

**OCCUPATIONAL HEALTH AND SAFETY
SPECIFICATIONS AND BASELINE RISK
ASSESSMENT – CR 5(1)(A-B)**

CLIENT:

EMALAHLENI LOCAL MUNICIPALITY

PROJECT:

CONSTRUCTION OF WISILE ACCESS ROAD AT UMHLANGA

ATTACHMENT: MANDATORY AGREEMENT AND CONTRACTOR APPOINTMENT

(To be completed by Client and Contractor representatives)

INTRODUCTION

This “Health and Safety Specifications” document is governed by the Occupational Health and Safety Act (Act No 85 of 1993), hereinafter referred to as the Act, with specific reference to Construction Regulations 2014 Section 5

Included in these specifications is set rules to assist the principal contractor, contractors (sub-contractors) and THE CLIENT in controlling and managing health and safety issues on the construction site, as stipulated in the Occupational Health and Safety Act (Act No 85 of 1993).

This specifications and rules does not relief the principal contractor, contractors (sub-contractors) or their employees from any legal obligation under the requirements of the “Basic Conditions of Employment Act”, the “Occupational Health and Safety Act” or the “Compensation for Occupational Injuries and Disease Act”.

The specifications and rules will apply for the duration of the project. Should the principal contractor or contractors (sub-contractors) not comply, it will be deemed as a breach of contract.

The principal contractor will carry full responsibility and accountability regarding the adherence to any health and safety issues when contractors (sub-contractors) are used to carry out any construction work on the project.

It must be noted that the CLIENT Safety Agent, may stop any contractor from executing construction work, which is not in accordance with the CLIENT health and safety specifications or rules for the project or which poses a threat to the health and safety of any person.

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ABBREVIATIONS

OHS – Occupational Health and Safety

CR - Construction Regulations 2014

CHSO – Construction Health and Safety Officer

SACPCMP – The South African Council for the Project and Construction Management Professions.

REFERENCES

CR 8(5) – Construction Health and Safety Officer

CR 8(1) – Construction Manager

CR 8(7) – Construction Work Supervisor

1. SITE SAFETY FILE

The safety plan and file must be approved by the Client OHS Agent prior to and be implemented on site from commencement of the works and must be kept up to date until the completion of the project.

After completion of the project a consolidated copy of the file must be handed to the client. This must be digital copies in the form of scanned documents and as per list provided by the client's OHS Agent.

The contents of the file must include, but is not limited to, the following:

- Notification of Construction Work to Department of Labour
- Letter of Good Standing from Contractor's Workmen's Compensation Insurer
- Contractor Liability Insurance
- Copy of this Specification and Baseline risk assessment document
- Health and Safety Plan
- Environmental Management Plan
- Traffic Management Plan
- Occupational Health and Safety, Environmental and other Policies
- Risk Assessments (including ergonomics survey)
- Safe Work Procedures / Method Statements
- DSTI documents
- Legal Appointments and Competency Certificates / CV's
- Inspection Checklists
- Emergency Preparedness
- Incident Reporting and Investigations
- Hazardous Chemicals
- Sub-contractor Management
- Toolbox talks - weekly
- Proof of Safety Induction
- Copies of Worker ID's
- Worker Medicals
- Copies of the Occupational Health and Safety Act, and Construction Regulations.
- Internal Safety Meeting Minutes
- Internal and External Audit Reports

2. HEALTH AND SAFETY PLAN

The plan must be suitable, sufficiently documented, coherent and site specific, and after approval by the Client OHS Agent, it must be applied on site from date of commencement of and for the duration of the construction work.

It is also required that the plan be reviewed and updated as work progresses.

Take note that the scope of work and risk assessment forms part of the health and safety plan to be implemented on site.

The plan must answer the questions what, how, why, when, where and who.

3. APPOINTMENTS

The appointments should include but not be limited to:

- Acceptance and commitment to OHS – Sec 16(1)
- Appointment of Manager - Sect 16(2)
- Construction Manager – CR 8(1)
- Construction Work Supervisor – CR 8(7)
- Assistant Construction Work Supervisor – CR 8(8)
- Part-time Safety Officer – CR 8(5)
- Risk Assessor – CR 9(1)
- First Aider - GSR 3(4)
- Incident Investigator - GAR 9(2)
- Health and Safety Representative - Sect. 17(1)
- Electrical Machinery Operator/Inspector – CR 24(e)
- Fire Equipment Inspector – CR 27(h)
- Construction Vehicle Operators / Inspectors – CR 23(1)(d),(k)
- Stacking Supervisor – CR 28(a)
- Excavation Supervisor – CR 13(1)
- Flagperson/s

The Contractor must appoint a part-time Construction Health and Safety Officer, registered and in good standing with the SACPCMP, for the project.

A Candidate CHSO cannot be appointed as CHSO. The CHSO can however use a candidate to perform safety officer tasks on his behalf on site. The CHSO remains the responsible person and must sign off all plans, safety audits and risk assessments done by the candidate. Appointments, CV 's and registrations of both must be included in the file. A "Request for Application" letter from SACPCMP will not be accepted.

The CHSO must at least visit site twice a month to perform inductions, inspections, audits, risk reviews and give general inhouse training.

The CHSO must compile a summary Occupational Health and Safety report to be presented monthly during the Site Meetings.

Proof of competency (knowledge, training, experience and qualification where required) in respect of the work or task being appointed for, must be attached to each appointment.

4. SITE SAFETY MEETINGS

The Contractor must have monthly safety meetings on site, of which minutes must be kept in the safety file.

The Contractor's CEO, Construction Health and Safety Officer, Construction Manager, Construction Work Supervisor and representatives of the workers (Safety Representative and or CLO) must attend the meetings.

Minutes must be signed off by the CEO and decisions must be implemented as decided by the committee.

5. MONTHLY SAFETY AUDITS

The Contractor's Construction Health and Safety Officer must perform monthly internal audits which must include all contractors on site, of which the reports must be available on the day of the site meeting.

The Client's Occupational Health and Safety Agent will also perform monthly audits and give feedback during monthly site meetings.

The Contractor will receive the OHS report within 7 days of the audit and must give written feedback on all outstanding items, to the Client's Occupational Health and Safety Agent within 7 days of receipt.

6. SUB-CONTRACTOR MANAGEMENT

All sub-contractors must comply with Occupational Health and Safety requirements and must submit an Occupational Health and Safety file to the main contractor, for approval by the Construction Health and Safety Officer, before commencement of work on site and which must be kept up to date until completion of their work.

Sub-contractors must be registered for Workmen's Compensation before they will be allowed to commence work on site.

Mandatory Agreements Sec 37.2 and CR 7(1)(c)(v) appointments must be in place for every sub-contractor on site.

7. CONTINUOUS OCCUPATIONAL HEALTH AND SAFETY MANAGEMENT

The Construction Manager is responsible to see that Occupational Health and Safety is implemented on site on a daily base and he will be assisted by the Construction Health and Safety Officer and Construction Work Supervisor.

These responsibilities will include, but not be limited to, the following:

- Daily Site Task Instructions (DSTI's)
- PPE compliance
- Tool and other inspections
- Safe working procedures
- Ensuring all safety signs and barricading are in good condition

If workers are less than 20 the contractor may and if workers are more than 20 the contractor must appoint a Safety Representative to represent the workers on site.

The Safety Representative must be elected by the workers and must undergo training or already be in possession of a valid certificate issued by a legal training institution.

Occupational Health and Safety Act Sections 17-19 will apply as guideline for above.

Safety personnel on site must work closely with the CLO to ensure that all hazards regarding the construction work are communicated to the community. Proof required.

8. INCIDENT REPORTING AND INVESTIGATION

Incident reporting and investigations must be in accordance with Occupational Health and Safety Act Sec 24 and General Admin Regulations 8 and 9.

The Client's Occupational Health and Safety Agent must be notified immediately in the case of Sec 24, and within 24 hours in the case of Annexure 1 incidents.

All investigation documents must be completed in full, submitted to the client and kept for a duration of at least 3 years.

9. EMERGENCY PREPAREDNESS

First Aid:

NO work will be allowed on site without the presence of a qualified First Aider, appointed in writing. (One First Aider for each site or workplace.)

A fully equipped First Aid box, with Annexure 3 contents, must be kept in the site office and a dressing record must be used to indicate details of all first aid treatment.

If working more than 1km away from the site office another fully equipped First Aid box must be on site close to work activities.

Fire:

At least 2 x 9kg fire extinguishers must be on site. One kept in the site office and one close to the storage area.

Workers must receive inhouse training on the use of firefighting equipment.

Hazardous Chemicals:

Chemicals must be stored in a well-ventilated area and storage and handling must comply with the Hazardous Chemical Substance Regulations.

MSDS sheets must be available for all chemicals used on site.

Site specific emergency contact numbers and evacuation procedures must be available, communicated and posted on the site office wall or notice board.

10. WORKER'S WELLBEING

All workers of the main contractor and sub-contractors must undergo medical screenings, done by an Occupational Medical Practitioner in the form of CR Annexure 3.

Copies of Medical Fitness Certificates must be kept in the safety file.

Recommendations regarding medical treatment must be adhered to.

Toilets and eating facilities must be provided as per Occupational Health and Safety Act requirements. Facilities must be maintained.

Rubbish bins for bags, tins, cans etc must be provided on site and cleaned as per municipal requirements.

11. COSTING OF OCCUPATIONAL HEALTH AND SAFETY

It is the responsibility of the Main Contractor to make sufficient provision for OHS requirements and the following should be taken into consideration:

- Training:
 - First Aider
 - Safety Representative
 - All Construction Vehicle Operator Certificates
- Equipment and PPE
 - Clothing
 - Safety Shoes
 - Reflector vests
 - Gloves
 - Respiratory masks
 - Goggles/safety glasses
 - Symbolic Safety Signs and Road signs
 - First Aid equipment, kit and box.
 - Fire extinguishing equipment
- Chemical toilet facilities, toilet paper and handwash facilities
- Part-Time Health and Safety Officer
 - Compiling of safety file
 - Site visits, inspections and internal audits
- Medical fitness certificates for all employees – CR 7(8) before commencement of work.
- COVID-19 file and related items as per section 13 of this document
- CoC for temporary electrical installations

12. GENERAL

For all other activities on site the requirements of the Occupational Health and Safety Act and Regulations, as well as all applicable Standards, will apply.

At the completion of the contract the Contractor must submit a consolidated Health and Safety file to the Client as per CR 7 (1)(e).

13. COVID-19

The contractor must provide a separate file for the management of COVID-19 prevention on site, also to be approved by the client OHS Agent before commencement of work on site.

This file must at least include the following documents:

- Prevention Plan
- Policy
- Compliance Manager and Officer appointments
- Health Risk Assessment
- Control measures and procedures
- Worker and Visitor Screening documents
- Cloth mask issue register
- Cleaning and sanitizing registers
- Induction and toolbox material
- Worker contact details for tracing purposes
- Copies of relevant regulations, directives and guidelines as published by government

The contractor must provide the following on site:

- Non-touch temperature thermometer
- 70 % Alcohol-based hand sanitizer
- Sanitizer dispensers for site camp, offices, vehicles and site
- Soap and water
- Paper towels for drying of hands
- Bleach or Ammonium for cleaning purposes
- Rubber gloves and equipment for use by cleaners
- Two (2) face cloth masks per employee
- Covid-19 related safety signs
- Designated bins for potentially contaminated PPE, tissues and paper towels
- Medical masks for isolation purposes

COVID-19 protocols, including social distancing, screening and hand sanitizing must at all times be adhered to.

Isolation, testing procedures, reporting to DoEL and DoH, contact tracing and internal investigation procedures must be in line with relevant regulations, directives and guidelines as published by government.

Workers and visitors with elevated body temperature, COVID-19 symptoms and comorbidities not to be allowed on site.

Continuous compliance with COVID-19 protocols are required and non-compliance will be regarded as breach of this specifications.

BASELINE RISK ASSESSMENT

Ref.	ACTIVITY	HAZARD	RISK	MEASURES REQUIRED
1.	Site establishment	Heavy lifting	Injuries and strains	Procedures Equipment Training PPE
		Traffic and moving vehicles	Injuries crushing, strains, death.	Traffic Management Training
		Dust	Inhalation	Procedures PPE
		Snakes and spiders	Poisonous bites can cause death	Procedures Emergency plan
		Temporary electrical installations	Electrocution	COC certificate
2.	Offloading equipment and materials	Heavy lifting	Injuries strains	Procedures Equipment Training PPE
		Collapsing loads	Injuries crushing, strains, death.	Procedures Training PPE
		Traffic and moving vehicles	Injuries crushing, strains, death.	Traffic Management Training
3.	Excavation work	Traffic and moving vehicles	Injuries crushing, strains, death.	Traffic Management Training
		Existing services – water pipes and electrical cables	Property damage, injuries, death	Pilot holes Wayleaves Procedures
		Dust	Inhalation	Procedures PPE
		Noise	Hearing impairment	Procedures PPE
		Moving Plant	Injuries crushing, strains, death.	Traffic Management Procedures Training
		Compressor and jackhammer	Injuries, noise, vibration sickness, WRULD	Training PPE Inspections
4.	Back Filling and Layer work	Traffic and moving vehicles	Injuries crushing, strains, death.	Traffic Management Training
		Dust	Inhalation	Procedures PPE
		Noise	Hearing impairment	Procedures PPE

		Moving Plant	Injuries crushing, strains, death.	Traffic Management Procedures Training
		Pedestrians and children	Injuries crushing, strains, death.	Traffic Management Procedures Training
5.	Compacting	Vibration of equipment	Injuries and WRULD's	Traffic Management Training
		Dust	Inhalation	Procedures PPE
		Noise	Hearing impairment	Procedures PPE
		Moving Plant	Injuries crushing, strains, death.	Traffic Management Procedures Training
		Traffic and moving vehicles	Injuries crushing, strains, death.	Traffic Management Training
6	Concrete and brickwork	Cement dust	Inhalation	Procedures PPE
		Ergonomics and posture	Strains and injuries	Procedures Training PPE
		Moving plant and equipment	Injuries crushing, strains, death	Procedures Traffic Management Training
7.	Manual handling	Heavy lifting	Injuries and strains	Procedures Training PPE
		Ergonomics and posture	Strains and injuries	Procedures Training PPE
8.	Presence of visitors and members of the public	Moving plant and equipment	Injuries crushing, strains, death	Procedures Traffic Management Training
		Dust	Inhalation	Procedures PPE
		Noise	Hearing impairment	Procedures PPE
		Water filled trenches	Injuries, death	Protection Barricading Procedures for removal Communication
		Falling into trenches	Injuries, death	Protection Barricading Warning signs Communication

		Brick stacks collapse	Injuries	Safe stacking
9.	Sub-contractors	Same hazards as main contractor	Same risks as main contractor	Main contractor to ensure sub-contractor adhere to all OHS requirements.
10.	COVID-19	Workers or visitors infected with the virus	Serious illness and death	Symptoms Screening Hand sanitizing Cleaning and sanitizing of all frequently touched areas and equipment Social Distancing Wearing of masks Isolation procedures Worker and visitor awareness Contact tracing

AGREEMENT WITH MANDATORY

In terms of Section 37 (1) and (2)

WRITTEN AGREEMENT ENTERED INTO AND BETWEEN

(Herein after referred to as the "CLIENT")

AND

(Herein after referred to as the Contractor)

Each page as well as each change made to be initialled.

DEFINITION OF MANDATORY:

Includes an agent, a Contractor or Sub-Contractor for work, but without derogating from his status in his own right as an Employer or User.

SECTION 37 (1)

Whenever an employee does or omits to do any act which it would be an offence in terms of this Act for the employer or such employee or a user to do or omit to do, then, unless it is provided that:-

- (a) in doing or omitting to do that act the employee was acting without the connivance of permission of the employer or any such user;
- (b) it was not under any condition or in any circumstances within the scope of the authority of the employee to do or omit to do an act, whether lawful or unlawful, of the character of the act or omissions charged, and
- (c) all reasonable steps were taken by the Employer or any such user to prevent any act or omission of the kind in question.

The employer or any such user himself shall be presumed to have done or omitted to do that Act, and shall be liable to be convicted and sentenced in respect thereof; and the fact that he issued instructions forbidding any act or omissions of the kind in question shall not, in itself, be accepted as sufficient proof that he took all reasonable steps to prevent the act or omission.

SECTION 37 (2)

The provision of subsection (1) shall *mutates mutandis* apply in the case of a mandatory of employer or user, except if the parties have agreed in writing to the arrangements and procedures between them to ensure compliance by the mandatory with the provisions of this Act.

ACCEPTANCE BY MANDATORY

In terms of Section 37 (2) of the OHS Act 85 of 1993, I _____

representing _____ responsible for carrying out

(Contractor Company Name)

_____ at _____

(describe activity)

(contract/site name)

undertake to ensure that the requirements and provisions of the OHS Act and Construction Regulations are complied with.

SIGNATURES:

Contractor Representative

Date

Client Representative

Date

