

	Specification	Group Capital Division
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Title: **Health and Safety Requirements for The Provision of Health and Safety Management Professional Services contract**

Document Identifier: **559-123981616**

Alternative Reference Number: **Not Applicable**

Project Scope:

To provide occupational health and safety management and compliance services for infrastructure construction projects across Eskom on behalf of GCD

Area of Applicability: **Group Capital Division**

Functional Area: **SHEQ Sustainability Management**

Revision: **1**

Total Pages: **35**

Disclosure Classification: **Controlled Disclosure**

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Date: 2025/09/19

Date: 2025/09/19

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1. Introduction

Eskom Group Capital Division is committed to achieving and demonstrating sound Safety, health and Environmental (SHE) management by controlling SHE risks/impacts consistent with its SHEQ policy and objectives.

Zero harm is one of ESKOM values. The aim of Eskom's adoption of Zero Harm as one of its values is to strive to, and achieve world class safety, health and environmental performance, where all Guardians (employees and contractors) return home safely every day and without harm done to the environment we operate in.

The aim of the Safety Health and Environmental (SHE) requirements is to provide potential bidders with:

- The overarching framework within which the Contractor/Supplier is required to demonstrate compliance with certain high-level requirements for SHE.
- Establishes the way the Contractor/Supplier is to manage SHE risks in the execution of the contract, and
- The high-level contract & scope of work specific SHE requirements that the contractor/supplier needs to adhere or align to & demonstrate commitment towards zero harm
- The SHE requirements shall be included with the tender enquiry documentation to ensure that the tenderer is timeously made aware of:
- Eskom's requirements, including
- Eskom's compliance obligations (where applicable, including Funders SHE requirements)
- Information that might affect the health and safety of any person at work whether directly or indirectly.
- Activities that may have an impact on the direct and surrounding environment.

The appointed **Occupational Health and Safety Management Services Provider** and its contractors/service providers must develop a SHE plans that meets these requirements as well as the relevant applicable legislation.

This document may not thoroughly address all hazards and aspects associated with any specialised activity or operation. In such situations, contractors shall be responsible for developing their own health and safety plans/procedures/manuals/work instructions to adequately address their specialised activities and scope of operation.

2. Supporting Clauses

2.1 Scope

This document sets out the minimum legislative and organisational requirements for work that is specific to the scope of work, site, and type of project.

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2.2 Purpose

To provide the tenderer/s with Eskom's minimum requirements to respond to and provide relevant OHS bidding documents which will be assessed by the Client (Eskom) to determine if the tenderer is competent in respect to OHS management for the contract.

2.3 Applicability

This document is applicable to the potential Occupational Health and Safety Management Services Provider as a service provider, and its suppliers, and or contractors and all the activities and professional services processes carried out for and on behalf of Group Capital to support its mandate.

2.4 Effective date

This document shall be implemented from date of approval.

3. Normative/Informative References

Parties using this document shall apply the most recent edition of the documents listed below.

Note: Where the date for revision of a document on the Eskom Document Centre website has passed, the document is still current, irrespective of its revision date having passed.

3.1 Normative

- [1] 32-727: Safety, Health, Environment and Quality Policy
- [2] 32-520 OHS Risk Assessment Procedure
- [3] Basic Conditions of Employment Act No 75 of 1997.
- [4] Occupational Health and Safety Act and Regulations No 85 of 1993.
- [5] Pressure Equipment Regulations 2009 under OHS ACT 85 of 1993
- [6] National Road Traffic Act 93 of 1996.
- [7] Hazardous Chemical Agents Regulations, 2021 under OHS Act No 85 of 1993.
- [8] Disaster Management Act 57 of 2002 and Regulations promulgated thereunder
- [9] 32-37 Eskom Substance Abuse Procedure
- [10] 240-62196227: Life-saving Rules Standard
- [11] 240-155373927: Eskom COVID-19 Health and Safety Policy Statement
- [12] All Directives issued by the Department of Employment and Labour in respect of COVID-19
- [13] Compensation for Occupational Injuries and Diseases Act
- [14] 32-345 Eskom Vehicle Safety Specifications,

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- [15]32-124 Eskom Fire Risk Management,
- [16]32-1126 Smoking Policy,
- [17]240-62946386 Eskom Vehicle and Driver Safety Management Procedure
- [18] 240-43848327- Employees' right of refusal to work in an unsafe condition
- [19]32-123 Emergency planning standard,
- [20]32-95 OHS Incident Management Procedure

3.2 Informative

Note: The following is a list of documents that can be used as a guide to meet legal and Eskom requirements

- [21]Tobacco Products Control Act 83 of 1993 (Updated 2011.05.19)
- [22] SANS 1186 Symbolic Safety Signs
- [23]SANS 10232-3: Emergency Information Systems – Part 3: Emergency Response Guide
- [24]Constitution Of the Republic Of South Africa No 108 Of 1996
- [25]ISO 9001: 2015 Quality Management Systems - Requirements
- [26]ISO 14001:2015, Environmental Management Systems
- [27]ISO 45001: 2018 Occupational Health and Safety (OH&S) Management Systems

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3.3 Definitions

3.3.1 **Aspect:** An activity, product or service of the organisation which can/or has potential to interact with the environment.

3.3.2 **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.

3.3.3 **Client:** any person for whom construction work is being performed.

3.3.4 **Competent Person:** means a person who has in respect of the work or task to be performed the required knowledge, training and experience and, where applicable, qualifications, specific to that work or task: Provided that where appropriate qualifications and training are registered in terms of the provisions of the National Qualification Framework Act, 2000 (Act No.67 of 2000), those qualifications and that training must be regarded as the required qualifications and training; and is familiar with the Act and with the applicable regulations made under the Act;

3.3.5 **Construction site:** means a workplace where construction work is being performed

3.3.6 **Construction Work:** means any work in connection with:

- The construction, erection, alteration, renovation, repair, demolition or dismantling of, or addition to, Building or any similar structure.
- The construction, erection, maintenance, demolition or dismantling of any bridge, dam, canal, road, railway, runway, sewer or water reticulation system, or the moving of earth, clearing of land, the making of excavation, piling or any similar civil engineering structure or type of work.

3.3.7 **Contractor:** means an employer as defined in section 1 of the Act who performs construction work and includes principal contractors. In relation to this document, where the word "contractor" is used, it will mean all or some of the following: principal contractors, appointed contractors, suppliers, vendors, service providers and consultants

3.3.8 **Designer:** means any of the following persons:

A competent person who:

- Person who prepares a design
- Person who checks and approves a design
- Person who arranges for any person at work under his/her control to prepare a design, including an employee of that person where he or she is the employer, or designs temporary work, including its components,
- An architect or engineer contributing to, or having overall responsibility for, the design

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- A Building services engineer designing details for fixed plant
- A Surveyor specifying articles or drawing up specifications
- A Contractor carrying out design work as part of a design and building project, or an interior designer, shopfitter or landscape architect.

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- 3.3.9 **Environmental risk assessment** means a systematic process of evaluating the potential risks that may be involved in a projected activity or undertaking.
- 3.3.10 **Eskom Requirements:** Eskom requirements which evolve from directives, policies, standards, procedures, specifications, work instructions, guidelines or manuals
- 3.3.11 **Hazard:** means a source of, or exposure to danger.
- 3.3.12 **Hazard identification:** 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.
- 3.3.13 **Impacts:** Any change to the environment whether adverse or beneficial, wholly or partial resulting from environmental aspects.
- 3.3.14 **Medical surveillance:** 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.
- 3.3.15 **Method Statement:** is a written document detailing work procedures and sequences of operations.
- 3.3.16 **On Site/Site:** Any workplace where the contractor or his employees performs contract related work.
- 3.3.17 **Planned Task Observation:** is an independent observation made during the planned period in which the task is being executed.
- 3.3.18 **Risk: the probability that injury or damage will occur.**
- 3.3.19 **Risk Assessment:** 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.
- 3.3.20 **Safety Health and Environmental file:** means a file or other record in permanent form, containing the information on the SHE management system to be implemented during course of the contract
- 3.3.21 **Safety, Health and Environmental Plan:** means a written plan that addresses hazards identified during the risk assessment process as well as the identified impacts in the SHE specification. This would typically include safe work procedures to mitigate, reduce or control the hazards identified.

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3.3.22 Safety, Health and Environmental (SHE) Specification: a record detailing health and safety requirements the client provides to the potential bidders to guide them of the relevant contract specific health and safety requirements. This is to ensure the health and safety of employees and the direct and indirect communities, as well as duty of care for the environment.

3.3.23 Safe Work Procedures: Safe work procedures are a series of specific steps that guide a worker through a task from start to finish in a chronological order. Safe work procedures are designed to reduce the risk by minimizing potential exposure.

4. Abbreviations

Abbreviation	Explanation
COID Act	Compensation for Occupational Injuries and Diseases Act
DEL	Department of Employment and Labour
EMS	Environmental Management System
GCD	Group Capital Division
GSR	General Safety Regulations
HCA	Hazardous Chemical Agents
HIRA	Hazard identification and risk assessment
ISO	International Organisation for Standards
LTIR	Lost Time Incident Rate
OHS Act	Occupational Health and Safety Act No. 83 of 1993
OHS	Occupational Health and Safety
PPE	Personal Protective Equipment
SANS	South African National Standards
SAQA	South African Qualifications Authority.
SAQCC	South African Qualification and Certification Committee
SHE	Safety, health, and environment

5. Roles and Responsibilities

5.1 Commitment to SHE

Visible and felt leadership commitment is essential in providing a healthy and safe work environment. Management, employees and contractors at all levels must demonstrate their commitment by being proactively involved in the day-to-day operations, in particular SHE aspects of any project / contract. Legislation and the Eskom values require that each employee must take reasonable care of themselves and their fellow workers. Senior Management must provide strategic direction and demonstrate commitment in terms of SHE issues both on strategic level and operational level.

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5.2 The Occupational Health and Safety Management Services Provider's accountabilities to their Contractors

- If the appointed Occupational Health and Safety Management Services Provider needs to introduce a new contractor, it is imperative for the Client to be informed. Such contractors must, in every respect, meet the Client's SHE requirements.
- Should the appointed Occupational Health and Safety Management Services Provider appoint a contractor, the Occupational Health and Safety Management Services Provider would then have the same role and responsibility in relation to the contractors, in a similar way as the Client has in relation to the Occupational Health and Safety Management Services Provider.
- The Occupational Health and Safety Management Services Provider is directly accountable for the actions of his contractors. The Occupational Health and Safety Management Services Provider will also be responsible for initiating any remedial action (recovery plan) that may be necessary to ensure that the contractor complies with all requirements.
- The Occupational Health and Safety Management Services Provider shall ensure that the contractors appointed have the necessary competencies and resources to perform the work safely.
- The Occupational Health and Safety Management Services Provider shall have a disciplinary process and an organisational structured procedure to deal with employees who have transgressed organisational and legal requirements.
- The Occupational Health and Safety Management Services Provider shall keep a record of all employees including the contractor employees, including date of induction, relevant skills, and licenses, and be able to produce this list at the request of the relevant officials. These records shall be filed in the SHE File.
- It must be highlighted to all employees, that anyone who becomes aware of any person disregarding a health & safety notice, instruction or regulation shall immediately report this to the person concerned. If the person persists, stop the person from working and report the matter to the relevant Supervisor immediately.

6. Process for Monitoring

This document is valid for the duration of the contract and will be amended, as and when necessary, and therefore it will be required for the Occupational Health and Safety Management Services Provider's plan to be amended accordingly.

Conformance to this document shall be verified based on agreed reviews.

6.1 Related/Supporting Documents

(Use the latest revision from OpenText)

Eskom OHS Act section 37 (2) agreement (to be completed by the Project Manager) (24077037682)

Annexure A – Client non-negotiable OHS requirements

Annexure B - Acknowledgement Form for Eskom SHE Rules and other requirements (32-726)

Annexure C -SHEQ Policy 32-727

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Annexure D- Form 75 Contractor Monthly Statistical Report

Annexure E- HIRA Template

7. Document Content

7.1 Note to prospective Occupational Health and Safety Management Services Provider

The Occupational Health and Safety Management Services Provider is expected to establish a SHE Plan which meets these requirements as well as all the relevant applicable legislation. Eskom in no way assumes the Occupational Health and Safety Management Services Provider's legal responsibilities. The Occupational Health and Safety Management Services Provider as a legal entity, therefore an employer is and remains accountable for the quality and the execution of the health and safety program for their employees and contractor employees. This document reflects minimum requirements and should not be construed as all encompassing.

The Occupational Health and Safety Management Services Provider is expected to have a recognised OHS Management system that will incorporate these requirements as well as all the relevant applicable legislation.

8. SHE Requirements

8.1 Project and Scope of Work Details

Location: Address and identification of specific structures - refer to the contracts/other contractual documentation (works information) where the exact detail is contained.

Project description/detailed scope of work: To provide Occupational Health and Safety management and compliance services for infrastructure construction projects across Eskom on behalf of GCD. ***(Refer to the Scope of Work Document for the comprehensive details)***

Program details:

- Submission of final SHE Plan (SHE Returnable) must be before contract award
- Anticipated date for the commencement of work: To be confirmed by PM
- Contract duration: To be confirmed by PM

9. Client and Occupational Health and Safety Management Services Provider: Details, Accountabilities and Responsibilities:

9.1 OHS Accountabilities and Responsibilities

The potential Occupational Health and Safety Management Services Provider shall provide an organisational organogram related to this project/contract, listing all the levels of responsibility from the Chief Executive down to the lower roles responsible for the project/contract. The diagram must list the names of appointees and their roles and responsibilities.

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Provide a proposed OHS resource plan. For each position, stipulate the position/titles and support with qualifications, and competencies.

For the duration of the contract, the Occupational Health and Safety Management Services Provider shall ensure that competent persons are appointed in writing in terms of the requirements of the OHS Act 85 of 1993 and its Regulations; and or other statutory requirements and that all their appointees are made aware of their accountabilities and responsibilities and have been suitably trained in terms of their appointment. The Occupational Health and Safety Management Services Provider must advise and assist these appointees in the execution of their duties. All organograms shall be updated timeously when appointments are changed and filed in the project, SHE files. The resources supplied by the Occupational Health and Safety Management Services Provider when integrated into the Clients organizational structures will follow the stipulated requirements.

9.2 Appointment of an Occupational Health and Safety Management Services Provider

The Occupational Health and Safety Management Services Provider will be appointed by Eskom Project Manager on the awarding of the contract and shall be responsible and accountable for all legislative and Eskom requirements for the duration of the contract.

Contractors/Suppliers shall not commence with any work until legal appointments are in writing in terms of OHS Act.

The appointed Occupational Health and Safety Management Services Provider may appoint other suppliers or contractors to assist in the contract. All appointments shall be done in writing and will form part of SHE plans that are required to be submitted to Eskom. Adequate training and instruction must be given to the appointees including those of their suppliers or contractors.

9.3 Appointment and Competencies

The Occupational Health and Safety Management Services Provider shall in writing appoint as per the OHS Act requirements and shall ensure that all his appointees are made aware of their accountabilities and responsibilities in terms of their appointment, and they empower these appointees in the execution of their duties.

Copies of all the appointments shall be kept in the SHE File

The Occupational Health and Safety Management Services Provider shall provide as a minimum, a current organogram of the roles below reflecting the incumbents' names and contact telephone numbers.

Reference	Description
16(2)	Persons assigned functions to assist the Chief Executive Officer (if required)
17	Health and Safety Representative
19	Health and Safety Committee Member (if there are 2 or more H&S reps there will be a H&S committee)

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GSR 3	First Aiders
GAR 9(2)	Incident / Accident Investigator
Eskom Requirement	Emergency Planning Co-coordinator
Eskom Requirement	Fire Official

Notes to the appointments listed above:

Section 16(1) creates a legal presumption, and therefore no appointment is required. The Contractor shall provide the full names, contact telephone number and business address of the Chief Executive Officer.

The above highlighted roles are an example and depending on the scope and risk of the Occupational Health and Safety Management Services Provider, there may be a need for more competent persons appointed.

Health & Safety Representative Required Competencies:

- General Health and Safety Training
- Health and Safety Representative Training
- Hazard Identification and Risk Assessment Training
- Incident Investigation and Root Cause Analysis Technique Training

10. SHE/Q Policy

The Occupational Health and Safety Management Services Provider and the contractor companies shall each have a SHE/Q Policy authorised by their Chief Executive (OHS Act Section 16(1) appointee) that clearly states overall SHE/Q objectives and commitment to improving Safety, Health, Environment and Quality performance and must be displayed and shared with all stakeholders.

Eskom has a SHEQ Policy that clearly states the policy principles by which Eskom operates and the commitment to SHEQ excellence and is authorised by the Eskom Group Chief Executive. (See Annexure C)

11. OHS Requirements

The Client expects the Occupational Health and Safety Management Services Provider and Contractor to engage in safety culture initiatives in line with the Eskom SHEQ Policy and value, Zero Harm.

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It is required that the Occupational Health and Safety Management Services Provider and Contactor comply with the relevant applicable legislation, specifications, and standards in accordance with the scope of the project.

This Contract will abide by applicable legislative requirements and be aligned to Eskom SHEQ Policies, standards, and procedures.

A section 37(2) agreement must be signed between the Client and the Occupational Health and Safety Management Services Provider before contract award. A signed copy of this agreement is submitted to the Client prior to commencement of any activities on site.

The Occupational Health and Safety Management Services Provider must ensure that a section 37(2) agreement is signed between them and all their appointed contractors/suppliers for the contract.

The Occupational Health and Safety Management Services Provider, always, considers itself to be the "Employer" for the purposes of the OHS Act, and shall not consider itself under the supervision or management of the Client regarding compliance with the SHE Requirements.

The Occupational Health and Safety Management Services Provider shall ensure that all statutory appointments and appointments required by the Management system are in place, and that all appointees fully understand their responsibilities and are trained and competent to execute their duties. The Occupational Health and Safety Management Services Provider supervises the execution of their duties by all such appointees.

The Occupational Health and Safety Management Services Provider shall prepare a suitable and sufficient SHE plans in accordance with these SHE requirements, submitted with tender documents that will indicate to the Employer the level of compliance to the SHE Requirements.

The Occupational Health and Safety Management Services Provider shall complete a suitable and sufficient project scope of work and project specific SHE management plan in accordance with these SHE requirements and submit to the Client before the contract is signed. The Occupational Health and Safety Management Services Provider SHE Plan will be reviewed for compliance to the Clients stated requirements. Once compliance is confirmed, only then will the Occupational Health and Safety Management Services Provider, SHE plan be approved by the Client for implementation.

The Occupational Health and Safety Management Services Provider and its Contractors shall ensure that all their employees, contractors and agents undergo the relevant Eskom SHEQ induction and company's induction prior to starting the works.

The Client, or any person appointed by the Client, may, at any stage during the execution of this contract refuse any Employee or Contractor access to the premises if such person has been found to commit an unsafe act or any unsafe working practice or is found not to be qualified or authorised in terms of the SHE Requirements.

12. Compliance and Non-Conformances

As legislation forms part of any country's legal system, the Client requires all its Contractors or Suppliers to comply with legislation as part of the contract. All expenses to the Occupational Health and Safety Management Services Provider, which result from compliance with this legislation as well as special requirements specific to the site, will be for the Occupational Health and Safety Management Services Provider 's account.

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The requirements within this document should not be exhaustive and the Client reserves the right to add, delete or modify conditions where it is appropriate.

No claim will be accepted because of any costs or delays being incurred due to the Occupational Health and Safety Management Services Provider or his contractors not complying with legislation, applicable Eskom Procedures and Standards.

12.1 Legal and Other Requirements

It is required that all Contractors comply with the relevant applicable legislation, specifications, and standards in accordance with the scope of the project.

It is the duty of the Occupational Health and Safety Management Services Provider and contractor to ensure that they are familiar with the necessary SHE legislation required.

13. Enforcement of SHE Requirements and Non-compliance

The Occupational Health and Safety Management Services Provider shall submit their procedure on how they would deal with enforcement and non-compliance to SHE requirements.

14. 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:

- a) *being protected from exploitative labour practices.*
- b) *not to be required or permitted to perform work or provide services that*
 - are inappropriate for a person of that child's age; or
 - 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 efforts must be exercised to avoid it.

15. OHS Act

All contractors shall have an up-to-date copy of the OHS Act and Regulations at all work sites which will be available to all employees. (Reference GAR 4).

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16. Cost allocation for SHE Compliance

The Occupational Health and Safety Management Services Provider shall ensure that the submitted tender adequately made provision for the cost of Occupational Health and Safety measures.

Note: the costing for OHS must be detailed, itemised based on the overall contracted scope of the project (i.e.) Medical surveillance (Medicals), provision of PPE, safety equipment purchases, resources and SHE training etc.

17. Training

The Occupational Health and Safety Management Services Provider and its Contractor needs to ensure that the resources to work on the contract have the required related training, knowledge, and experience specific to the scope of work/services.

The scope of the training includes but is not limited to the type of work being performed and the relevant procedures. In addition to the requirements, the Occupational Health and Safety Management Services Provider and contractor employees would require the appropriate qualifications, certificates and tickets, and be under competent supervision. This includes professional registration at the correct grading as maybe stipulated by the legislation for the construction or Built environment or the relevant professional bodies. Records of all training and qualifications of all employees must be kept. The Occupational Health and Safety Management Services Provider shall maintain comprehensive records of all employees under his control (including all employees of the contractor) attending induction training. Acknowledgement of receiving and understanding the induction must be signed by all persons receiving the induction respectively.

The Occupational Health and Safety Management Services Provider must ensure that the training providers are accredited and registered with SETA according to the relevant unit standards.

The Occupational Health and Safety Management Services Provider must develop a training matrix for all their employees.

When there is an amendment to the Acts and/or to the regulations, SHE plans must be reviewed, updated accordingly and changes must be communicated to all relevant employees.

18. Site Induction

18.1 Visitors to Site

All visitors must remain in the care and custody of a person (host) who has been properly inducted.

19. Access and Security Control

Access and Security control shall be done according to the Eskom Access Control Policies.

Employees, contractors, and visitors shall be subjected to induction training and substance abuse tests when entering Eskom sites, or as and when required whilst on Eskom sites.

It may be required that prior to access being granted that person(s) complete the required training e.g. plant access training, employee training, occupational health and safety training or any other prescribed training.

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The following are prohibited items and shall not be allowed on Eskom sites unless the necessary authorisation for possession has been obtained:

- Firearms and ammunition (exclude Eskom official firearms/ ammunition and firearms/ ammunition issued to the South African Security Forces)
- Liquor/ Alcohol
- Dangerous weapons
- Drugs
- Any other items that may be declared prohibited

20. Public Safety

Legislation requires that employers shall be responsible, as far as reasonably practicable, for safeguarding persons other than those in their employment who may be directly affected by their activities so that they are not exposed to hazards to their health and safety (Section 9 of the OHS Act).

21. Project and Site Rules (Zero Harm to People and the Environment)

The objective of this section is to define the rules that are over and above the internal regulations and procedures of Eskom and relevant legislation which will ensure zero harm to persons and the environment. These rules will be specific to the project and site.

Eskom Life Saving Rules

Six Life Saving rules have been developed that will apply to all Eskom Employees, agents, consultants, contractors and visitors. Failure to adhere to these rules will be considered a serious transgression. These rules are being implemented to prevent serious injury or death of any employee, labour broker or contractor working in any area within Eskom.

The rules are:

RULE	DESCRIPTION OF RULE
Rule 1	OPEN, ISOLATE, TEST, EARTH, BOND, AND/OR INSULATE BEFORE TOUCH (That is plant, any plant operating above 1000 V)
Rule 2	HOOK UP AT HEIGHTS Working at height is defined as any work performed above a stable work surface or where a person puts himself/herself in a position where he/she exposes himself/herself to a fall from or into.

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Rule 3	BUCKLE UP No person may drive any vehicle on Eskom business and/or on Eskom premises: Unless the driver and all passengers are wearing seat belts.
Rule 4	BE SOBER No person is allowed to be under the influence of intoxicating liquor or drugs while on duty
Rule 5	PERMIT TO WORK Where an authorisation limitation exists, no person shall work without the required permit to work.
Rule 6	ENSURE SAFE LIVE WORKING

Eskom will take a stance of zero tolerance on these rules

Any non-compliance to any health and safety requirement is subject to discipline/removal of person from the project site.

Non-compliance to a **Life Saving rule** will be considered serious misconduct and will lead to serious disciplinary action, which may include dismissal.

This is to ensure that every person who works on or visits an Eskom work site returns home safely to their family

No person shall damage, alter, remove, render ineffective, or interfere with anything that has been provided for the protection of the site, or for the health and safety of persons.

No person under the influence of alcohol, drugs or medication (in a state of intoxication) or any other condition that may render him incapable of controlling himself or of other persons under his charge shall be allowed to enter the site.

All safety and warning signs shall be always obeyed.

Entering or leaving the Site will only take place at official access control points and may only be done via the official designated walkways.

All employees shall adhere to the SHE and other site-specific rules.

The Occupational Health and Safety Management Services Provider must have a process in place to address employees that have contravened Health and Safety Requirements.

- **Smoking**

Smoking is only permitted at designated areas in accordance with the requirements of the smoking policy (32-1126: Eskom Smoking Policy).

- **Cellular Phones**

Do not use Cellular phones in areas where cell phone usage is prohibited.

- **Fire Extinguishers**

CONTROLLED DISCLOSURE

All fire extinguishers shall be:

- Clearly labelled
- Conspicuously numbered
- Entered in a register
- Inspected monthly by a competent person
- Tested and serviced at recommended intervals by an accredited supplier
- Results shall be entered in the register and signed by competent person.
- No open or unattended fires are allowed within the construction site.

An employer shall have a layout plan of a site indicating where all his firefighting equipment is located.

• **Vehicles and Traffic Rules**

Ensure that all drivers and passengers wear seatbelts, where fitted, while travelling in a motor vehicle. Vehicles not fitted with seatbelts must be retrofitted according to the vehicle manufacturer's specifications.

Ensure that no employees, including contractor employees, when performing work for Eskom, are transported at the back of bakkies / vans and trucks.

• **Substance and Drug Abuse Management**

The Occupational Health and Safety Management Services Provider shall provide a Substance Abuse management policy which is in line with the Eskom Procedure (Eskom Substance Abuse Procedure 32-37)

22. Hazard Identification and Risk Assessment

The client shall prepare and provide a Baseline Risk Assessment as per the Scope of work for the contract.

The Occupational Health and Safety Management Services Provider shall develop a Risk Assessment in line with Section 8(2)(d) for the OHS Act 85 of 1993 and where applicable Construction Regulation 9 (1) (a-e), in alignment to Eskom 32-520 procedure.

Emerging risks and hazards must be managed as the execution of work progresses. 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.

Attendance registers must be kept of all the employees involved in compiling the risk assessment

Please refer to Annexure F (Risk assessment Template); it may be used as a minimum guideline.

CONTROLLED DISCLOSURE

23. General Walk-downs (Visible Felt Leadership)

Where applicable, the responsible and accountable managers of the Occupational Health and Safety Management Services Provider shall lead the walk downs/engagements on a predetermined basis to demonstrate their commitment towards SHE matters. These walk downs/engagements will be used to identify both strengths and areas for improvement regarding SHE issues. Walk downs will be documented and a report shall be submitted to the Client within 24 hours, inclusive of an action plan to close out all deviations noted during such a walk-down. To show commitment to Visible Felt Leadership, the management representatives from the Occupational Health and Safety Management Services Provider are expected to attend the walk downs at agreed intervals.

24. Health and Safety Behaviour Observations and Inspections

The objective of behavioural safety observations is to assess and address the actual safe and unsafe behaviours of people in the workplace; as well as workplace conditions - which are caused by the actions or non-actions of employees, contractors, or their supervisors.

The Occupational Health and Safety Management Services Provider is expected to describe how their company would implement a behavioural safety programme. The resources that will be integrated into the Eskom structure will be expected to participate in the behavioural safety programme.

25. Occupational Health and Hygiene

All contractors are required to develop an Occupational Health and Hygiene program. The program is intended to ensure that the risks to health are identified and controlled.

25.1 Occupational Hygiene Management Program

The Occupational Health and Safety Management Services Provider and contractors shall develop, implement and maintain an occupational hygiene management programme to ensure that the occupational hygiene stressors are identified assessed (monitored) and controlled. The occupational hygiene should include, but not be limited to the following elements:

- Occupational health risk assessment as a background.
- Occupational health risk exposure profiles
- Occupational hygiene monitoring program and ensure that monitoring is performed by an approved Inspection Authority.
- Communication of occupational hygiene results and requirements
- Proof of awareness training.
- Documentation and control of records (Records to be kept for 40 years)

Where there are occupational hygiene stressors, Occupational Health and Safety Management Services Provider and contractors shall ensure that programs are developed and in place to address the said stressors. These programs may include but not be limited to:

- Hearing Conservation Program.

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- Respiratory Protective Program
- Hazardous Chemical Agents Program
- Procedure for the use and management of radioactive sources
- Management Program for Physical Agents

Copies of all occupational hygiene surveys conducted by the Occupational Health and Safety Management Services Provider and contractor must be submitted to the Eskom SHE manager and practitioners. The SHE Manager / officer shall establish a database of contractor occupational hygiene surveys and corrective plans

The Occupational Health and Safety Management Services Provider and contractors shall describe in detail how they would implement an Occupational Hygiene programme and provide an outline of the programme as well.

25.2 Employee Health and Wellness Programme

The Occupational Health and Safety Management Services Provider shall submit details of their Employee Health and Wellness Programme as part of their Health and Safety Plan which should include a Medical Surveillance Program, and an Employee Assistance Program as detailed below.

25.3 Medical Surveillance Programme

The Occupational Health and Safety Management Services Provider shall ensure that his employees and contractor employees are registered on a medical surveillance programme and are in possession of a valid medical fitness certificate. The certificate of fitness should be relevant to the type of work (risk based) that the employee will be exposed to. This will require each employee to have a risk-based person job specification that will be used as a basis for medical examination.

The Occupational Health and Safety Management Services Provider must ensure that his employees and contractor employees have undergone pre-entry medical examination before starting work on site, ***no employee will access site without a valid medical fitness certificate.***

The fitness certificate and a copy of the risk-based person job specification shall be issued before commencement of work and shall be presented at induction. If the Occupational Health and Safety Management Services Provider does not provide proof of valid certificates of fitness and person job specifications for his employees and contractor employees, then Eskom will not give those employees site induction which will result in refusal to site access.

The frequency to renew the medical fitness certificate shall be determined by the risk profile and or as per the recommendation of the medical practitioner.

On completion of the project an exit medical examination shall be conducted, unless otherwise advised by the Occupational Health Practitioner.

All employees shall be issued with the required medical records to prove medical status at the time of exiting employment.

The Occupational Health and Safety Management Services Provider shall provide a documented process for managing those employees who are issued with a conditional certificate of fitness.

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

CONTROLLED DISCLOSURE

25.4 Emergency Care

The Occupational Health and Safety Management Services Provider shall ensure that his employees and contractor employees are familiar with the emergency numbers and are provided with stickers, with the emergency numbers printed on, and to place them on their hardhats.

Emergency numbers will also be part of the SHE induction.

Eskom has established a contract with ER24 for all employees and its contractor employees for emergency medical assistance incurred whilst on duty anywhere in South Africa. The telephone number is **086 123 7566 (08612 Eskom)**.

Contractors shall have one first aid box for the first 5 persons and thereafter one for every 50 or team of workers on site or part thereof.

Minimum contents of a first aid box: (Refer to GSR 3 Annexure of the OHS Act)

A prominent notice or sign shall be erected in a conspicuous place at a workplace (SANS1186 approved signs to indicate location of first aid boxes), indicating where the first aid box or boxes are kept as well as the name and contact details of the First Aider of such first aid box or boxes.

The Occupational Health and Safety Management Services Provider and contractor shall ensure that alternative arrangements shall be made for possible incidents occurring after normal working hours.

Where services are not available from the medical centre or where there is no medical centre, the Occupational Health and Safety Management Services Provider shall make alternative arrangements for any medical assistance. Proof of this must be made available in the Occupational Health and Safety Management Services Provider SHE Plan.

25.5 Employee Assistance Programs (EAP)

Where Occupational Health and Safety Management Services Provider and contractors do not have EAP service providers, then Eskom's EAP service provider is available to aid. All costs shall be borne by the Professional Services Enablement Provider. Details are: ICAS – Tel. No.: 0800 611 059

25.6 Rehabilitation

Where any contractor's employee is injured at work to the extent that they require rehabilitation, then this must be given, using the services of an appointed rehabilitation organisation.

25.7 Compensation of Occupational Injuries and Diseases Act (COIDA)

The Occupational Health and Safety Management Services Provider shall submit proof of registration and letter of good standing with the compensation fund or with a licensed compensation insurer for his company and each of his contractors based on South African legislative requirements. This must remain valid for the duration of the contract. The Letter of Good Standing shall reflect the name of the Occupational Health and Safety Management Services Provider and/or Contractor Company.

CONTROLLED DISCLOSURE

26. Emergency Preparedness and Response

The Occupational Health and Safety Management Services Provider shall provide a site-specific emergency response plan.

Periodic emergency drills shall be undertaken by Eskom; however, the Occupational Health and Safety Management Services Provider shall initiate his own emergency drills. This must be recorded and provided on request.

26.1 Offices

The Emergency Preparedness plans must accommodate how to react to emergency situations such as, fires, work injuries, bomb threats, building evacuation, political unrest, the contacting of the various emergency services etc.

27. Forums for SHE Governance and Communication

Effective governance and communication structures shall be established where contract SHE matters shall be discussed. Attendance registers and minutes shall be kept for all the health and safety meetings. The terms of reference shall be established for each governance structure on the project.

Eskom Project team shall define the project SHE governance and communication structures.

The Occupational Health and Safety Management Services Provider and their Contractor/s shall provide a communication plan outlining the discussions and decisions to their staff, the mediums they will employ and how they will measure the effectiveness of their SHE communication.

Every meeting conducted shall include SHE as a standing agenda point and minutes of these meetings shall be always available on site.

NOTE: These meetings do not replace or act as a substitute for the required SHE statutory meetings.

Where applicable, Statutory SHE Committees in terms of Section 19 and 20 and General Administrative Regulations 5 of the OHS Act and Eskom requirements shall be established.

28. Vehicle Safety Management

All vehicles and equipment shall meet the legislative requirements pertaining to the OHS Act, the National Road Traffic Act, National Environmental Act and Eskom Vehicle Safety Specification Procedure 240-62946386.

29. Housekeeping

Where applicable the Occupational Health and Safety Management Services Provider and his contractor resources shall participate in housekeeping programme.

CONTROLLED DISCLOSURE

30. Hazardous Materials/Chemicals Management

HCA shall be managed in accordance with HCA Regulations of the OHS Act 85 OF 1993.

No HCAs shall be brought to any site without observing the following protocols:

- Safety Data Sheets SDS) in accordance with the requirements of the OHS Act –
- Regulations for Hazardous Chemical Agents.
- Proposed arrangements for safe storage.
- Proposed methods for handling/usage.
- Proposed method of disposal.
- Hazard communication / training plan.

The information is to be provided prior to the expected delivery on site. The client representative shall approve the use of any hazardous substance after receiving the above information.

31. Personal Protective Equipment (PPE)

In terms of Section 8 of the OHS Act, the duty of the employer is to take steps to eliminate or mitigate (hierarchy of control measures) any hazard or potential hazard to the safety or health of employees before resorting to PPE.

Where applicable the Occupational Health and Safety Management Services Provider employees and contractor employees including visitors, shall always use the relevant internationally recognised approved risk-based PPE, as a minimum:

- Head protection hard hat (with chin straps)
- Steel toe capped safety boots.
- Eye protection. Wearing of impact Safety Spectacles with side shields. Prescription glasses must comply with the same standard or cover impact safety spectacles must be worn over them.
- Long sleeved and long pants protective clothing.
- High visibility vests.
- Refer to General Safety Regulation 2 of the OHS Act.
- Refer to Eskom Personal Protective Equipment Specification (240_44175132, latest revision). This specification applies to all activities where PPE is required. It sets out Eskom's minimum PPE requirement to be met by contractors with the exclusion of the requirements stipulated about the Eskom Corporate Identity.

The Occupational Health and Safety Management Services Provider shall ensure that his employees understand why the personal protective equipment is necessary and that they use them correctly.

Strict non-compliance measures must be administered to any employee not complying with the use of PPE and that employee shall be removed from the Site.

CONTROLLED DISCLOSURE

32. Fire Safety

32.1 Eskom Fire Safety Guidelines

32.1.1 Fire Systems

Fire systems must not be impaired in an occupied building unless by a trained and SAQCC registered person, capable of reinstating the system after it has been inspected, tested or maintained. Alternative procedures may be taken to ensure that all persons in the building can be informed promptly should a fire occur, and the Fire Department including Eskom Security is notified.

Installation of fire systems should be carried out by an ASIB (Automatic Sprinkler Inspection Bureau) certified person. No one must interfere with fire protection systems.

33. Work Stoppage

The aim of the section is to outline the conditions under which work will be stopped and the process to be followed to ensure that the worksite is rendered safe.

The temporary stoppage of an activity/activities or task(s) may be because of SHE concerns, including the following circumstances which shall not warrant any financial compensation:

- Ad hoc safety intervention by Eskom management: All work of a similar nature may be stopped as the result of an occurrence of a serious incident. The relevant supplier shall be required to comply with, and/or verify, the conditions stipulated in the work stoppage instruction pack.
- Ad hoc safety intervention by any person, especially SHE functionaries, may be due to unsafe work or unsafe behaviour by the contractor. The conditions that gave rise to the work stoppage will determine the corrective measures to be taken urgently to protect the health and safety of employees and protect the environment and plant or equipment, etc.

NOTE: Work stoppages that are initiated because SHE related incidents shall not warrant any financial compensation claim lodged against Eskom.

34. SHE Audits

Eskom reserves the right to monitor and conduct unannounced audits to ensure compliance and provide assurance to the Client representatives and their key stakeholders.

35. Compliance and Approval of Contractor SHE Plan

The Occupational Health and Safety Management Services Provider 's SHE Plan will be audited against a compliance checklist to confirm compliance to the Eskom SHE requirements. Once compliance is confirmed, only then will the SHE plan be approved by the Client for implementation.

CONTROLLED DISCLOSURE

36. Occupational Health and Safety Management Services Provider SHE Performance Evaluation

Eskom shall evaluate Occupational Health and Safety Management Services Provider SHE performance on an on-going basis against the Eskom requirements.

37. Documentation and Records Management

The Occupational Health and Safety Management Services Provider shall establish and maintain a documentation and records management system where all project and scope SHE related documentation and records are kept and maintained.

38. Incident Investigation

The Occupational Health and Safety Management Services Provider and Contactors shall report all incidents/accidents as required in terms of the legislation.

All SHE incident reporting, classification and investigation will be done according to the requirements set out in the Eskom documents 32-95 (Occupational Health and Safety Incident Management Procedure) and 240-13307117 (Environmental Incident Management Procedure) (latest version)

39. SHE Performance Status Reports

The Occupational Health and Safety Management Services Provider shall provide a SHE Statistical and Non-Statistical Reports, dashboards, presentations as per the Client requirements.

Reporting must not be later than the 2nd of every month. The reporting format is indicated on Form 75 :(Refer to Annexure D) **(Use the latest form on Opentext)**

40. Omissions of this SHE Requirements

By drawing up these SHE requirements Eskom has endeavoured to address the most critical aspects relating to SHE issues to assist the Occupational Health and Safety Management Services Provider in adequately addressing the health and safety management of persons.

Should Eskom not have addressed all aspects pertaining to the work that is tendered for, the Occupational Health and Safety Management Services Provider needs to ensure that all applicable SHE requirements are identified and included in their management system.

41. SHE File

The Occupational Health and Safety Management Services Provider must have a SHE file in which records of these SHE requirements and the SHE plan are kept. All information required in this document and plan, for the duration of the Occupational Health and Safety Management Services Provider and contractors' contract, is to be recorded in the file.

A copy of the SHE file shall be handed over to the Client at the end of the contract.

CONTROLLED DISCLOSURE

42. Hours of Work

All work conducted shall fall within the legal requirements in accordance with the Basic Conditions of Employment Act.

43. Employees' right of refusal to work in an unsafe situation

Employees have a duty to take reasonable care of their own as well as other person's health and safety at work and to cooperate with the employer, carry out lawful orders, including reporting unsafe situations and incidents.

Refer to Eskom Procedure 240-43848327- Employees' right of refusal to work in an unsafe situation. The aim of the procedure is to ensure that an environment is created that promotes zero harm by empowering employees and contractors to take responsibility for their own safety and that of others.

44. Contract Sign Off

On completion of the contract, all appointed contractors shall close out their project documentation and SHE Files and submit such to the Occupational Health and Safety Management Services Provider. In turn, Occupational Health and Safety Management Services Provider shall likewise close out his/her project documentation and SHE file and handover it to the Eskom Project Manager.

CONTROLLED DISCLOSURE

**Please note that the following may be used as a guideline for the SHE returnable.*

45. Annexure A: The Client's Non-Negotiable Occupational Health & Safety Requirements

The following Minimum OHS -related requirements that bidders must address and respond to when submitting their tender returnable are as follows:

Please complete the following form, and where required, submit copies of the appropriate documentation.

Ref.	Eskom Health and Safety Requirements Checklist	Proof required	Yes	No	N/A
1	Provide Signed, Acknowledgement form for Eskom SHE Rules and other legislative requirements.	✓	✓		
2	Organisational structure and contact details of key persons				
2.1	Provide a copy of your company organogram /structure. (Including roles, responsibility & Accountability)	✓	✓		
2.2	Provide a proposed OHS resource plan for the proposed scope of work. For each position, stipulate the position titles; and the qualifications and competencies that will be required for each position.	✓	✓		
	OHS Management System				
3	OHS Management System Does your Company have a recognised OHS Management System? If Yes , then complete subsections 3.1 – 3.2:	✓			
3.1	Provide a copy of the certification.	✓			
3.2	Provide plan as to how you would establish the OHS Management system for the duration of the Project?	✓			
4	Provide a copy of your SHEQ Policy that is signed by your senior management?	✓	✓		
5	How would you establish and maintain your legal and other requirements register	✓			
6	How would you enforce compliance to OHS on the project and amongst contractor companies? (where applicable)	✓			

CONTROLLED DISCLOSURE

Ref.	Eskom Health and Safety Requirements Checklist	Proof required	Yes	No	N/A
7	How would you deal with companies/individuals that have transgressed OHS requirements?	✓			
8	Has your company managed OHS before on a project/similar scope of work to this?				
8.1	If yes, please provide details of client's references and information on the work that your company performed.	✓			
9	Occupational health and wellness				
9.1	Does your Company have an Employee Assistance Programme for employees?	✓			
9.2	Does your Company have a medical surveillance programme for employees?	✓			
10	Contractor management				
10.1	Does your Company appoint competent contractors /sub-contractors? (provide details of selection process and criteria)	✓			
10.2	Explain how you would manage and monitor contractor companies in terms of Health and Safety compliance?	✓			
10.3	Explain how you would manage multiple contractor company interfaces on the project?	✓			
12	Hazard identification and risk assessment (HIRA)				
12.1	Does your Company have procedures in place for conducting hazard identification and risk assessments and for developing and implementing safe systems of work/method statements? Share risk assessment	✓	✓		
12.2	Does your Company have a competent person appointed to carry out hazard identification and risk assessments?	✓			
12.3	Does your Company have a standard/procedure on the hierarchy of control principles that is applied to the mitigation of risks?	✓			
12.4	Provide a copy of a typical Health and Safety risk profile for a project like this as well as high level interventions that will be implemented to mitigate the risk.	✓			

CONTROLLED DISCLOSURE

Ref.	Eskom Health and Safety Requirements Checklist	Proof required	Yes	No	N/A
13	COID				
13.1	Is your company registered with COID or with a licensed compensation insurer based on South African legislative requirements and are you still in good standing? If yes, please provide copy of current valid certificate issued by the Compensation Commissioner.	✓	✓		
14	Training				
14.1	Does the Company have an orientation and safety induction programme / policy?	✓	✓		
14.2	Does the Company have implemented training arrangements in place to ensure that employees have sufficient skills and understanding to discharge their various duties? This includes refresher training that will keep employees updated on legislation and good health and safety practice. This applies throughout the Company, from top management to trainees. Provide list of training interventions (scope and content)	✓			
15	Costing for OHS				
15.1	Provide a detailed costing for OHS- based on the overall scope of work/services to be performed.	✓	✓		
16	Occupational Hygiene				
16.1	Describe how you would implement an occupational Hygiene programme	✓			
17	Leadership Accountability to drive SHE culture within organisation. (Visible Leadership)				
17.1	Describe how and what measures are taken by Senior Leadership to actively drive SHE with employees and sub-contractors. Consider the following Criteria: <ul style="list-style-type: none"> • Visibility on sites where operations take place. • Interventions that leadership drive specifically on SHE matters. • What monitoring mechanisms are in place to verify the above? 	✓			

CONTROLLED DISCLOSURE

Ref.	Eskom Health and Safety Requirements Checklist	Proof required	Yes	No	N/A
18	References – Provide references of the least two (2) clients				
18.1	<p>Past experience with references. Provide the following details per client:</p> <p>Client 1:</p> <ul style="list-style-type: none"> • Client's name: • Description of works, services, product: • Duration of contract (specify start and end dates): • Value of contract/work/services/product: • Contact telephone number/s: • Number of 'near misses' reported: • Number of lost-time injuries: • Number of disabling injuries: • Number of motor vehicle incidents/accidents: • Number of fatalities: • Number of lost-time injuries: • Largest number of permanent staff members working on the project during the contract period: 	✓			

CONTROLLED DISCLOSURE

COMPANY SIGN-OFF

I acknowledge that the information provided in this Occupational Health and Safety Questionnaire, as part of the Eskom OHS evaluation process, is true and correct.

Company name:

Name and surname:

Position:

Signature:

Date:

FOR OFFICE USE ONLY

SCORING:

A: Each question qualifies a maximum score of two (2) points. Total possible points

Percentage Score = Actual Score

Possible Score x 100 = ____%

1.1.1.1.1 Comments:

OHS EVALUATION RESULT – Approved/Not Approved

NAME OF ASSESSOR:

SIGNATURE:

DATE:

CONTROLLED DISCLOSURE

Evaluation criteria

Legends	Rating	
Meets Client's Requirements:	2	
Partial compliance	1	
Does not meet Client's Requirements:	0	

CONTROLLED DISCLOSURE

46. Annexure B, C, D, and E:

Annexure B



559-394659808_For
m_Rev 1_Acknowledg

Annexure C



240-157835076 -
Eskom's (SHEQ) Polic

Annexure D



Form_75_Contractor
Monthly Statistical Re

Annexure E



Annexure
F-Template for OHS F

CONTROLLED DISCLOSURE