/her sub-contractors shall be registered with an appropriate employment compensation commissioner and have available a valid letter of good standing (LoG) from such commissioner. The letter of good standing must be valid for the duration of the contract term.

3.4 Substance Abuse

1. Alcohol and substance abuse poses a significant threat to any business, more so in industrial incidents and the driving of vehicles. Eskom is therefore, entitled to take reasonable steps to ensure that intoxicated persons are identified and prevented from entering Kusile power station.
2. General Safety Regulation 2A is clear on the legal stance regarding intoxication.
3. **The alcohol and drug permissible level is 0%.**
4. All contractors shall comply with Eskom's procedure 32-37 ("Substance Abuse Procedure"), taking in to account that this is an Eskom Life-saving Rule number 4: BE SOBER", this means anyone entering the Kusile Power Station will be subjected to ad hoc alcohol testing.
5. Contractors are encouraged to compile their own manual and to carry out regular alcohol testing of their own employees. The legislative alcohol level is deemed to be zero.
6. Test records must be treated as "Confidential" and filed in the employees' personal file.

3.5 Occupational Health, Hygiene and Rehabilitation

All contractors are 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: Kusile Power Station will only accept medical surveillances conducted by an Occupational Health Practitioner who holds a qualification in occupational health.

1. The appointed contractor must ensure that their employees and their appointed contractor employees have a medical surveillance program whereby their employees undergo entry, periodic and exit medical fitness examinations.

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2. In order for the appropriate medical examinations to be conducted, each employee must have a man job specification, which must indicate the description of work, list of hazards and potential occupational exposure limits, physical hazards and required physical attributes.
3. Medical fitness certificates shall be renewed annually for employees who are working on site. This shall be maintained until completion of the contract.
4. The appointed contractor must ensure that his / her employees and appointed contractor employees have undergone pre-entry medical examination before starting work on the contract.
5. The appointed contractor shall provide a documented process for managing those employees who are issued with a conditional certificate of fitness.

3.6 Appointments

For the duration of the contract, the appointed contractor and all appointed sub-contractors shall appoint competent employees who will meet the requirements of the OHS Act. Where appointments are made, contractors 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.

3.7 Risk assessment (refer sec 8 & 9 of the OHS Act)

Kusile Power Station shall prepare and provide a Baseline Risk Assessment for an intended work as per the scope of work to the contractor as part of the contract package.

The Appointed Contractor shall develop a Risk Assessment in line with Section 8 (2)(d) of the OHS Act, in alignment to Eskom 32-520 procedure. Emerging risks and hazards must be managed during the duration of the contract. This means that if there are significant changes to a process or activity, or any new process, then these should also be subjected to risk assessment.

All risks must be rated. Activity based risk assessments shall be conducted by a competent person of the Appointed Contractor.


3.8 Personal Protective Equipment Requirements

1. The appointed contractor must provide a detailed programme that includes the issuing, maintenance, and replacement of PPE for all his employees and appointed contractors on site.
2. All contractors shall comply with the requirements of GSR 2 of the OHS Act.

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3. The risk-based PPE matrix must be compiled detailing the types of PPE that is required to be issued to employees performing the respective tasks.
4. Where there are unusual instances where activities require additional type of PPE, then a risk assessment must be conducted where such PPE requirements will be identified, and the issuing be carried out.
5. All contractors shall ensure that their visitors wear and use the correct PPE whilst on worksites.
6. Where PPE is required and visitors are not in possession of, then it is the individual contractor's responsibility to provide the PPE.
7. All PPE purchased and used by all contractor employees including visitors must comply with the relevant SANS standards.
8. Where deemed as a requirement, then high visibility vests shall be worn.


3.9 Incident Investigation

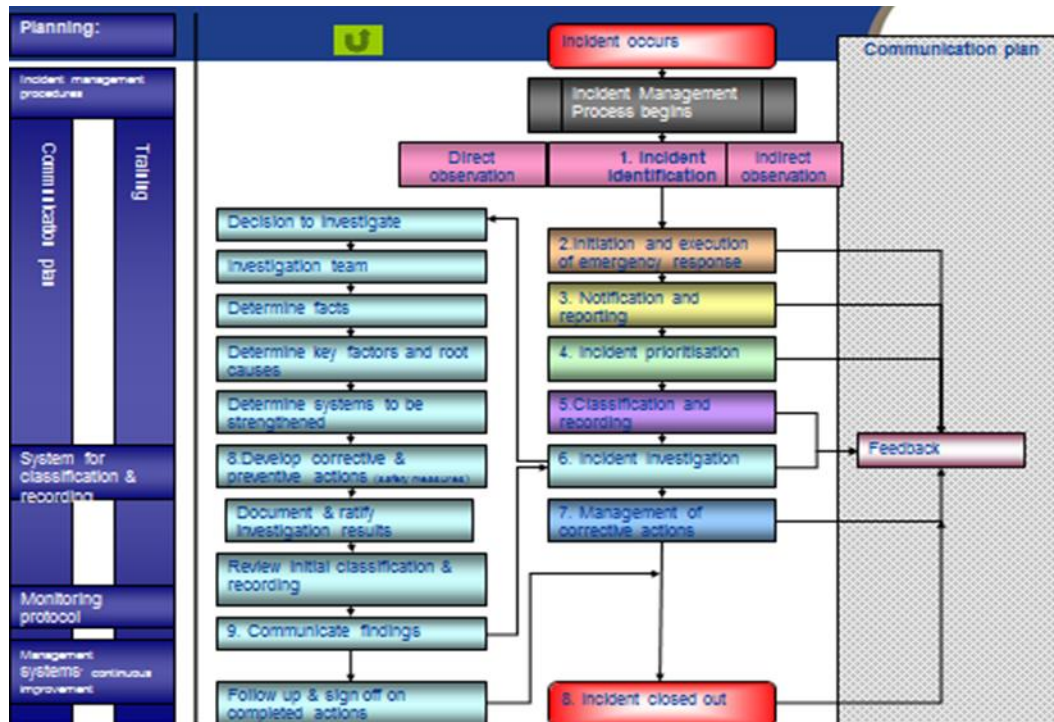
- i. All incidents shall be investigated in terms of OHS Act General Administrative Regulations 8 and 9, using Eskom Procedure 32-95 as a reference, and where injuries as contemplated in sections 24 and 25 have been sustained, be reported to the Department of Labour.
- ii. Appointed contractor must develop their own incident management procedure that is in line with Eskom procedure 32-95.
- iii. Contractors shall use the standard General Administrative Regulation Annexure 1 "Recording of an Incident" form for all incident investigation reports.
- iv. The objective of incident investigation, should not only be a legal requirement, but should establish why and how the incident occurred and find out the real root cause of the incident and to decide on precautionary measures that are required to address the root cause to prevent any further recurrences of the same or similar incidents.

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3.10 Emergency Management

The appointed contractor must develop their own emergency management procedure detailing the possible emergencies that could arise due to the activities that they conduct at Kusile power station premises and how they will evacuate their laydown areas in case of any emergency. The contractor emergency management procedure must be in line with Kusile power station emergency response plan.


3.10.1 Non-Conformance and Compliance

1. Any non-compliance to any health and safety requirement in this SHE specification is subject to discipline in terms of the Eskom Procurement and Supply Management Procedure.
2. Appointed contractors are required to implement a non-conformance procedure (if not already in place) for issuing to contractors for transgressions. The procedure can include "quality" related non-conformance issues. Similarly, appointed contractors must implement a non-conformance procedure.
3. The procedure for the issuing and closing off of non-conformance reports shall be strictly adhered to.

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4. Contractor project management must monitor the close out non-conformances issued, in not doing so, any recommendations made may not be implemented.
5. Where non-conformances are issued by Kusile power station, then one of the close-out steps of the procedure will be for the offender to be called by the responsible project manager to explain the non-conformance issued and what plan is in place to prevent a recurrence of the non-conformance.
6. Should the appointed contractor fail to provide adequate PPE to their employees for the tasks being performed and/or to visitors; failure to enforce the wearing of such PPE will be viewed as a transgression of the legislative and Eskom requirements

3.11 Working at Height Procedure

3.11.1 General Requirements


Persons may only work from a fall risk position if a site-specific fall protection plan is in place and correctly implemented and consists of the following:

1. All appointments for the fall protection plan developer and implementer are in place.
2. Baseline risk assessment, which is specific and incorporates the working at height risk assessment, as well as the site-specific risk assessment, has been completed for the work to be conducted.
3. Safe working procedure/task analysis and work instructions, approved by a competent person, are in place.
4. The procedure addressing the inspection, testing and maintenance of all fall protection equipment is in place.
5. A fall 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. Appropriate training, as determined by the risk assessment, has been provided.
6. Appropriate height safety equipment and personal protective equipment have been issued to the individual.
7. There are equipment inspection procedures and up-to-date inspection records.
8. Individuals are medically fit to work at height, and records of this are kept.
9. A site-specific risk assessment is performed.
10. Fall Protection Planner/s shall have training from an accredited service provider that consists of US 229994 & US 229998 as a minimum.

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11. Working at height training shall only be done by a SAQA approved training provider based on US 229998. The training provided is only for ascending and descending from access ladders and working on elevated platforms.

12. All rope access technicians shall have SAQA training which is in accordance with the institute for working at heights (IWH) US 229998, Unit standards for Rope access Technicians i.e. (Level one – US 229998 and US 230000) (Level Two – US 229996) (Level Three - US 229997 and US 230001) for rope access.

While work is in progress, adequate warning signs and/or barricades shall be used in all areas where there is a risk of persons being injured by materials or equipment falling from the work area. Barricades should be continuous and easily visible.

A drop zone shall be established with appropriate warning signs and barricading, warning personnel below of workers above and potential falling objects.

3.11.2 Every employer shall ensure that work at height is:

1. properly planned.
2. appropriately supervised; and
3. carried out in a manner that is, as far as is reasonably practicable, safe and that its planning includes the selection of work equipment.

3.11.3 Site Access Requirements

The Safety file package must be submitted to the OHS department **2 weeks** before the agreed project commencement date.


Before the successful Contractor commences with any work, the Kusile power station Project Manager/Contract Manager shall ensure that;

- a) A copy of the SHE Specification document is in the possession of the responsible person of the contracting company as well as the Kusile Power Station baseline risk assessment.
- b) The responsible person of the contracting company and the Kusile power station project manager/contract manager have signed the Kusile power station section 37 (2) agreement.
- c) The appointment of the Appointed Contractor have been concluded and signed by the Contractor and Appointed Project Manager. A task specific baseline risk assessment must be part of the SHE Plan and accompanied by a risk assessment procedure applied. A monitoring and review plan must form part of the baseline risk assessment

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- d) Where a Sub Contractor(s) is appointed by the Appointed Contractor, the Contractor supplies the applicable Kusile power station SHE specifications to the Sub Contractor(s).
- e) The OHS department shall assess and give written feedback to the appointed contractor. The safety file shall be approved in a form of a written letter from the OHS department.

3.12 Quality Requirements

It is important that all the contractors or service providers at Eskom meet the minimum requirements of ISO 9001 quality management system to maintain a high standard of products or services rendered to Eskom.

It is therefore important that the contractor demonstrate commitment to the development, implementation and maintenance of its Quality management system which complies with the requirements of ISO 9001 standard.

This type of work falls under category 4 of quality requirements, The Supplier shall submit the following evidence:

- Quality Method Statement
- Quality (SHEQ) Policy
- Quality (Business) Objectives
- Documented information for defined roles, responsibilities, and authorities.
- Procedure for control of externally provided products and services/purchase order.
- Completed and signed Form A.

3.13 Environmental Management Requirements


3.13.1 Compliance Obligations

- a) The contractor and or supplier shall have a documented and implemented environmental management system e.g., environmental policy, operational procedures relating to their activities, Environmental Aspects, and Impacts Register.
- b) The contractor and or supplier shall prepare an environmental management plan relating to their activities that will be carried out. The environmental management plan shall be based on, amongst others, Eskom Kusile Power Station's OEMP and any

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other applicable environmental legislation. The environmental management plan must include all the aspects and impacts relating to the activity and address the principle of continual improvement.

- c) The contractor and or supplier employees shall attend induction on environmental management prior to commencement of work at Kusile Power Station.
- d) The contractor and or supplier shall comply with all Eskom Kusile Power Station environmental requirements such as policies, standards and procedures and all legal requirements applicable to the station.
- e) The contractor shall appoint trained and competent personnel in writing, who will have the responsibilities of implementing all environmental requirements.
- f) Non-conformance and All spills/emergency incidents shall be reported to Eskom Contract Manager and Environmental Officer(s) immediately on occurrence, such reports must include but not limited to the following information:
 - The date and time of the incident
 - The cause of the non-conformance/incident.
 - The proposed actions to correct and prevent recurrence.
- g) Eskom Kusile Power Station shall issue non-conformances where there are deviations from Eskom Kusile Power Station Procedures and any other environmental requirements, and the Contractor or Supplier shall be responsible to provide an action plan and close out of such non-conformances timeously.
- h) Environmental Incident Investigations shall be done jointly where responsible managers and the environmental team from Eskom and the Eskom subsidiary or contractor are present.
- i) Environmental Incident investigation shall be done in accordance with Eskom Environmental Incident Management Procedure (240-133087117).
- j) The contractor or supplier shall be responsible to ensure duty of care during execution of work at Kusile Power Station and shall be liable for the costs for the costs of remedying pollution, environmental degradation, and consequent adverse health effects as indicated on the NEMA principles below:

National Environmental Management Act 107 of 1998 (NEMA) principles:

Duty of care and remediation of environmental damage

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Every person who causes, 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, or, in so far as such harm to the environment is authorized by law or cannot reasonably be avoided or stopped, to minimize and rectify such pollution or degradation of the environment.

Polluter Pays Principle

The costs of remedying pollution, environmental degradation, and consequent adverse health effects and of preventing, controlling, or minimizing further pollution, environmental damage or adverse health effects must be paid for by those responsible for harming the environment.

- a) The contractor and or supplier shall allocate funds for the implementation of environmental requirements.
- b) All contractors shall abide to Eskom Zero Liquid Effluent Discharge through the process of reuse and recycling.
- c) All waste generated during the execution of the scope of work shall be managed in accordance with Kusile Power Station Waste Management Work Instruction (240-105776552) and in compliance with applicable environmental legislation and bylaws.
- d) All contractors should be aware of Eskom SHEQ Policy.
- e) All contractors must consider environmental consideration when carrying out Risk Assessments.
- f) All equipment used on site must be in good working condition and no fuel and/or oil leaks on any plant will be tolerated.

3.13.2 Records to be kept onsite For Environmental Management

The following minimum records shall be kept on sites:

- a) Contractor site specific Environmental Management Plan and Environmental aspect and impact register.

Environmental aspect must be identified, and how they should be mitigated and be communicated to employees. Proof of communication must be available

- b) Environmental Incident registers and investigation reports.

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Incident must be reported immediately or within 24 hours of occurrence, investigation must take place within 7 days and concluded with 30 days, lesson learned must be shared with employees. Record of environmental incidents must be made available.

c) Non-conformance register.

When non-conformances are closed, they should be investigated and close-out within the agreed timeframes.

d) Complaints register.

Where complaints are raised, they should be reported to Kusile Environmental management Department, be investigated, and closed out.

e) Records of audit reports and audit findings close-out, where applicable.

Records of audit and how findings where closed should be maintained.

f) Records of environmental inspections conducted.

Monthly environmental inspection should be conducted, and records of inspections should be maintained.

3.13.3 Tender Submission Documentation

The following documentation shall be submitted with all tender submissions:

- a) Environmental Policy
- b) Environmental Aspects and Impacts register
- c) Environmental management plan


4 Acceptance

- Itani Manwatha
- Fhatuwani Nelufhangani

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5 Revisions

Date	Rev.	Compiler	Remarks
	1		
July 2022	2	S Radebe	This provides the initial SHE specification requirements that must be met by the relevant contractors who have been awarded a contract for the work to be performed for Eskom.

6 Development Team

- Nonkululeko Mvelase
- David Sibanyoni

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