	GENERATION PEAKING OHS REQUIREMENTS FOR Supply and Delivery of Consumables and Grocery Items	Template Identifier	32-726-10T	R ev	2
		Document Identifier	167A/16075	R ev	
		Effective Date	30 June 2022		

Project Name: The supply and delivery of consumables and grocery items.


Project Address: Acacia, Ankerlig, Drakensberg, Gariep, Gourikwa, Ingula, Palmiet, Port Rex, Sere Wind Farm, Vanderkloof, Mbashe, Ncora, First Falls, Second Falls, Durbanville and Bella Rosa Offices.

Scope of the project: The supply and delivery of consumables and grocery items on an “as and when” required basis for a period of 5 years to Peaking.

Eskom OHS Advisor

Name: Bongani Langa

Signature



Contract Manager/End User

Name: Lorna Hendricks

Signature



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1. INTRODUCTION

Eskom's responsibility and commitment is to ensure a safe working environment is in line with its OHS Policy and applicable legislative obligations. These OHS requirements are Eskom Generation's minimum requirements which are required to be met for the duration of the contract period by contractors/suppliers and, where required, the delivery organisation. The contractor is expected to develop an OHS plan that meets these requirements as well as all the relevant applicable legislation that they conform to. Eskom in no way assumes the contractor's legal responsibilities. The contractor is and remains accountable for the quality and execution of their health and safety programme for their employees and appointed contractor employees. These OHS requirements reflects minimum requirements and should not be construed as all-encompassing.

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

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

2. SUPPORTING CLAUSES

2.1 SCOPE

These OHS requirements lists the legislative and Eskom requirements and, where applicable, any requirements pertaining to local authorities, municipal by-laws, or environmental legislation that must be met by the contractor.

2.1.1 Purpose

This document will provide a standardised approach to the compilation of OHS requirements throughout Eskom Generation business for contracts, standards, and NEC 3.

2.1.2 Applicability

These OHS requirements are applicable to any contracting organisation that intends to respond to Eskom Generation's tender/enquiry with the intention of entering into a contract.


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] OHS Act "Regulations on Hazardous Work by Children in South Africa"
- [4] National Environmental Management Act 107 of 1998.
- [5] National Road Traffic Act 93 of 1996.
- [6] 32-37 Eskom Substance Abuse Procedure.
- [7] 240-62196227 Life- saving Rules
- [8] 32-95 Environmental, Occupational Health and Safety Incident Management Procedure
- [9] 32-727 SHEQ Policy
- [10] 32- 418 Working at Heights Procedure
- [11] 240-62946386 Vehicle and Driver Safety Management Procedure
- [12] 32-520 Risk Assessment procedure
- [13] 240-150642762- Generation Plant Safety Regulation ISO 45001:2018 Occupational Health and Safety Management System
- [14] Eskom Covid-19 policy
- [15] National Disaster Management Act 57 of 2002
- [16] Eskom Personal Protective Equipment 240-44175132


2.2.2 Informative

- [1] Tobacco Products Control Act 83 of 1993 (Updated 2011.05.19)
- [2] SANS 1186 Symbolic Safety Signs
- [3] Constitution of the Republic of South Africa No 108 of 1996
- [4] DmN 34-110 Operating A Vehicle Mounted Crane

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2.3 Definition	Explanation
Appointed contractor	Means a contractor appointed by the main 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
Business unit (BU)	(32-296) means any defined unit within the Eskom environment, operating as a business under a particular cost-centre number. In the context of this document and in terms of health and safety, any reference to a BU includes a defined unit within any Eskom division and its subsidiaries
Client	(OHS Act) 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)
Contract's Manager/End User	The person defined in a contract as the Eskom representative, for example, the project manager/contract custodian, that is, the person responsible for managing the contract and ensuring that the works or services are executed in terms of the contract.
Consultant	means a person providing professional advice
Controlled disclosure	controlled disclosure to external parties (either enforced by law or discretionary)
Duty of care to the environment	(32-136) anybody who causes or has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing, or recurring. If such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, such person must minimise and rectify such pollution or degradation of the environment
Employee	(OHS Act) means, subject to the provisions of subsection (2), any person who is employed by or works for an employer and who receives or is entitled to receive any remuneration or who works under the direction or supervision of an employer or any other person
Employer	(OHS Act) means, subject to the provisions of subsection (2), any person who employs or provides work for any person and remunerates that person or expressly or tacitly undertakes to remunerate him/her, but excludes a TES (ex labour broker) as defined in section 1(1) of the Labour Relations Act 1956 (Act No. 28 of 1956)
Eskom requirements	Eskom requirements flowing from directives, policies, standards, procedures, specifications, work instructions, guidelines, or manuals
Occupational Health and safety file	(OHS Act) means a file or other record in permanent form, containing the information required in relation to the contract.

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2.3 Definition	Explanation
Occupational Health and safety plan	(OHS Act) means a document plan that addresses hazards identified and includes safe work procedures to mitigate, reduce, or control hazards identified
Occupational Health and safety requirements	means comprehensive health and safety requirements for a contract, project, site, and scope of work. These requirements are intended to ensure the health and safety of persons, both workers and the public, and the duty of care to the environment. The health and safety requirements must be specific to each contract, project, site, and scope of work
Life-saving Rules	(240-62196227) a rule that, if not adhered to, has the potential to cause serious harm to people
Medical Certificate of fitness	(OHS Act) means a certificate valid for one year, issued by an occupational health practitioner, issued in terms of the regulations, whom shall be registered with the Health Professions Council of South Africa
Organisation	may be defined as a group of individuals (large of small) that is cooperating under the direction of executive leadership in accomplishment of certain common objects
Main 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.
Provincial director	(OHS Act) means the provincial director as defined in Regulation 1 of the General Administrative Regulations under the Act
Risk assessment	(OHS Act) means a programme to determine any risk associated with any hazard at a site in order to identify the steps needed to be taken to remove, reduce, or control such hazard.
Service provider	any private person or legal entity that provides any service(s) to Eskom for compensation
Subsidiary	(32-94) an enterprise controlled by another (called the parent) through the ownership of greater than 50% of its voting stock
Supplier	(32-1034) means a natural or legal person who renders a service and may include the following current or potential supplier vendor, contractor, consultant
Task	(34-227) a segment of work that requires a set of specific and distinct actions for its completion
Toolbox talks	(34-227) where the team leader, after conducting pre-task planning, shares all the tasks at hand and discusses task allocation, the identified risks, and the control measures with all his/her team members on site before commencing a specific task and documenting the agreed strategy. (This shall be done to ensure common understanding of the tasks, risks, and control measures required.)
The Act	(OHS Act) means the Occupational Health and Safety Act No. 85 of 1993, as amended, and the Regulations thereto

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2.3 Definition	Explanation
Visitor	any person visiting a workplace with the knowledge of, or under the supervision of, an employer.

2.3 ABBREVIATIONS

Abbreviation	Description
BU	Business Unit
CE	Chief Executive
COID Act	Compensation for Occupational Injuries and Diseases Act
DEL	Department of Employment and Labour (Inspection and Enforcement services – Provincial office)
ERfW	Environmental Regulations for Workplaces
GAR	General Administrative Regulations
GSR	General Safety Regulations
LDV	Light Delivery Vehicle
SDS	Safety Data Sheets
OHS Act	Occupational Health and Safety Act and Regulations, 85 of 1993
O&M	Operating and Maintenance
LoG	(COID) Letter of Good Standing
SABS	South African Bureau Standard
SANS	South African National Standard


2.4 RELATED/SUPPORTING DOCUMENTS

Section 37(2) of the OHS Act requires Eskom to sign an agreement and include it in the OHS file for evaluation prior to the start of work. OHS department will issue the 37(2) agreement to the project manager/end user who will facilitate the signing of the document by Eskom and contractor representatives.

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3. DOCUMENT CONTENT

3.1 SCOPE OF WORK

The Supply and Delivery including off-loading of consumable groceries, cleaning material and kitchen utensils "on as and when required basis to Peaking Sites for a period of 5 years. The Peaking Sites are as follows: Acacia, Ankerlig, Drakensberg, Gariep, Gourikwa, Ingula, Palmiet, Port Rex, Sere Wind Farm, Vanderkloof, Mbashe, Ncora, First Falls, Second Falls, Durbanville and Bella Rosa Offices

Requirements including items, quantities and specific site will be done on each PO by the Supply Manager.

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

Note: The contractor who will be awarded this contract will be known as the "**Main contractor**" and any contractor appointed by the main contractor will be known as the "**Appointed contractor**"

3.2 LEGAL COMPLIANCE

3.2.1 Section 37(2) (Legal) Agreement

A section 37(2) agreement must be signed between Eskom and the main contractor at the time of submitting the safety file. The main contractor must ensure that a section 37(2) agreement is compiled between the main 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 must be retained by the responsible project manager/end user. A copy of all the agreements must form part of the respective contractor's OHS file.

3.2.2 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 be required or permitted to perform work or provide services that*
3. *are inappropriate for a person of that child's age; or*
4. *This places 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."

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Before resorting to the use of child labour, due consideration must be given to the child's constitutional rights. 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 main 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 COID

The main contractor and all his/her appointed contractors shall be registered with an appropriate employment compensation commissioner and have available a valid letter of good standing (LoG) from such commissioner. The obligation lies with the contractors to ensure that the LoG remain valid throughout the contract period. A copy of the LoG must be filed in the contractor OHS files.

All contractors shall, before commencement of the charter insure that all their employees are familiar with the relevant Eskom OHS documentation that is applicable to charter services.

3.2.5 Legislative Compliance

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


The main contractor and all appointed contractors will comply with all the legislation pertaining to this project being:

- 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.
- National Environmental Management Act 1998 (Act 107 of 1998).
- Environment Conservation Act 1989 (Act 73 of 1989).
- National Water Act 1998 (Act 36 of 1998).
- National Environmental Management Waste Act 59 of 2008.
- National Road Traffic Act 93 of 1996.
- Compensation for Occupational Injuries and Diseases Act.
- SANS Standards –Contractor shall use the relative standards applicable to the project.

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3.3 ESKOM REQUIREMENTS

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

3.3.1 Appointment of the Main Contractor

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

3.3.2 Appointment -contractors

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

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

3.3.3 OHS Policy

A OHS policy is a statement of intent and a commitment by the organization's CE and senior management in relation to the relevant OHS roles and responsibilities, the achievement of their strategic objectives, and values of integrity, customer satisfaction, excellence, and innovation. The main contractor and all appointed contractors, if not already in place, will be required to compile an organisational OHS policy in line with their OHS responsibilities. The policy must be signed by the organisation's CE or the appointed assistant to the CE, OHS Act Section 16(2). The policy must be displayed in a prominent place within the workplace. A copy of the policy must be filed in the contractor's OHS files and attached as an annexure to the OHS Plan.

3.3.4 COVID 19 Policy

Due to the current pandemic the contractors are required to submit the Covid policy signed by the most senior person. The policy must be displayed in a prominent place within the workplace. A copy of the policy must be filed in the contractor's OHS files and attached as an annexure to the OHS Plan.


3.3.5 Covid-19 requirements

Covid-19 costs are not for profit making purpose and Eskom reserves the right to accept and/or decline the list of PPE which will be listed in the detailed Covid-19 costs. Due to the current pandemic the contractors are required to provide Eskom with a Covid-19 risk

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assessment and a detailed plan on how to prevent the spread of the virus and what control measures will be put in place to protect Eskom employees and members of the public. The risk assessment must include the following but not limited to, adherence to Covid-19 protocols in designated smoking areas. Covid-19 costs are applicable for the duration of the pandemic and the Covid-19 costs will be ceased once the country has declared that Covid-19 is no more a pandemic. The contractors have an obligation to comply with the National Disaster Management Act including the appointment of the Compliance Officer.

3.3.6 Eskom Life-saving Rules

1. Eskom places a high value on health and safety and urges every organization that undertakes work for Eskom to do the same.
2. Eskom has developed five life-saving guidelines that will apply to all Eskom employees, agents, consultants, and contractors. Any Eskom employee or employee of a Main Contractor or appointed contractor who fails to follow these rules would be deemed a serious violation. These rules are in place to protect any employee, labour broker, or contractor working from significant injury or death.
3. If any contractual work (including delivery of any product) is to be undertaken on Eskom premises, the rules shall be obeyed by any contractor and their employees.


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.
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

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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 To ensure safe live work.

Eskom will take a zero-tolerance approach to these rules.

Noncompliance to Life-saving rules is regarded serious misconduct and will result in serious disciplinary action, which may include dismissal.

This is to ensure that everyone who works on or visits an Eskom facility returns home to their families safely.

3.3.7 Substance abuse

1. Alcohol and substance abuse are serious threats to any business, especially when it comes to workplace accidents and car driving. As a result, Eskom has the right to take reasonable procedures to identify and prohibit drunk people from entering the company.
2. General Safety Regulation 2A specifies the legal position on intoxication.
3. The allowable alcohol and drug level is 0%.
4. All contractors must follow Eskom's procedure 32-37 ("Substance Abuse Procedure"), taking into account that this is an Eskom Life-saving Rule number 4: (BE SOBER), and anyone entering the Eskom site will be subjected to alcohol testing.
5. Contractors are invited to develop their own manual and test their own employees for alcohol on a regular basis.
6. Test results must be marked "Confidential" and kept in the employee's personal file.
7. Eskom's life-saving rules must be included in the induction process.

3.4 CONTRACTOR ORGANISATIONAL STRUCTURE

3.4.1 Main Contractor Organogram


The Main contractor must provide an organisational organogram related to this contract, depicting all the levels of responsibility from the CE down to the supervisors responsible for the contract. List the relevant positions held, names of appointees and legal appointments.

The Main contractor must ensure that all appointed contractors comply with this requirement. The Main contractor is responsible for keeping copies of all the

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organograms' as well as submitting them with the OHS plan. All organograms shall be updated timeously when appointments are changed.

This diagram must be signed off by the 16.1 or 16.2 and kept up to date and filed in the project OHS files.

3.4.2 Appointed Contractor/s Organogram

1. Appointed contractors are required to compile their company organogram for the project, listing the reporting structure from their CE down to their project supervisors. The diagram must list the names, positions held and any appointments made.
2. This diagram must be signed off by the 16.1 or 16.2 and kept up to date, a copy of which must be given to the Main contractor and a copy filed in the relevant project OHS files.
3. This diagram must be kept up to date and filed in the project OHS files.


3.5 FIRST AID AND EQUIPMENT

1. The requirements of the OHS Act GSR 3 must be observed.
2. First aid appointments must be made to meet the legal requirements. Appointees must be trained to level 2 and the training service provider must be registered in accordance with section 26(1) of the Skills Development Amendment Act, Act No. 37 of 2008. It is good practice for all employees to be trained to at least level 1.
3. When appointing employees for work sites, cognisance must be taken into account the type of work performed, the distance teams are working apart and the terrain to be covered if an emergency should arise.
4. A list of emergency numbers must be displayed on the notice boards and made accessible for all employees.
5. Main Contractor must ensure that his /her employees and appointed contractor employees are familiar with the emergency numbers.
6. Contractors shall have first aid box as per the risk assessment or at least one for the first 5 persons and thereafter one for every 50 or team of workers on site or part thereof, taking into account the type of work performed and the distance between teams.
7. More first aid boxes shall be provided in accordance with the risk assessment. Boxes must be available and accessible for the immediate treatment of injured persons at the workplace.
8. For offices, signs 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 shall be erected.
9. The Main Contractor and appointed contractor shall ensure that alternative arrangements be made for incidents occurring after working hours.

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Boxes and equipment

The following is a list of minimum contents of a first aid box:

- Item 1: Wound cleaner/antiseptic (100ml).
- Item 2: Swabs for cleaning wounds.
- Item 3: Cotton wool for padding (100 g).
- Item 4: Sterile gauze (minimum quantity 10).
- Item 5: 1 Pair of forceps (for splinters).
- Item 6: 1 Pair of scissors (minimum size 100 mm).
- Item 7: 1 Set of safety pins.
- Item 8: 4 Triangular bandages.
- Item 9: 4 Roller bandages (75 mm X 5 m).
- Item 10: 4 Roller bandages (100 mm X 5 m).
- Item 11: 1 Roll of elastic adhesive (25 mm X 3 m).
- Item 12: 1 Non-allergenic adhesive strip (25 mm X 3 m).
- Item 13: 1 Packet of adhesive dressing strips (minimum quantity, 10 assorted sizes).
- Item 14: 4 First aid dressings (75 mm X 100 mm).
- Item 15: 4 First aid dressings (150 mm x 200 mm).
- Item 16: 2 Straight splints.
- Item 17: 2 Pairs large and 2 pairs medium disposable latex gloves.
- Item 18: 2 CPR mouth pieces or similar devices.

A content check list must be available with all boxes and boxes shall be checked on a regular basis, kept clean and dust free.


3.6 OHS TRAINING

1. The Main contractor, when making a bid for this project shall provide a breakdown list of the OHS training requirements and the costing of such requirements. Similarly, appointed contractor must provide the same requirements when bidding with the Main contractor.
2. The scope of training includes but is not limited to the type of work being performed and the relevant procedures.
3. Where legislative and Eskom recommended appointments are made, the relevant training shall be given to those appointees prior to the acceptance of those appointments.
4. When there is an amendment to the Acts and/or to the regulations, OHS requirements and OHS plan, all affected staff shall undergo the applicable in-house refresher training.
5. Appropriate time must be set aside for training (induction and other) of all employees.
6. Records of all training and qualifications of all contractor employees must be kept on the OHS file.

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3.6.1 Induction training

1. The Main contractor shall ensure that all his / her employees, appointed contractors and their employees have undergone the Eskom OHS induction training prior to commencing work on site.
2. Attendance registers must be completed of any induction training given, which must indicate that they have received and understood the induction training.
3. Prior to attending the induction training, all employees must undergo a pre-employment medical examination and found fit for duty. A copy of the certificate of fitness must be kept in the OHS file on site for the duration of the contract.
4. All employees and visitors on site shall carry the proof of induction training in the form of access cards.
5. It is the contractor's responsibility to keep records of induction training.

3.6.2 Contractor induction training

The Main contractor shall ensure that all his / her employees and appointed contractor employees undergo site specific work induction with regard to the approved project OHS plan, hazards prevalent on the work site, scope specific risk assessment, rules and regulations, and other related aspects.

3.6.3 Visitors to site induction

1. Visitors to the site shall be required to undergo and comply with the Eskom site-specific safety induction prior to being allowed access to site.
2. All visitors must remain in the care and custody of a person (host) who has been properly inducted. No visitors are permitted to undertake any work onsite, of any nature.
3. Visitors who have completed site induction must be provided with a record of proof of Induction training.


3.7 HOUSEKEEPING AND ORDER

1. All contractors shall maintain a high standard of housekeeping within their work area and vehicles for the duration of the contract.
2. Prompt disposal of waste materials, scrap and rubbish is essential and be stored temporarily in a designated waste area, awaiting disposal.
3. Materials/objects shall not be left unsecured in elevated areas – falling objects may cause serious injuries/fatalities.
4. Nails protruding through timber shall be bent over or removed so as not to cause injury.

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5. All packaging material including boxes, pallets, crates, etc. to be removed from the work area immediately.
6. On completion of his / her work, the contractor is responsible for clearing his / her work area of all materials, scrap to the satisfaction of the client.
7. In cases where an inadequate standard of housekeeping has developed, compromising safety and cleanliness, anyone has the responsibility to bring it to the attention of the Main contractor in the first instance and the Eskom project/contract manager in the second instance.
8. The Eskom project/contract manager has the right to instruct the Main contractor and appointed contractors to cease work until the area has been tidied up and made safe. Neither additional costs nor extension of time to the contract shall be allowed as a result of such a stoppage. Failure to comply with this requirement will result into site cleaning by another cleaning contractor company at the cost of the Main contractor.
9. The Main contractor shall carry out regular safety/housekeeping inspections daily to ensure maintenance of satisfactory standards. The Main contractor shall document the results of each inspection and shall maintain records for viewing.

3.8 SMOKING

The national smoking policy must be observed and smoking is permitted in designated areas only (Eskom Smoking Procedure 32-36).

3.9 CELLULAR PHONES

The national requirements regarding the use of cellular phones must be observed, when driving.

3.10 OCCUPATIONAL HEALTH AND MEDICAL ASSESSMENTS


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

1. Main contractors must ensure that their employees and their appointed contractor employees have a valid medical fitness certificate.
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. The Main Contractor must ensure that his / her employees and appointed contractor employees have undergone pre-entry medical examination before starting work on the contract.

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4. Medical fitness certificates shall be renewed annually for employees who are working on site. This shall be maintained until completion of the contract.
5. The Main contractor shall provide a documented process for managing those employees who are issued with a conditional certificate of fitness.
6. The contractor shall include in the OHS file the record of the employees exit medical fitness certificates as and when their employees leave the company.

3.11 ROLES AND RESPONSIBILITIES

All contractors are required to list employee's roles and responsibilities pertaining to the contract.

3.12 RISK ASSESSMENTS

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

- identification of all hazards;
- evaluation of the risks;
- Measures to control the risks.

Risk assessments are required to be maintained. This means that significant changes to a process or activity, or any new process or activity should be subjected to a risk assessment and that if new hazards come to light during the work process, then these should also be subjected to risk assessments. Risk assessments for long term processes should be periodically reviewed and updated. Method statements or written safe work procedures are an effective method as information and record of the way jobs / tasks must be performed. Daily or issue based or task specific or on the job risk assessments must be conducted at the place where work is to be performed/ conducted to allow managers and employees to assess any inherent risks that could have been overlooked during the initial risk assessment or any changes that might have occurred in a period of absence. For example, if a job / task is extended over a day or halted due to inclement weather.


3.13 PERSONAL PROTECTIVE EQUIPMENT REQUIREMENTS

1. The Main contractor shall provide PPE free of charge. The issued PPE must be risk based.

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2. All contractors shall comply with the requirements of GSR 2 of the OHS Act.
3. 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. Monthly inspection records of PPE must be kept in the Safety file where contractors are onsite for three months or more.
9. The contractor shall provide training to his/her employees on the correct use, care and maintenance of PPE and keep the record.

3.14 INCIDENT MANAGEMENT

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

Contractors shall use the Eskom Flash report to report incidents immediately or before end of shift. The standard General Administrative Regulation Annexure 1 "Recording of an Incident form" for all incident investigation reports. 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.

3.15 EMERGENCY MANAGEMENT

The art of emergency preparedness and response is to minimise the effects of any emergency and to restore normal activities as soon as possible. The contractor to familiarise themselves with the Eskom emergency response plan and procedure. Periodic emergency drills must be undertaken to test the effectiveness of their plan. This must be recorded and provided on request.


3.16 NON -CONFORMANCE AND COMPLIANCE

1. Any non-compliance to any health and safety requirements are subject to discipline in terms of the Eskom Procurement and Supply Chain Management Procedure.

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2. Main 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.
4. Contractor project management must monitor the close out of non-conformances issued, in not doing so; any recommendations made may not be implemented.
5. Where non-conformances are issued by Eskom then one of the close-out steps of the procedure will be for the offender to be called 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 contractor fail to provide adequate PPE (as per Eskom Personal Protective Equipment) 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.

3.17 OHS FILES

1. OHS file means documents or records in permanent form, containing the information about the safety and health management system from inception, execution to completion of works.
2. All contractors are required to keep the OHS file on every project site. If there is more than one site per project, a file per site shall be kept at that site. Contractors may keep additional files at their head office as additional records.
3. The OHS file shall consist of the OHS documentation/information in line with the OHS requirements, legal and other requirements.
4. The sequence of filing the documentation must be kept in the same sequence as listed in this OHS requirements and the OHS plan.
5. Each record shall be separated by partitions to afford easy identification and access. Each partition must be labelled.


3.18 WORK STOPPAGE

1. Any person may stop any activity where an unsafe act or unsafe condition that poses or may pose an imminent threat to the safety and health of an individual or create a risk of degradation of the environment.

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2. Work stoppages that are initiated due to OHS concerns, non-compliance, or poor performance related to the contractor's works or services shall not warrant any financial compensation claim lodged against Eskom where the contractor has not met the requirements defined legally or contractually.
3. Where the work stoppage is initiated while the supplier is on Eskom premises, the supplier shall not claim any financial compensation against Eskom for time lost.

3.19 HOURS OF WORK

The requirements of the Basic Conditions of Employment Act, Chapter Two "Regulation of Working Time" must be adhered to. All contractors are required to maintain an accurate record of time worked by each employee.

3.19.1 Normal work

All work conducted on site shall fall within the legal requirements in accordance with the Basic Conditions of Employment Act. Contractors will notify their Eskom Supervisor or project manager of any work that needs to be performed after hours according to the agreed arrangements. (The application needs to be submitted timeously). Where applicable, the notification should include proof of application, for overtime, to the Department of Employment and Labour and /or the letter of approval from the Department of Employment and Labour.

3.19.2 Night work

When night work is to be performed; the baseline risk assessment must be reviewed to include the management of night work. Contractors shall provide sufficient lighting to enable the entire work site to be illuminated to a degree that employees will not work in dark (un-illuminated) or dimly lit areas. Care must be exercised as not to use few lights with high light intensives as this will cause night blindness.

If work is continuing from day light into night, at dusk, a toolbox talk must be held where all employees will be advised of the hazards of night work and the extra precautions which require to be taken, i.e. poor housekeeping, stepping on uneven ground, stepping into holes etc.


3.19.3 Overtime

When overtime is required to be performed, the appointed contractors shall inform the Main contractor of such action. The Main contractor shall inform the Eskom project manager of such function and provide proof of exemption from the Department of Employment and labour. Contractors shall be aware of the effects of human fatigue and regulate overtime accordingly. The baseline risk assessment must be reviewed to include the management of overtime work.

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3.20 NATIONAL CONTRACT

The OHS requirements outlined in this document are for tender phase to test the capability of the future contractor/suppliers to meet Eskom and legal requirements. Once the contract has been awarded the contractor/supplier shall meet with the OHS professionals from the respective Eskom Business Unit to discuss the site and scope specific Occupational Health and Safety (OHS) requirements and prepare and submit the Health and Safety file for evaluation within the time frame agreed upon by the contractor and Eskom Business Unit. No work may begin until the Health and Safety file has been approved by the individual Business Unit's OHS personnel. For the length of the contract, the contractor shall adhere to the respective Business Unit's OHS, legal, and other requirements, as amended.

3.21 OMISSIONS FROM SAFETY AND HEALTH REQUIREMENTS

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

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

3.22 CONTRACTOR/SUPPLIER MANAGEMENT KEY PERFORMANCE INDICATORS (KPI'S):


1. Maintain Health and Safety file and compliance to the health and safety plan, Eskom OHS requirements and applicable legislation as amended.
2. Always maintain good housekeeping where the task is being executing and/or within the area of responsibility.
3. Implement and monitor near miss reporting strategy / programme (reporting of near misses).
4. Develop and comply to Behavioural Safety Observation (BSO) and Planned Job Observation programmes (PJO).
5. Maintain Zero Fatalities for the duration of the contract.
6. At any given point, the OHS performance must be within the lost time injury (LTI) tolerance level as amended.
7. All incidents must be reported immediately or before the end of the particular shift during which the incident occurred.
8. All incident investigations shall be completed within 30 days of the occurrence of an incident.
9. Incident investigation recommendations shall be closed within the recommended time frame recorded in the Incident investigation report.
10. Close audit findings as per the Eskom procedure or audit report recommended time frames.
11. Close Non-conformance as per the recommended time frames.

3.23 DANGER TAPE

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The use of a danger tape as a barricade is prohibited. Danger tape can only be used as a warning sign and hard barricading must be used to prohibit entry in work areas.

3.24 Eskom Audits

Each Peaking power station must develop a contractor audit schedule and ensure that Internal audits are conducted on the Main contractor/s and/or appointed contractor every 12 months (once a year), however regular OHS inspections shall be conducted. These audits shall be attended by the contractor's site manager or his representative.

3.25 SECURITY CLEARANCE

- Contractors are to submit proof of verification record(s) (Security clearance) from SAPS or accredited supplier linked to SAPS AFIS system not older than thirty (30) days. If the principal contractor appoints a subcontractor, the same provisions and measures will apply to the subcontractor. It is compulsory for these documents to be submitted to Security for verification before access to site is granted. Only individuals with clear criminal records will be considered.
- Contractors are required to submit the SAPS Clearance Certificate obtained by the employee along with a copy of his/her Identity Document or Passport to the site Security Manager. The Security Manager is required to verify the authenticity of the CRC Certificate with SAPS and to cross reference the employee seeking access against known HR databases and site databases to determine if the employee in question has in the past participated in disruptive labour actions and if the individual was dismissed from Eskom and the reason for such dismissal. Every employee applying for access must be evaluated as an individual and subsequent finding recorded.
- For the purpose of clarity, contractors who were previously found guilty of offences in terms of the National Road Traffic Act 93 of 1996 and/or has paid guilt admission fines, will be exempted and be allowed to access site

3.26 CONTRACT SIGN OFF

On completion of the project, all Eskom team must conduct the final audit, inspections, and housekeeping to identify defects, outstanding actions, and open incident cases, and present their findings to the contractor and Eskom contract manager, who must facilitate the closeout. Once the contractor has closed all findings the Eskom's team will verify and sign off prior to issuing a completion certificate and final payment.


3.27 ESKOM'S RIGHT TO TERMINATE THE CONTRACT

The contractor/supplier shall at all times comply with Eskom's occupational health and safety (OHS), legal and other requirements as amended for the duration of the contract. In addition, the contractor shall comply with the requirements contained in the OHS requirements. Eskom

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reserves the right to terminate the contract in the event that the contractor has built up a history of poor performance or non-conformance in relation to matters of Eskom OHS and legal compliance. No work may commence until the health and safety file has been approved by Eskom OHS personnel.

4. AUTHORIZATION

Nil

5. REVISIONS

Date	Rev.	Compiler	Remarks
August 2015	0	F Poee	This provides the initial OHS requirements that must be met by the relevant contractors who have been awarded a contract for the work to be performed for Eskom.
June 2022	1	F Poee	This provides the initial OHS requirements that must be met by the relevant contractors who have been awarded a contract for the work to be performed for Eskom.
May 2024	2	N Ndlovu	Contractor/supplier Management Key Performance Indicators (KPI's), Eskom OHS Audits, Security clearance requirements.

6. DEVELOPMENT TEAM

1. Bongani Langa
2. Khangelwa Gura

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