	SHE SPECIFICATION Provision of Horticulture Services for Real Estates Properties in Standerton Area for a period of 60 months	Template Identifier	240-73419711	Rev	1
		Effective Date	May 2023		
		Review Date	May 2028		

Project Name: Provision of Horticulture Services for Real Estates Properties in Standerton Area for a period of 60 months

Project Address: Tutuka Power Station, Bethal Road, Standerton

Eskom Contract's Manager

Name: ____ Alta Coetzee ____

Eskom's Health and Safety Manager

Name: ____ Thokozani Maseko ____

Eskom's Procurement Manager

Name: ____ Ewert Baloi ____

Eskom's Safety Officer

Name: ____ Phumzile Duma ____



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1. Introduction

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

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

The contractor is expected to develop a SHE plan which meets these requirements as well as all the relevant applicable legislation they conform to.

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

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

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

Note 2: In terms of Eskom requirements, a section of this professional contract falls within the requirements of the Construction Regulations.

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

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

2. Supporting Clauses

2.1 Scope

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

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2.1.1 Purpose

This document will provided a standardised approach to the compilation of SHE specifications throughout Eskom for contracts and standard and NEC 3 contracts

2.1.2 Applicability

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

2.2 Normative/Informative References

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

2.2.1 Normative

- [1] Basic Conditions of Employment Act No 75 of 1997.
- [2] Occupational Health and Safety Act and Regulations No 85 of 1993.
- [3] National Environmental Management Act 107 of 1998.
- [4] National Road Traffic Act 93 of 1996.
- [5] 32-37 Eskom Substance Abuse Procedure.
- [6] Civil Aviation Act 13 of 2009.


2.2.2 Informative

- [1] 32-726 Mandatory SHE Requirements for Eskom Procurement and Supply Chain Management
- [2] 240-62196227 Eskom Life Saving Rules
- [3] Tobacco Products Control Act 83 of 1993 (Updated 2011.05.19)
- [4] SANS 1186 Symbolic Safety Signs
- [5] Constitution of the Republic of South Africa No 108 of 1996
- [6] 32-95 Eskom Procedure Manual for Performing Occupational Health & Safety Management & Environmental Management: Conducting EH&S Incident Management.

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2.3 Definitions

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

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Definition	Explanation
Hazard	(OHS Act) means a source of, or exposure to, danger
Hazard identification	(OHS Act) means the identification and documenting of existing or expected hazards to the health and safety of persons, which are normally associated with the type of construction work being executed or to be executed
Health and safety file	(OHS Act) means a file or other record, containing the information in writing required by the construction regulations.
Health and safety plan	(OHS Act) means a site, activity or project specific document plan in accordance with the client's health and safety specifications.
Health and safety specification	(OHS Act) means a site, activity or project specific document prepared by the client pertaining to all health and safety requirements related to construction work.
Health and safety requirements	means comprehensive health and safety requirements for a contract, project, site, and scope of work. This specification is intended to ensure the health and safety of persons, both workers and the public, and the duty of care to the environment. The health and safety requirements must be specific to each contract, project, site, and scope of work
Medical certificate of fitness	(OHS Act) means a certificate specific to the work to be performed and issued by an occupational health practitioner in the form of Annexure 3 of the construction regulations.
Medical surveillance	(OHS Act) means a planned programme or periodic examination (which may include clinical examinations, biological monitoring, or medical tests) of employees by an occupational health practitioner or, in prescribed cases, by an occupational medicine practitioner
Method statement	(OHS Act) means a written document detailing the key activities to be performed in order to reduce, as reasonably as practicable, the hazards identified in any risk assessment
Organisation	may be defined as a group of individuals (large or small) that is cooperating under the direction of executive leadership in accomplishment of certain common objects
Pre-job meetings	(34-227) means a meeting that is held prior to the commencement of the day's work and that is attended by all the relevant employees associated with the work task

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Definition	Explanation
Principal contractor	(In the text of this document) Means an employer, as defined in section 1 of the OHS Act, who intends to tender for or has signed a contract with Eskom for services rendered.
Provincial director	(OHS Act) means the provincial director as defined in Regulation 1 of the General Administrative Regulations under the Act
Responsible Manager	Is a Manager of a department, section or operating/business unit who has been appointed as part of the Eskom delegation of authority process with the aim to assist the applicable 16(2) assigned person in executing his/her duties in terms of the Occupational Health and Safety Act
Risk assessment	(OHS Act) means a programme to determine any risk associated with any hazard at a construction site in order to identify the steps needed to be taken to remove, reduce, or control such hazard.
Site	(34-228) means an Eskom department, unit, complex, building, specific project, work site, or the site where agents, clients, principal contractors, contractors, suppliers, vendors, and service providers provide a service to Eskom, directly or indirectly
Service provider	any private person or legal entity that provides any service(s) to Eskom for compensation
Task	(34-227) a segment of work that requires a set of specific and distinct actions for its completion
Toolbox talks	(34-227) where the team leader, after conducting pre-task planning, shares all the tasks at hand and discusses task allocation, the identified risks, and the control measures with all his/her team members on site before commencing a specific task and documenting the agreed strategy. (This shall be done to ensure common understanding of the tasks, risks, and control measures required.)
The Act	(OHS Act) means the Occupational Health and Safety Act No. 85 of 1993, as amended, and the Regulations thereto
Visitor	any person visiting a workplace with the knowledge of, or under the supervision of, an employer.

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2.4 Abbreviations

Abbreviation	Description
BU	Business Unit
CE	Chief Executive
COLD Act	Compensation for Occupational Injuries and Diseases Act
CR	Construction Regulations
DMR	Driven Machinery Regulations
DoL	Department of Labour (Inspection and Enforcement services – Provincial office)
EP	Emergency Preparedness
EAP	Employee Assistance Program
ERfW	Environmental Regulations for Workplaces
GAR	General Administrative Regulations
GSR	General Safety Regulations
HCS	Hazardous Chemical Substances
LDV	Light Delivery Vehicle
MSDS	Material Safety Data Sheets
NEMA	National Environmental Management Act
OHS Act	Occupational Health and Safety Act and Regulations, 85 of 1993
SABS	South African Bureau Standard
SANS	South African National Standard

2.5 Related/Supporting Documents

- [1] Eskom OHS Act section 37 (2) agreement (to be completed by the contract responsible manager).

3. Specification

3.1 Scope of work

Provision of Horticulture Services for Standerton Area.

The purpose of this Contract is to provide Horticulture Services for Standerton Area.

The contractor will be responsible to deliver the services as required in the scope of work “as and when required”.

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The contractor will be required to supply sufficient personnel and transport as and when required to service this contract.

The Contractor to provide management of labour, transport, equipment, tools and consumables to carry out the services as specified in compliance with the clients environmental policy and other conditions he may have deemed fit to impose.

The Contractor will comply with the rules, regulations and standards in force at the workplace. (Emphasis on Safety, Health and Environmental compliance to regulations)

The agreement will be enhanced by regular and open communication, joint planning, co-operation and sharing of responsibilities around the image and specific culture of the business unit.

Mowing/trimming/fertilizing.

Mowing, trimming, brush cutting and cleaning tasks must be performed as a unity at all times to ensure a uniform length and aesthetic acceptable appearance.

Although the service calendar details the number of times a given area needs to be cut,, these may vary in numbers due to climatic factors.

Weather permitting, the contractor will schedule his/her mowing and trimming in accordance with the service calendar in order to achieve an acceptable clean cut, groomed and “finished off” look.

The height of mowing may differ from place to place and the method of mowing and trimming may vary according to the type of grass and the standard of finish required.

The result must comply with professional gardening standards and with the client’s requirements (uniform length & aesthetic acceptable appearance).

Where mowing has taken place in wet conditions, ride-on and push- mowers may leave tread marks and windrows of half or uncut grass.

These conditions may necessitate extra mowing care that the contractor will undertake as soon as the soil has dried out sufficiently for him to do so successfully.

No overgrown grass in drains, water meters (to be kept clean of litter etc.) and/or road edges.

Fertilizing; as per specifications in (August, November & February

All Flowerbeds

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Beds differ in character and in the quantity of plant material they carry. Different bed cleaning methods are used to achieve an end result of conformance to standards, neatness, and cleanliness and having a pleasing appearance.

The Contractor will adapt his/her cleaning method to the requirements of the bed.

Exposed soil will be weed free with no foreign objects and levelled out. Where beds are covered with mulch or any other soil additive this must also be weed free and free of foreign objects.

Beds totally covered with ground cover planting may have to be cut back periodically and removed to stimulate new growth.

Weed & Pest Control (Manual or Chemical)

The eradication of weeds whether manually, mechanically or by chemical means is the responsibility of the contractor.

The Contractor will determine the most effective method of weed eradication and remove such weeds when required according to the rules of normal professional garden practice.

The contractor will ensure that herbicides will cause no long-term soil imbalance / or detrimental effect as a result of the indiscriminate use of such herbicides.

The eradication of weeds applies to all specified areas within the contract. (An Environmental clause might be stipulated on the MSDS or alternatively else the product must be accompanied by a report from the supplier relating to probable impacts)

Application of herbicides must adhere to all safety, environmental and health legislation and regulations.

A suitable qualified person who is registered in terms of the Chemicals Control Act (Act 36 of 1947) must handle the application of these chemicals (PCO license). Only approved herbicides may be utilized. Material safety data sheets (MSDS) are a requirement.

The control of pests applies to outdoor areas only, lawns, flowerbeds, trees, shrubs and other foliage.

The Contractor will, under the rules of normal professional garden practice, control such pests as and when their appearance becomes evident or in the interests of the plants affected so as not to detract from the general appearance of the contracted areas.

The Contractor undertakes to limit the use of such pesticides as to avoid any long term's adverse effects such chemicals may have on plant growth and soil fertility.

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Pests are identified as insects that may invade plant material. As with the application of chemicals for weed, a suitable qualified person who is registered in terms of the Chemicals Control Act, must apply / utilize chemicals used for the control of pests. PCO License is a requirement.

Daily update of the chemical usage registrar is required (Haz. Substance, amount, person, key control).

A report of all hazardous substances used with MSD's needs to be forwarded to the environmental co-coordinator on six monthly bases. (Required for the BI-annual environmental report)

Thinning out / removal of dead flowers

Thinning out particularly in flowerbeds.

Thinning out where overgrowth results in an unsightly appearance.

Thinning out when plant matter grows uncontrolled and not in accordance with professional gardening practice.

This activity will be undertaken timorously to check unfavourable growth and maintain correct "fullness and appearance" of the area while avoiding any adverse effects on the recovery of the remaining plants and their long term ability to mature.

The Contractor may choose to thin out annually or as an ongoing exercise depending on the growth and development of the plants.

Raking / Sweeping

Debris in the form of leaves, grass cuttings, twigs and other garden waste will be swept or raked into a pile, bagged and removed by the Contractor before such debris becomes unsightly.

The Contractor will remove all garden waste to a site designated for this purpose (municipal dumping site).

Management of litter


Removal of litter throughout the year is a requirement. Ground litter needs to be uplifted from the contract maintenance areas and placed in appropriate plastic bags / bins, as per task order/request.

Garden refuse uplifting and removal

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Garden refuse is that which is generated by the contractor during the course of his normal activities.

The refuse will include grass clippings, branches, leaves and other plant matter that may also consist of other objects (rocks, bricks, cement etc.) that need to be disposed of from the contract maintenance areas according to the service agreement.

This refuse is disposed of within 24 hours to a designated dumping site

Removal of Trees and Shrubs:

To be removed as per request

Water

An adequate supply of water under pressure and in close proximity to the various areas (where applicable) will be supplied to the Contractor for the duration of this agreement

Paved Areas

Includes all paved areas where gardening activities are executed, in areas maintained as per scope. Should be controlled by usage of a suitable, acceptable and registered chemical (see clause 1.2 .3 in Scope). All dead plant matter to be removed

Maintenance Program

The service frequency calendar at the discretion of the Employer can be changed to cater for inconsistencies in climatic conditions and other factors that may influence the schedules services. Certain other services are not specifically scheduled and are undertaken as and when they may be required according to the rules of professional garden practice.

Hazardous waste

Waste declared as hazardous substances in terms of the Hazardous Substances Act no 15 of 1973 is the responsibility of the Contractor to ensure safe removal from the property to a registered Class 1 site

The contractor shall comply with Eskom environmental management procedures and Environmental legislation


Environmental incidents shall be reported to the Eskom Environmental Department as per incident management requirements.

Recommended equipment, tools and materials to perform all activities, to be provided by the Contractor:

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- * 2 X Push mowers
- * 2 X Ride-on tractors
- * 3 X Lawnmowers
- * 10 X Brush cutters (2 X fire extinguishers requirement)
- * 1 x Tractor with the slather for vacant stand and entrance etc.
- *1 X Chainsaw industrial
- * 1 X designated vehicles one to transport all personnel and equipment in accordance with Eskom rules and regulations. Note: Contractor to supply a vehicle to remove rubble on a daily basis.
- *1 X designated Vehicle for the supervisor.

All other equipment required for Horticulture

Note: The Contractor should come to site with the required tools/equipment in the morning and leave with it in the afternoon. Eskom will not be liable for the loss of tools and the equipment of the Contractor.

Staff

The Service provider should make provision for rainy days. Employees can work extra hours or overtime to cover the time lost during the rainy day

- * 1 X Designated supervisor per specific area
- *12 X designated daily workers
- * 2 X General labourers to assist with vacant stands
- * 1 X Tractor drivers with authorized driver
- *3 X daily workers for Eskom Offices (six offices)

The Contractor should supply his own refuse bags.


PPE

Correct PPE per year as per prescribed Eskom Safety Regulations

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- Safety boots
- Gumboots
- 2 X overalls (with company engraved on it)
- safety goggles – garden services
- gloves
- Raincoats
- Two Golf shirts for summer (with company engraved on it)

Protective equipment to be marked with company name.

Personnel protective equipment to be maintained in a good and clean condition and if torn needs to be replaced.

Records for issuing of personnel protective equipment to employees to be kept by contractor for audits by Eskom when required.

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

3.2 Legal Compliance

3.2.1 Section 37(2) (Legal) Agreement

A section 37(2) agreement must be signed between Eskom and the principal contractor at the time of awarding the contract. The principal contractor must ensure that a section 37(2) agreement is compiled between the principal contractor and all their appointed contractors for the contract.

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

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

3.2.2 Hazardous work by children (Child Labour)

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

1. being protected from exploitative labour practices;

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2. not to be required or permitted to perform work or provide services that

- i. are inappropriate for a person of that child's age; or
- ii. place at risk the child's well-being, education, physical or mental health or spiritual, moral or social development;

and the Basic Conditions of Employment Act, Chapter six Section 43 "Prohibition of employment of children".

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

3.2.3 OHS Act

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

3.2.4 Legislative compliance

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

- The Constitution of the Republic of South Africa (particularly Section 24 of the Bill of Rights).
- Occupational Health and Safety Act 1993 (Act 85 of 1993) and its Regulations.
- Compensation for Occupational Injuries and Diseases Act.

3.3 Eskom Requirements

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

3.3.1 Appointment of a contractor


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

3.3.2 Appointment of sub-contractors

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

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

3.3.3 SHE policy

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

The principal contractor and all appointed contractors, if already not in place, will be required to compile an organisational SHE policy in line with their SHE responsibilities. The policy must be signed by the organisation's CE or the appointed assistant to the CE OHS Act Section 16(2). The policy must be displayed in a prominent place within the workplace. A copy of the policy must be filed in all the contract SHE files and as an annexure the SHE Plans.

3.3.4 COID

The principal 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 (LoGS) from such commissioner. The obligation lies with the contractors to ensure that the LoGS remains valid throughout the contract period. A copy of the LoGS must be filed in the entire contract SHE files and as an annexure the SHE Plans.

3.5 Personnel Health / Hygiene Facilities

3.5.1 Dining areas

Where employees are required to consume food and refreshments at the food premises, the following must be complied with:

1. The contractor must be in possession of the Certificate of acceptability, to comply with Regulation 916.
2. Undergone Safety Audit as per SANS 10049: Water Sample tests done, Microbiological tests done, Audit of the food Safety process done.
3. Dining areas shall have suitable and sufficient tables and chairs for seating whilst eating.
4. Adequate provision for washing, cooking and eating utensils must be provided for.

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

3.5.2 Ablution facilities

At the workplace, where possible, the all contractors must attempt to provide sufficient portable ablution facilities for the employees. Such facilities must be serviced regularly

3.5.3 Drinking water

All contractors shall provide suitable drinking water for all their employees I (free of charge) whilst working in the field. Every effort must be made to keep the water as cold as possible.

3.5.4 Changing areas and lockers

All contractors shall provide suitable changing facilities for employees, irrespective if they change at the premises or at the workplace. Once again, cognisance must be taken of the dignity of fellow workers and members of the public.

3.5.5 Camp / office welfare


The following welfare facilities must be provided for in a clean and suitable condition, unless agreement with the Client/Agent's representative has been confirmed regarding the use of existing facilities:

- a. Shower facilities.
 - b. Sanitary facilities.
 - c. Changing facilities.
 - d. Eating areas.
 - e. Drinking water at strategic locations on site.
 - f. Safe pedestrians walk ways.
1. Water for drinking/consumption purposes shall be drawn only from taps in dining areas and ablution blocks and at points on Site marked "drinking water".
 2. No equipment or system shall be connected onto the drinking water system without prior approval of the Client/Agent's representative.
 3. All contractors must supply a sufficient amount of (cool) potable water on each worksite and in vehicles
 4. The Contractor will be required to provide their own accommodation for the workers

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3.6 Food Handling Hygiene

3.6.1 Storage

Where camps are established, adequate cold storage must be supplied for the storage of food.

3.6.2 Transportation

Where bulk purchasing is carried out, all food must be transported in appropriate sealable containers.

3.6.3 Handling

Where camp cooks are employed the appropriate hygienic conditions within the kitchen and utensil washing facilities must be maintained.

3.7 Occupational Health, Hygiene and Rehabilitation

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

3.7.1 Medicals


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

1. Principle contractors must ensure that their and their appointed contractors have a medical surveillance program whereby their employees under go entry, periodic and exit medical fitness examinations.
2. In order for the appropriate medical examinations to be conducted, each employee must have a person job specification (profile), which must indicate the description of work, list of hazards and potential occupational exposure limits, physical hazards and required physical attributes.
3. For employees working on the contract, medical fitness certificates shall be renewed annually for employees who are not office bound including drivers and once every 3 years for employees that are office bound. This shall be maintained until completion of the contract.
4. The Principal Contractor must ensure that his / her employees and sub-contractor employees have undergone pre-entry medical examination before starting work on the contract, should it be for longer than three (3) days.
5. The principal contractor shall provide a documented process for managing those employees who are issued with a conditional certificate of fitness.

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3.7.2 Health and wellness HIV / Aids

Contractors shall submit details of their Employee Health and Wellness Programme as part of their Health and Safety Plan which should include awareness training, support for contracted illness and sharing knowledge with members of the public in the immediate work environment.

3.8 Costing for SHE within the Project

The costing for SHE must be itemised based on the overall scope of the project (i.e.) Training, provision of PPE, safety equipment purchases etc.

3.9 Statutory Appointments

For the duration of the contract, the principal contractor and all appointed contractors shall appoint competent employees who will meet the requirements of the OHS Act. Where appointments are made, contractors shall ensure that the appointees have been suitably trained and or informed of their responsibilities before getting them to accept such appointment. The relevant statutory appointments shall be made in accordance with the requirements of the OHS Act which includes the requirement of a competent person being appointed in the relevant roles. The statutory appointments should include but not limited to the following:

- OHS Act Construction Regulation 8(1) - Construction Manager (Full time)|
- OHS Act Construction Regulation 8(5) – Construction Health and Safety Officer
- OHS Act General Administrative Regulation 9(2) – Incident Investigator
- OHS Act, Section 17 – Health and Safety Representative.
- OHS Act Construction Regulation 9(1) - Person to Compile Risk Assessments
- OHS Act: Construction Regulations 23(1)(d)(i) Construction Vehicle and Mobile Plant Operator
- OHS Act General Safety Regulations 3(4) – First Aider/s
- OHS Act Construction Regulation 8(7) – Assistant Construction Supervisor
- OHS Act: Construction Regulations 29(h) Firefighting Equipment Inspector

3.9.1 Non-statutory appointments

- Eskom requirement – Emergency Planning Co-coordinator


3.10 Eskom Life-saving Rules

1. Eskom views health and safety in high esteem and encourages that any organisation who performs work for Eskom in Eskom adopt the same view.
2. Five Life-saving rules have been developed that will apply to all Eskom Employees, agents, consultants, and **contractors**. Failure to adhere to these rules by any Eskom employee or employee of a Principal Contractor or appointed contractor will be

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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.

- If any contractual work will be performed on any Eskom premises (including delivery of any product), then 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
Rule 5	PERMIT TO WORK Where an authorisation limitation exists, no person shall work without the required permit to work.

Eskom will take a stance of zero tolerance on these rules.


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 **returns home safely to his or her family.**

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3.11 Substance Abuse

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

3.12 Contractor organisational Structure

3.12.1 Principal Contractor Organogram

The principal 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 principal contractor must ensure that all appointed contractors comply with this requirement. The principal contractor is responsible for keeping copies of all the organograms' as well as submitting them with the SHE plan. All organograms shall be updated timeously when appointments are changed.

This diagram must be kept up to date and filed in the project SHE files.


3.12.2 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 kept up to date, a copy of which must be given to the principal contractor and a copy filed in the relevant project SHE files.
3. This diagram must be kept up to date and filed in the project SHE files.

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3.13 Risk Assessments

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

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

Risk assessments are required to be maintained. This means that significant changes to a process or activity, or any new process or activity should be subjected to a risk assessment and that if new hazards come to light during the work process, then these should also be subjected to risk assessments. 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. Prior to start of work, risk assessments on every job / task are ideal to allow managers and employees to assess any inherent risks that could have been overlooked during the initial risk assessment or any changes that might have occurred in a period of absence. In particular, if a job / task is extended over a day or halted due to inclement weather.

3.14 Incident Investigation

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

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


3.15 Emergency Management

1. The art of emergency preparedness and response is to minimise the effects of any emergency and to restore normal activities as soon as practical. The supplier must

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develop their own emergency response in their work premises. The Eskom employees attending training must be made aware of the emergency process and the assembly points. Where any office and or site is located within any Local Authorities area, then the plans must include their involvement. Emergency preparedness.

Periodic emergency drills must be undertaken to test the effectiveness of the plan. This must be recorded and provided on request.

3.15.1 Non-Conformance and Compliance

1. Any non-compliance to any health and safety requirement in this SHE specification is subject to discipline in terms of the Eskom Procurement and Supply Management Procedure.
2. Principal 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. Contract management must close out non-conformances issued, in not doing so, will not ensure that any recommendations made have been carried out and or 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 on by the contractor responsible manager to explain the non-conformance issued and what they intend doing to prevent a recurrence of the non-conformance.
6. Contractor failure to provide adequate PPE to their employees for the tasks being performed and/or to visitors and failure to enforce the wearing of such PPE will be viewed as a transgression of the legislative and Eskom requirements.


3.16 Work at Elevated Positions and Roof Work

- All employees working above ground level shall use the appropriate fall protection equipment unless working from a solid platform protected by suitable barricading.
- Whenever there is any potential of falling either from or into, a fall protection plan and risk assessment (which includes fall prevention) shall be compiled, implemented and reviewed and every possible and practicable means shall be adopted to provide such persons with effective training and safeguards.
- The Principal Contractor shall ensure that all work performed at elevated positions shall conform to the requirements of the OHS Act, the relevant SANS standards and Eskom Procedure 32-418 (Working at Height Procedure).

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- A fall protection Plan will be compiled, implemented and reviewed, and shall include but not limited to the following:
 - A site and task specific risk assessment covering all work at elevated heights shall be carried out and appropriate mitigation measures to be put in place and communicated to all relevant employees.
 - Appropriate training programme (according to the relevant SAQA NQF unit standards) of all employees working at height and records thereof
 - Legal appointments
 - The process of evaluation of the employees' medical fitness for each employee working at height.
 - The procedure addressing the inspection, testing and maintenance of all fall protection equipment, the withdrawal process of damaged PPE and up to date inspection records.
 - A rescue plan detailing the necessary procedure, personnel, and suitable equipment required to affect a rescue of a person in the event of a fall.
 - Emergency drills on all developed rescue plans shall be held at least once a year, under the supervision of a competent person.
 - Emergency preparedness procedures.
- The Principal contractor shall review their risk assessment and fall protection plan at least every 3 months.
- The Contractors shall stop all persons working in elevated positions during periods of inclement weather.
- Safety belts are not allowed to be used in Eskom. An appropriate full body safety harness shall be worn when working at an elevated position, refer to SANS 50361.
- Working in elevated positions shall only be carried out under the supervision of a competent person in accordance with SANS 229995.
- Fall arrest/protection plan and equipment shall be implemented where fall prevention is not possible.
- All fall protection equipment shall comply with SANS Standards and other recognised international standards.
- The Principal Contractor and/or his contractor shall compile a fall protection equipment, inspection, testing and maintenance procedure (Refer to SANS 50365 and manufactures requirements for safe use and for inspections).

Provision must be made to prevent objects and or material from falling from elevated areas and the protection of persons working below. A drop zone shall be established with barricading and necessary signs.

Scaffolding

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- All scaffolding used shall comply with the OHS Act and Regulations as well as SANS 10085 and SANS 51004 (Aluminium and tower scaffold).
- Scaffolding erectors: Training is specified in SANS 10085.
- All complicated scaffolding and scaffolding higher than 3 meters must be built by a scaffold supplier.
- All scaffolding shall be inspected by a competent person weekly before use and also before use following weather conditions that could have made the scaffold unsafe e.g. which could make ground conditions unstable, after a storm, mishaps, before dismantling and after alterations.
- Users of scaffolding shall carry out a visual inspection on a daily basis before use. If unsafe conditions are found or suspected, the scaffold shall be isolated until a thorough inspection has been made.
- The footing or anchorage points for scaffolds shall be sound, rigid, and capable of carrying the maximum intended load without settling or displacement. Unstable objects such as barrels, boxes, loose brick, or concrete blocks shall not be used to support scaffolds or planks.
- Scaffolds that provide access to areas where personnel can fall into a hazard or from a height of greater than 2m shall install a gate at the access point of the hazard that is affixed with a warning sign stating that 100% tie off required past this point.
- The Contractor must give preference to using scaffold stairs instead of ladders for all scaffolds. These scaffolds must be fitted with a kick plate at the bottom of each stair section. The kick plate shall be able to prevent a member of contractors' personnel slipping down the staircase and sliding between the floor and the mid-rail.
- An appropriate scaffolding tagging system shall be used to confirm the status of scaffolding for use or not to be used, the inspectors name and surname , signature, date and telephone number must be written on the tag
- Scaffolding access stairs shall be fitted with toe boards at all landings to prevent a person slipping through.
- When employees are working on a scaffold provided with trap doors it must be closed to prevent a person from falling.
- A **design and calculations** shall be done for all scaffolding in excess of 2 meter.
- A Team leader shall be appointed in writing for the erecting and dismantling of all scaffolding.
- Only use steel boards on scaffolding when working in the open.


Ladders (Portable)

- All ladders used on the site shall comply with the OHS Act and Regulations.

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- All ladders shall conform to the relevant SANS standards or other recognised international standards.
- Damaged ladders shall be marked as “DAMAGED” and removed from the project site.
- Prior to work being performed, an adequate risk assessment shall be conducted, and work shall be conducted in accordance with General Safety Regulation 6 and 13A and Construction Regulation 10 of the OHS Act

3.17 Working near Public Roads

- The Principal Contractor, his employees and contractors required to work on or nearby roadways shall wear high visibility vests, and be protected by red cones or flags during daylight and by red or amber flashing lamps at night.
- Work areas must be adequately barricaded so as to prevent unauthorised access.
- Road traffic warning signs shall be placed well ahead of the work area.

3.18 Occupational Hygiene Management Program

Principal Contractors 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, Principal Contractors 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;
- Respiratory Protective Program
- Hazardous Chemical Substances Program
- Procedure for the use and management of radioactive sources
- Heat Stress Management Program

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Copies of all occupational hygiene surveys conducted by the Principal Contractor and contractor must be submitted to SHE manager and practitioners. The SHE Manager / Practitioner shall establish a database of contractor occupational hygiene surveys and corrective plans

4 Acceptance

Nil.

5 Revisions

Date	Rev.	Compiler	Remarks
August 2015	0	F Poee	This provides the initial SHE specification requirements that must be met by the relevant contractors who have been awarded a contract for the work to be performed for Eskom.
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