

	SHE SPECIFICATION	Template Identifier	240-73419711	Rev	2
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**Service Name:** The Provision of Supply, delivery and off-loading of industrial gases, medical gases, special gases, and liquefied petroleum gas to various Eskom sites in the Gauteng Cluster.

**Service Address:** Gauteng Cluster.

**Scope of the service:** The Provision of Supply, delivery and off-loading of industrial gases, medical gases, special gases, and liquefied petroleum gas to various Eskom sites in the Gauteng Cluster.

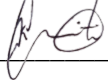
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### 1. INTRODUCTION

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 service and for the duration of the service period by contractors.

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 contractors legal responsibilities. The contractor is and remains accountable for the quality and the execution of his/her health and safety programme, for his 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 service and do not supersede or replace any organizational SHE requirements.

### 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 contractors.

##### 2.1.1 Purpose

This document will provide a standardise approach to the compilation of SHE specifications throughout Eskom for services and or contracts and NEC 3 contracts.

##### 2.1.2 Applicability

This SHE specification is applicable to contractors and their appointed contractors who intend in tendering for the service / 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

[1] 32-524 : Developing a SHE Specification and a SHE Plan.

[2] 32-1034 Eskom Procurement and Supply Management Procedure

[3] Basic Conditions of Employment Act No 75 of 1997.

[4] Occupational Health and Safety Act and Regulations No 85 of 1993.

[5] National Environmental Management Act Ni 107 of 1998.

[6] National Road Traffic Act 93 of 1996

[7] 32-37 Eskom Substance Abuse Procedure.

[8] 32-95 Eskom Procedure manual for Performing Occupational Health and Safety Management and Environmental Management: Conduct EH&S Incident Management.

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## 2.2.2 Normative

- [1] DMN 34-110 Operating A Vehicle Mounted Crane
- [2] DMN 34-1981 Excavations
- [3] DMN 34-2208 Access To Work Site.
- [4] 240-62946386 Vehicle and Driver Safety Management Procedure
- [5] Constitution of the Republic of South Africa Act No 108 of 1996
- [6] Tobacco Products Control Act 83 of 1993 (Updated 2001.11.19)
- [7] 32-418 Working at Height Procedure

## 2.3 DEFINITIONS

Definition	Explanation
Appointed contractor	Means a contractor appointed by the 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-Assets Owner), also referred to as the contract administrator/ custodian or agent or service 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	(OHS Act) means an employer as defined in section 1 of the Act who performs contracted work and includes contractors
Consultant person	means a 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

Definition	Explanation
	(Act No. 28 of 1956)
Environment	(32-94) means: a) the land, water, and atmosphere of the earth; b) micro-organisms and plant and animal life; and c) any part or combination of (a) and (b) and the interrelationships among and between them, and the physical, chemical, aesthetic, and cultural properties and conditions of the foregoing that influence human health and well-being
Environmental Management plan	A detailed plan of action prepared to ensure that recommendations for enhancing or ensuring positive impacts and limiting or preventing negative environmental impacts are implemented during the life-cycle of a service. This Environmental Management Plan should preferably form part of Eskom's Environmental Management System
Eskom requirements	A detailed plan of action prepared to ensure that recommendations for enhancing or ensuring positive impacts and limiting or preventing negative environmental impacts are implemented during the life-cycle of a service. This Environmental Management Plan should preferably form part of Eskom's Environmental Management System
Fall protection plan	(OHS Act) means a documented plan of all risks relating to working from an elevated position, considering the nature of work undertaken, and setting out the procedures and methods to be applied in order to eliminate the risk
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 in permanent form, containing the information required in relation to the contract.
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
Health and safety specification	(OHS Act) means a document specification of all health and safety requirements pertaining to associated to a contract, so as to ensure the health and safety of persons.
Health and safety requirements	means comprehensive health and safety requirements for a contract, service, 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, service, site, and scope of work
Lifesaving 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
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

Definition	Explanation
Method statements	(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
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 service, work site, or the site where agents, clients, 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
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
Visitor	any person visiting a workplace with the knowledge of, or under the supervision of, an employer.

### 2.3.1 Classification

- a. **Controlled disclosure:** controlled disclosure to external parties (either enforced by law, or discretionary).

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## 2.4 ABBREVIATIONS

Abbreviation	Description
AIA	Approved Inspection Authority
BU	Business Unit
CE	Chief Executive
CNC	(Eskom) Customer Network Centre
CR	Construction Regulations of the OHS Act
COID	Compensation for Occupational Injuries and Diseases Act
DMR	Driven Machinery Regulations
DoEL	Department of Employment and Labour (Inspection and Enforcement services – Provincial office)
EP	Emergency preparedness
GAR	General Administrative Regulations
GSR	General Safety Regulations
HCS	Hazardous Chemical Substances
LDV	Light Delivery Vehicle
LV	Low voltage
LoGS	(COID)Letter of good standing
MSH Act	Mine Health and Safety Act (Act No. 29 of 1996)
MSDS	Material Safety Data Sheets
NEMA	National Environmental Management Act
OHS Act	Occupational Health and Safety Act and Regulations, 85 of 1993
ORHVS	Operating regulations for high voltage systems
OU	Operating Unit
SACPCMP	South African Council for the Service & Construction Management Professions
SABS	South African Bureau Standard
SANS	South African National Standard

## 3. DOCUMENT CONTENT

### 3.1 SCOPE OF WORK

The provision of Supply, delivery and off-loading of industrial gases, medical gases, special gases and liquefied petroleum gas to various Eskom sites in the Gauteng Cluster on an “as and when required” basis on and as when required.

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### **3.2 SECTION 37(2) LEGAL AGREEMENT**

A section 37(2) agreement must be signed between Eskom and the contractor / Joint Venture leader at the time of awarding the contract.

The contractor / Joint Venture leader must ensure that a section 37(2) agreement is compiled between the contractor / Joint venture leader and all their appointed contractors for the service / contract.

A copy of the section 37(2) agreement must be retained by the service manager and contractor.

A copy all the agreements must form part of the respective contractors SHE file.

#### **3.2.1 Hazardous Work by Children (Child Labour)**

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

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

Before resorting to the use of child labour, due consideration must be given to the rights of the child in terms of the constitution.

Where work is being performed which is not prohibited in terms of the constitution, then such work must be conducted in terms of the OHS Act “Regulations on Hazardous Work by Children in South Africa” with emphasis on paragraph 2 Purpose and Interpretation.

Eskom condones the use of child labour and therefore all effort must be exercised and child labour should not be used.

#### **3.2.2 OHS Act**

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

#### **3.2.3 Legislative Compliance**

The contractor and all appointed contractors will comply with all the legislation pertaining to this service 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).
- Conservation of Agricultural Resources Act 1983 (Act 43 of 1983).
- National Road Traffic Act 93 of 1996.
- Compensation for Occupational Injuries and Diseases Act.
- Applicable South African National Standards (SANS).
- Applicable international standards.
- SANS Standards –Contractor shall use the relative standards applicable to the service.

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### **3.2.4 Eskom requirements**

**Note:** All contractors shall, before commencement of the service ensure that all their employees are familiar with the relevant Eskom, SHE documentation that is applicable to the services.

### **3.2.5 Appointment of a Contractor**

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

### **3.2.6 Appointment of sub-contractors**

The 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 contractor must ensure that all appointed contractors understand their roles and responsibilities.

The contractor shall when selecting contractors to assist on this service shall carry out a selection process, and vet potential contractors. Once the selection process is completed, then such sub-contractors shall be appointed in writing for the relevant period as required.

### **3.2.7 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.

Contractors 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 Section 16(2).

### **3.2.8 COID**

The 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 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 all the contract SHE files

## **3.3 HAZARD AND RISK MANAGEMENT**

The intent is Zero Tolerance of unsafe acts and conditions at Eskom site. Through the assessment of risk of each activity executed by the Contractor and the provision of the necessary means to eliminate or minimize the risk to ensure a healthy and safe working environment.

### **3.3.1 Existing / potential hazards**

- Driving on public roads.
- Transporting of materials and gases (tools).
- Covid 19.
- Slips, trips, and falls.
- Hand and finger injuries.
- Housekeeping.
- Risk of working with intoxicated employees
- Public unrest
- Crime (theft, hijacking, robberies etc.)



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- Ergonomics

### **3.3.2 Risk assessments**

1. Activity based risk assessments have be conducted by a competent person
2. The contractor and appointed contractors are required to conduct and document detailed risk

Assessments to establish further risks before the commencement of work on site.

3. The contractor shall demonstrate that the site hazards and the activity risks and the mitigating measure have been considered in his risk assessments.
4. All emerging risks and hazards shall be managed.
5. Job/task risk assessments shall be conducted on every task prior to start of that job/task

Guidelines for actual steps involved in an job/task specific risk assessment are:

- Each activity is listed.
- Specific hazards are identified and listed against each activity.
- The magnitude of each risk is rated as Low, Medium or High;
- The relevance, effectiveness and sufficiency of these controls are assessed;
- In the event of insufficient or deficient controls for the particular activity, steps to be taken to rectify this shall be recorded, and safe working procedures drawn up;
- Persons responsible for implementing and supervising the task shall be identified, nominated and duly assigned;
- Persons responsible for monitoring the task and carrying out the planned job observation must be nominated;
- Completed risk assessment shall be handed to the Eskom service manager representative for comment and approval;

### **3.4 INCIDENT MANAGEMENT**

1. All incidents relating to the contract (fatalities, lost time, medical treatment, first aid, vehicle accidents, damage to equipment near misses and environmental issues) shall be reported and investigated in terms of the section 24, 25, GAR 8, 9 of the Act and Eskom's procedure 32(95).
2. Copies of the investigation reports must be filed.

**Note:** Eskom has the right to be involved in any contract related serious incident investigations.

#### **3.4.1 Reporting**

All incidents including near misses occurring at work shall be reported to the relevant site supervisor / manager as soon as practicable but before the end of the shift.

All section 24 and 25 incidents shall be reported to the provincial inspector of the DoEL and the chief inspector.

#### **3.4.2 Investigation**

1. Investigations shall be conducted by a appointed competent investigator who will compile the appropriate incident report form as listed in the OHS Act Annexure 1.

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2. A comprehensive and detailed investigation report shall be submitted to the Eskom service manager within 7 -14 days after the incident.
  3. All incidents that were in contravention of any one of Eskom's life saving rules must be presented by the relevant contractor manager to the service manager and where required to the OU responsible manager.

Eskom must be permitted to participate in investigations if the incident is directly linked to any activity within the scope of the service

### **3.4.3 Close out**

All incident investigation reports shall be closed out once all the recommendations to prevent further incidents have been carried out and a copy of the investigation report must be handed to the OU Risk Manager. Close out procedure ideally must be done as soon as practicable. Undue time delays must be avoided.

## **3.5 OCCUPATIONAL HEALTH, AND REHABILITATION,**

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

### **3.5.1 Medicals**

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

1. Contractors must ensure their appointed contractors have a medical surveillance program whereby their employees undergo 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.

## **3.6 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.
2. If using an Eskom site, then the contractor's emergency plan must compliment the Eskom sites, emergency plan.

## **3.7 FIRE RISK MANAGEMENT**

Contractors shall ensure that staff are educated in fire prevention and will be held responsible to avoid the risk of fire. Ideally, all employees should receive basic training in fire prevention and use of fire equipment.

### **3.7.1 Fire equipment maintenance**

1. All firefighting equipment provided for shall:
  - a. Be clearly labelled
  - b. Conspicuously numbered
  - c. Inspected monthly by a competent person.
2. Tested and serviced at recommended intervals by an accredited supplier
3. Results entered in the register and signed by competent person.

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### **3.7.2 Flammable and combustible substances**

1. All danger signs must be prominently displayed, i.e.
  - a. Flammable Liquid.
  - b. No Smoking.
  - c. No Naked flames.
  - d. Hazchem identification.
- e. Adequate firefighting equipment must be available.

### **3.8 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 requirements. Appointees must be trained to level 2. It is good practice for all employees to be trained to at least level 1.
- 3 The Contractor must ensure that his /her employees are familiar with the emergency numbers.

#### **3.8.1 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.

### **3.9 Eskom and Organisation Induction training**

1. The contractor shall ensure that all his / her employees have undergone the safety induction programme prior to commencing work on site.

### **3.10 HOUSEKEEPING AND ORDER**

1. All contractors shall maintain a high standard of housekeeping within the sites and vehicles.
- 2 On completion of his / her work, the contractor is responsible for clearing any material causing bad housekeeping.

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### 3.11 DISCIPLINARY PROCESS

The contractor is required to implement a disciplinary process within his/her organisation to enforce conformance to requirements, similarly, appointed contractors must do the same.

### 3.12 Eskom Lifesaving Rules

1. Eskom views health and safety in high esteem and encourages that any organisation who performs work for 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 sub-contractor will be considered a serious transgression. These rules are being implemented to prevent serious injury or death of any employee, labour broker or contractor working in any area within Eskom.
3. If any contractual work will be performed on any Eskom premises (including deliveries) , then the rules **shall be obeyed** by any contractor and their employees.

4. The rules are:

Rule	Description of rule
Rule 1	<b>OPEN, ISOLATE, TEST, EARTH, BOND, AND/OR INSULATE BEFORE TOUCH</b> (That is plant, any plant operating above 1000 V)
Rule 2	<b>HOOK UP AT HEIGHTS</b> 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	<b>BUCKLE UP</b> 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	<b>BE SOBER</b> No person is allowed to be under the influence of intoxicating liquor or drugs while on duty
Rule 5	<b>PERMIT TO WORK</b> Where an authorisation limitation exists, no person shall work without the required permit to work

5. Eskom will take a stance of zero tolerance on these rules.
6. Non-compliance to a Life Saving rule will be considered serious misconduct and will lead to serious disciplinary action, which may include dismissal.
7. This is to ensure that **every person** who works on or visits an Eskom work site **returns home safely to his or her family**

### 3.13 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. Contractors are required to implement a non-conformance procedure (if not already in place) for issuing during 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.

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### 3.14 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, or working on, any of Eskom's equipment and premises, similarly contractors should adopt the same principles.
2. General Safety Regulation 2A is clear on the legal stance regarding intoxication.
3. Persons are not permitted from entering or remaining on or at a workplace whilst under the influence of either or both substances, not permitted to be under the influence or consume intoxicating substance whilst at / in the workplace. There is provision regarding the taking of medication
4. The alcohol and drug permissible level is 0%.
5. All contractors shall comply with Eskom's procedure 32-37 ("Substance Abuse Procedure"), remembering that this is an Eskom life saving Rule: "RULE 4: BE SOBER"), that is to say, they will make themselves available to be tested by Eskom as and when required.
6. Contractors are encouraged to compile their own manual and to carry out regular testing of their own employees. The legislative alcohol level is deemed to be zero.
7. Test records must be treated as "Confidential" and filed in the employees personal file.

### 3.15 MACHINERY

1. All machinery intended for use on the service and or brought to the work sites by contractors must be appropriate to the task being performed, be in a good condition and adequately maintained.
2. Where required machinery, must have the necessary approved test or calibration documentation prior to being brought onto the service and the records shall form part of the SHE plan. Maintenance calibration shall be undertaken in terms of the manufacturers requirements..
4. All fuel driven equipment must be properly maintained in accordance with the manufacturer's recommendations and legal requirements.
5. Eskom functionaries reserves the right to inspect items of machinery brought to site by contractors for use on this service.
6. Should the Eskom functionary find that any item is inadequate, faulty, unsafe or in any other way unsuitable for the safe and satisfactory execution of the work for which it is intended, the Eskom functionary shall advise the contractor in writing and the contractor shall forthwith remove the item from the site and replace it with a safe and adequate substitute.  
**Note:** In such cases, the contractor shall not be entitled to extra payments or extensions of time in respect of delay caused by the Eskom's instructions.
7. All machine operators shall be certified competent to operate such machine. Copies of their of certificate of competencies must be kept

### 3.16 Pneumatic tools

1. All pneumatic tools operators shall be certified competent to operate such tool. Copies of their of certificate of competencies shall be kept in the file.

### 3.17 Site rules

1. The contractor shall submit his/her health and safety plan to Eskom for review before commencing work or activity on site.
2. Only trained and certified employees are permitted to operate specialised tools, equipment and motorised transport.

### 3.18 Smoking rules

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

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### 3.19 SHE PLANS

**Note:** In compiling the SHE plan, cognisance must be made of the detail listed in the specification and the plan must address as to how the contractor will implement the requirements listed in the specification.

1. A safety and health plan is a documented plan that addresses the hazards identified and includes safe work procedures to mitigate, reduce, or control the hazards identified. It is specific to each construction service undertaken and site where work is done, is compiled by the contractor and appointed contractor, and must be approved by the client/agent prior to the commencement of any construction activities on a service.
2. The contractor shall prepare a SHE plan to address and manage all applicable sources of risk as well as any other sources of risk that are identified during the execution of the service. The plan shall incorporate the requirements as listed in this SHE specification. A copy of all the service plans shall be kept in the site SHE file and be available at all times.
3. The contractors SHE plan shall be submitted to the service manager for review and approval before the signing of the contract and, once accepted, shall not be amended without prior consultation and acceptance by the service manager.
4. The contractor shall insure that his/her appointed contractors prepare their SHE plan to address and manage all applicable sources of risk as well as any other sources of risk that are identified during the execution of the service. Their SHE plan shall incorporate the requirements as listed in this SHE specification as well as the applicable requirements listed in the principle contractors SHE plan. A copy of all the service plans shall be kept in the site SHE file and be available at all times.
5. The contractors SHE plan shall be submitted to the principle contractor for review and approval before the signing of the contract and, once accepted, shall not be amended without prior consultation and acceptance by the service manager. The principle contractor will be required to send a copy of the appointed contractors SHE plan to the service manager for information, approval and record retention.

### 3.20 SHE FILES

1. A SHE file means a file or other record in permanent form, containing the information about the safety and health management system during the service and after handover to the client, so that the client can maintain the works in a healthy and safe way.
2. All contractors are required to keep a SHE file **on every service site**. If there is more than one site per service, a file per site shall be kept at that site for that site. Contractors may keep additional files at their head office as additional records.
3. The SHE file shall consist of the requirements in terms of the service's safety specification, the contractor's safety and health plans, and this standard.
4. The sequence of filing the documentation must be kept in the same sequence as listed in this SHE specification and the SHE plan.
5. Each record shall be separated by partitions to afford easy identification and access. Each partition must be labelled.
6. On completion of service, the contractor must hand over a consolidated safety and health file to the service manager.

### 3.21 PUBLIC SAFETY

1. Legislation requires that employers shall be responsible, as far as reasonably practicable, for safeguarding persons other than those in their employment who may be directly affected by their activities so that they are not exposed to hazards to their health or safety (section 9 of the OHS Act has reference).
2. A member of the public is any company non-employed person(s) who could be directly or indirectly exposed to Eskom's/contractors' products or activities.
3. Eskom upholds the rights of the members of the public and maintains an awareness and educational programme to protect the public against the risks that may arise out of, and in the course of, Eskom's activities. Similarly, contractors shall share the same respect for the public.

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4. Contractors shall factor in, in their safety plan, how they intend safeguarding/controlling any members of the public against their activities during the service, without damaging Eskom's name and reputation. Assistance/information in this regard can be sought from the service managers.

### **3.22 UNLAWFUL ORDERS**

1. Section 14 of the OHS Act stipulates that employees shall carry out any lawful order given to them. That is to say, they have the right to refuse to obey an unlawful order or work instruction.
2. In terms of the Legal and Eskom requirements, if an employee has a reasonable belief that the work to be undertaken is likely to endanger themselves or any other person/s due to at risk behaviour or working in unsafe conditions, or a lack of protective equipment or clothing, he/she has the right to refuse to work.
3. An employee may also in terms of Section 29 of the National Environmental Management Act, Act 107 of 1998, refuse to work if the work would result in an imminent and serious threat to the environment.
4. All contractors shall ensure that their employees are conversant with the hazards to his/her health, safety and the environment that are part of any work that he/she has to perform, as well as the precautionary measures required in respect of those hazards.
5. Each contractor manager shall as soon as reasonably practicable, investigate and resolve an employee's refusal to work based on health, safety and environmental management related issues or concerns, in terms of the incident management segment of this SHE specification.

### **3.23 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/s or create a risk of degradation of the environment exists. This includes any unauthorised work or service performed by, or legally or contractually noncompliant acts or omissions by, any contractor contracted to work at that site.
2. Work stoppages that are initiated due to SHE 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 stoppages are carried out, the required non-conformance report shall be raised.
4. All work stoppages, ideally should be investigated and documented by contractor management.

### **3.24 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.

#### **3.24.1 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/s 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 Labour and /or the letter of approval from the Department of Employment and Labour.

#### **3.24.2 Night work**

Where any night work is to be performed, then contractors shall provide sufficient lighting to enable the entire work site to be illuminated to a degree that any employee must not have to work in any dark (un-illuminated) or dimly lit

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areas. Care must be exercised as not to use a few lights with high light intensives as this will cause night blindness. If work is continuing from day light into night, at dusk, a tool box talk must be held where all employees must be advised of the hazards of night work and the extra precautions that require to be taken, i.e. poor housekeeping, stepping on uneven ground, stepping into holes etc.

### **3.25 SECURITY**

1. Where the service will be performed on any Eskom sites, then the security requirements for such sites shall be adhered to.
2. All contractors shall be accountable and responsible for the security of all their equipment, materials etc.
3. Where there is access control to sites, any land owned sites and or Eskom sites, such access control requirements shall be observed.
4. Eskom reserves the right to search any contractor and or Eskom vehicle entering or leaving the site / premises any Eskom site .

### **3.26 OMISSIONS FROM SAFETY AND HEALTH REQUIREMENTS SPECIFICATION**

By drawing up this SHE specification Eskom has endeavoured to address the most critical aspects relating to SHEQ issues in order to assist the contractor in adequately providing for the health and safety of employees on site. Should Eskom not have addressed all SHEQ aspects pertaining to the work that is tendered for, the contractor needs to include it in the SHE plan and inform Eskom of such issues when submitting the tender.

### **3.27 CONTRACT SIGN OFF**

On completion of the service, all appointed contractors shall close out their service documentation and SHE files and forward such to the contractor. The contractor shall likewise close out his/her service documentation and SHE files and forward such to the service manager.