

 Eskom	SHE SPECIFICATION Technical Work	Distribution
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Title: **Engineering Survey Contract**

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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 principal 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 / 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, this manufacturing Contract falls within the requirements of the Construction Regulations

2. SUPPORTING CLAUSES

2.1 SCOPE

Scope of work is detailed in the provided Contract and specific topics are specified on page 7.

2.1.1 Purpose

This document will provided a standardise approach for the compilation of SHE specifications throughout Eskom for contracts, contracts 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] Occupational Health and Safety Act and Regulations, No 85 of 1993.
- [2] National Environmental Management Act No 107 of 1998
- [3] 240-62946386 Vehicle & Driver Safety Management Procedure
- [4] 32-1034 Eskom Procurement and Supply Management Procedure.
- [5] Basic Conditions of Employment Act 75 of 1997
- [6] National Road Traffic Act 93 of 1996
- [7] 32-37 Eskom Substance Abuse Procedure

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[8] Safety, Health and Environmental Specification

2.2.2 Informative

- [1] Constitution of the Republic of South Africa Act No. 108 of 1996
- [2] 32-726 Mandatory SHE Requirements for Eskom Procurement and Supply Chain Management
- [3] 240-62196227 Eskom Life Saving Rules
- [4] 32-345 Eskom Vehicle Specifications
- [5] SANS 10142: The Wiring of Premises Part 1: Low-voltage installations
- [6] SANS 10140 Identification of Colour Marking
- [7] SANS 1186 Symbolic Safety Signs
- [8] SANS 1091 National Colour Standard
- [9] SANS 10087 LP Gas Storage
- [10] SANS 10085 Design and Erection of Scaffolds
- [11] Tobacco Products Control Act 83 of 1993 (Updated 2011.05.19)
- [12] ISO 12480-1:1997 Cranes – Safe use.

2.2.3 Definitions

Definition	Explanation
Contractor – includes appointed contractor	means an employer as defined in section 1 of the Act who performs contract work and includes principal contractors
Health and safety file	(OHS Act) means a file or other record in permanent form, containing the information required as contemplated in these (the Construction Regulations)
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	means a document specification of all health and safety requirements pertaining to associated works on a contract site, so as to ensure the health and safety of persons.
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 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
Principal contractor	means an employer, as defined in section 1 of the Act, who performs contract work and is appointed by the client to be in overall control and management of a part of, or the whole of, a construction site.

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2.2.4 Classification

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

2.3 ABBREVIATIONS

Abbreviation	Description
BU	Business Unit
COID Act	Compensation for Occupational Injuries and Diseases Act
CR	Construction Regulations
DMR	Driven Machinery Regulations
DoEL	Department of Employment and Labour
EAP	Employee Assistance Program
EP	Emergency Preparedness
ERfW	Environmental Regulations for Workplaces
GAR	General Administrative Regulations
GSR	General Safety Regulations
HCS	Hazardous Chemical Substances
ISO	International Organisation for Standardization
LPG	Liquid Petroleum Gas
LoGS	(COID) Letter of Good Standing
NEMA	National Environmental Management Act
OHS Act	Occupational Health and Safety Act
OU	Operating Unit
PDrP	Professional Driver Permits
PPE	Personal Protective Equipment (includes clothing)
SANS	South African National Standards
SHE	Safety, Health and Environment

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2.4 RELATED/SUPPORTING DOCUMENTS

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

3. DOCUMENT CONTENT

3.1 SCOPE OF WORK

- 1) MV Fox line at the distance of not more than 3km or less than 300m of XLPE cable
- 2) Installing of 1 x transformer or CT/VT or RMU or M/SUB.
- 3) Installing of LV network for 1x direct customer
- 4) Pole or ground mounted kiosk meter.

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 and signed between the principal contractor and all their appointed contractors for the contract.

A copy of this agreement must form part of the principal contractor's SHE file

3.2.2 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 and consulted when and where necessary.

3.2.3 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.
- National Environmental Management Act 1998 (Act 107 of 1998).
- National Road Traffic Act 93 of 1996
- Compensation for Occupational Injuries and Diseases Act.
- Applicable South African National Standards (SANS).
- Applicable international standards.

3.2.4 Eskom requirements

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

3.2.5 Appointment of a principle 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.

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3.2.6 Appointment of sub-contractors

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.

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.

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

3.2.8 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 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 and as an annexure the SHE Plans

3.3 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 and NEMA.

Note 1: Where appointments are made, contractors shall ensure that the appointees have been suitably trained and or informed of their responsibilities before getting to accept such appointment.

3.3.1.1 Non statutory appointments

- Eskom requirement – Emergency Planning Co-coordinator.
- Eskom requirement – Fire official.
- Eskom requirement - Chairperson of Health and Safety Committee.
- Eskom requirement – Organisation's Health and Safety officer.

Copies of all appointments made must be filed in the respective SHE files.

3.4 ORGANISATIONAL STRUCTURE

3.4.1 Principal Contractor Organogram

1. 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. The relevant positions held names of appointees and legal appointments must be listed.
2. The principal contractor must ensure that all appointed contractors comply with this requirement. The principal contractor is responsible for keeping copies of all of the organograms' as well as submitting them with the SHE plan. All organograms' shall be updated timeously when appointments are changed.
3. This diagram must be kept up to date and filed in the project SHE files.

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3.5 ROLES AND RESPONSIBILITIES

1. Visible commitment is essential to providing a safe work environment. Managers, supervisors and employees at all levels must demonstrate their commitment by being proactively involved in the day to day operations, in particular SHE of any project / contract. Legislation requires that each employee must take reasonable care of themselves and their fellow workers, being it management down to the lowest level employee.
2. The principal contractor must provide a detailed list the relevant roles and responsibilities of the employees listed hereunder in this paragraph.

3.6 HAZARD AND RISK MANAGEMENT

1. The intent is Zero Tolerance of unsafe acts and conditions during the contract through the assessment of risk of each operation executed by the principal contractor and the provision of the necessary means to eliminate or minimize the risk to ensure a healthy and safe working environment.
2. The principal contractor shall, for this specific contract, conduct an initial risk assessment, listing all the hazards associated with this contract.

3.6.1 Existing / potential hazard

Baseline Risk Assessment should be provided in relation with existing potential hazards for the contract.

3.6.2 Base line risk assessment

To be compiled and submitted with the SHE Plan by the contractor

3.7 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 and 9 of the OHS Act.
2. Copies of the investigation reports must be filed in the contract SHE file.
3. All incidents of a serious nature shall be reported to the Eskom contract responsible manager as soon as practicably as possible.
4. Ensure that all incidents are reported and investigated timeously by competent incident investigators;

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

3.7.1.1 Reporting

1. 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.

Note 1: If it is found that the Principal contractor or his / her appointed contractors are hiding/not reporting incidents then steps (which may include disciplinary action) would be taken against the line management of the principal contractor and appointed contractor.

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

3.7.1.2 Investigation

1. All incidents shall be investigated in terms of the OHS Act sections 24 and 25 and conducted in terms of the organisations Incident investigation plan.

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- Investigations shall be conducted by a competent investigator who will compile the appropriate incident report form as listed in the GAR Annexure 1 of the OHS Act.
- For incidents of a serious nature, a comprehensive and detailed investigation report shall be submitted to the Eskom contract responsible manager as soon as practicable after the incident investigation.
- 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 Eskom Contract responsible manager and where required to the OU / BU responsible manager.

3.7.1.3 Close out

All incident investigation reports must be closed out once all the recommendations to prevent further incidents have been carried out and a copy of the investigation report must be sent to the Eskom contract responsible manager.

3.7.2 EAP

For the duration of the contract, where the contractor do not have EAP service providers, then Eskom's EAP service provider is available to provide assistance. All costs are to be borne by the Contractor. Details are: ICAS – Tel. No.: 0800 611 059.

3.7.3 Occupational Hygiene

3.7.3.1 Thermal Conditions

- Contractors must protect their employees against the natural thermal conditions, by providing sufficient and suitable cold weather gear for the winter months and suitable rain wear for the rainy seasons.
- In hot conditions, contractors must prevent the effects of heat fatigue and heat exhaustion by providing sufficient rest periods, shade cover where possible re-hydration mineral replenishment fluids. Where the heat index and the humidity levels reach the required dangerous levels, contractors shall stop work for that period.

3.7.4 Noise induced hearing loss

- Where mechanical and or electrical devices are used which emit a noise, then a risk assessment and noise survey shall be conducted to establish the noise levels and determine as to what type of hearing protection must be supplied.
- Contractors shall provide the appropriate hearing protection, train the users in the use, care and maintenance of such equipment.

3.7.5 Rehabilitation

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

3.7.6 Duty of care

Where the contract involves working directly and or indirectly with the environment, contractors shall take care in preventing environmental degradation, throughout the contract. Where tasks involve damaging the environment, then the contractor shall rehabilitate such damage to its original contract state.

3.7.7 Environmental Incidents

- All environmental incidents must be reported and investigated in terms of paragraph 3.8 of this specification.

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2. All environmental incidents occurring at the workplace must be recorded, detailing how each incident was dealt with. Proof thereof must be kept in an incident register.
3. The Contractor will be held liable for any infringement of statutory requirements of the Environmental Conservation Act, No 73 of 1989, or any other relevant legislation.

3.7.8 Waste management

1. If not already in place, all contractors must compile a waste management plan before commencing of work.
2. A register of hazardous waste must be kept which will include a record of disposal.
3. Where applicable and work is performed outdoors, no waste, whether it be biodegradable or not, is to be left on the worksite once work has ended.
4. All waste, including domestic and hazardous waste generated will not be burned, buried, or disposed of on any landowners' property. All waste must be removed to a registered waste site on a regular basis. (Daily / Weekly) and where material waste is to be returned to a storage facility, this will be done in terms of the disposal procedure for such material.
5. The contractor and sub-contractor working on site must ensure that oil, fuel, and chemicals are confined to specific and secure areas throughout the contract period. These materials must be stored in a bunded area with adequate containment for potential spills and leaks.
6. All oil-based waste material shall be kept segregated and placed in sealed 200 litre drums. This material shall be disposed of through a recognised oil recycling company.

3.7.9 Water Environments

1. Water is becoming a scarce commodity. Water conservation in any organisation is essential.
2. Where any work involves the use of water, then consideration must be taken into re-using waste water where possible.
3. Educating staff in water conservation will undoubtedly assist in the organisations water conservation plan.

3.8 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 not already in place, contractors must develop their own emergency response plan for both their worksites and offices. Where any office and or site is located within any Local Authorities area, then the plans must include their involvement.

3.8.1 Emergency preparedness

1. Periodic emergency drills must be undertaken to test the effectiveness of the plan. This must be recorded and provided on request.
2. The plans must accommodate offices, workshops, work outdoors and work within neighbouring establishments.
3. Contractor management must ensure that sufficient number of employees are trained in the various disciplines to be able to afford prompt response in dealing with the relevant emergency and evacuation.

3.8.2 Offices

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

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3.9 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.

3.9.1 Offices / work sites

1. The storage of flammable substances within offices, buildings and workshops is prohibited. Such storage shall be done in the appropriate flammable liquid storage facilities located away from buildings.
2. A suitable fire warning system for alerting personnel to a fire shall be provided, and capable of being heard in all areas of the building.
3. Smoking is not permitted indoors, at entrances to buildings or near air intake systems as per the Tobacco Products Control Act and Eskom Policy and legislation requirements.

3.10 FIRST AID AND EQUIPMENT

All the requirements as listed in GSAR 3 must be met by the contractor for the duration of the contract.

3.10.1 Boxes and equipment

1. First aid box contents must contain as a minimum, the contents as listed in the Annexure of the GSR.
2. In equipping boxes, cognisance must be made of the hazards associated with the work being performed and the contents be sufficient to treat injuries until such times as the emergency services are able to take over treating the injured.
3. Boxes must be available and accessible and able to be taken to the incident place, for the immediate treatment of injured persons at that workplace.

3.11 SHE COMMUNICATION SYSTEMS

1. If not already in place, the principal contractor/s and their appointed contractors must develop a communication strategy outlining how they intend to communicate SHE issues to their staff, the mediums they will employ and how they will measure the effectiveness of their SHE communication. Below is a brief on how communication should take place.
2. Where contract meetings are conducted at the premises, SHE shall be include as a standing agenda point and minutes of these meetings shall be available at the premises at all times.
3. Minutes of meeting must be compiled and filed in the relevant SHE files. All employees shall have access to these minutes.
4. Attendance lists shall be kept for all the health and safety meetings.
5. It is a requirement that all employees attend and are involved in health and safety committees.
1. Statutory health and safety committees may, where appropriate, make recommendations for the revision of current standards, procedures and practices.
2. The principal contractor and appointed contractors shall ensure that statutory and non-statutory health and safety committees carry out their duties.
3. The chairperson of all health and safety committees shall be selected and appointed by the contractor. The appointed chairperson must be competent to chair meetings and be able to make informed decisions

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3.11.1 Tool box talks / Daily team talks

1. A pre job meeting must be held prior to the commencement of the day's work with all relevant personnel associated with the work task in attendance. The job, relevant procedures, associated hazards, safety measures, i.e., the task risk assessments shall be discussed. Each employee who attends the briefing shall sign the back of that pre-job brief form, undertaking that they have an understanding of the tasks, risks and control measures required.
2. Tool box talks can be included in the pre-job brief meetings.
3. If the talks are held separately, ideally they then should be held weekly
4. The toolbox talk topics will be based on SHE issues pertaining to the work site and or the contract. The topic contents shall be in writing. Attendance registers with the topic listed shall be kept.

3.11.2 Client / Site specific induction training

Client induction should be conducted. All contractor organisations should have an induction program, which will cater for all new and transferred in employees. Records of attendance must be kept for the duration of the employee's service.

3.11.3 General job training

The contractor shall ensure that all employees working on the contract have received the required training and are competent to perform the work assigned.

Training records shall be filed in the SHE file where applicable.

3.12 TRANSPORT/MOBILE PLANT EQUIPMENT

Where the principal contractor and or appointed contractor will be delivering the finished products to the various Eskom sites, then the under mentioned requirements must be met.

1. All motor vehicles driven / operated by contractors within the contract shall, in all respects, comply with the National Road Traffic Act.
2. Designated drivers shall be in possession of the relevant driver's licence, valid for the class of vehicle.
3. The driver's license shall be kept by the person so authorised and shall produce such license on request.
4. When driving on rural roads, care and caution must be exercised due to rough and uneven terrain and reckless third party drivers.
5. Drivers of vehicles and mobile equipment must have respect for landowner's property and roads if and when travelling on them.
6. Where possible the landowner's access roads must be used. If deviations from the access roads need to be made, then permission shall be obtained from the landowner before making such a deviation.
7. No drivers or operators may text or talk on cell phones or two way radios whilst driving, unless a hands free kit is used.
8. It is a driver's responsibility to ensure that the vehicle and or equipment they drive on any road is road worthy and complies with the requirements of the National Road Traffic Act.
9. Whilst on the Eskom contract and travelling for the contract, contractors are not permitted to transport passengers in the back of LDV's and trucks.
10. Contractors shall be solely responsible for the safety and security of any of their vehicles (including private vehicles) on their or landowners premises.
11. All contractor vehicles that are permitted to enter the worksite and landowner's property shall have organisational identification markers on their vehicles.

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12. It is the responsibility of the driver to ensure:
 - a. He/she and their passengers wear seat belts whilst the vehicle is in motion.
 - b. Comply with all traffic road rules, safety, direction and speed signs.
 - c. Ensure that vehicle loads are properly secured prior to moving off.
 - d. Ensure that vehicles are not overloaded.
13. Contractors must maintain their vehicles in a roadworthy condition and a vehicle license remain valid.
14. Contractor vehicles can be subject to inspections by an Eskom representative. Vehicles which are not roadworthy will not be allowed onto the site.
15. Drivers/operators shall be responsible for the travel-worthiness of all loads conveyed by them. Precautions shall be taken to secure all loads properly. Loads projecting from vehicles shall be securely loaded and in daytime a red flag and during darkness a red light or red reflective material shall be attached to the extreme end of such projecting material.
16. Where vehicles have seating for passengers, then seats are required to be firmly affixed to the vehicle with seat belts adequate for the number of passengers being transported;
17. Contractors are to ensure that visibility (e.g.: switching on of lights, reflectors, rotating lights etc.) is enhanced on all construction vehicles in order to be easily seen whilst travelling.

3.13 HOUSEKEEPING AND ORDER

1. All contractors shall maintain a high standard of housekeeping within the work sites and for the duration of the contract.
2. Prompt disposal of waste materials, scrap and rubbish is essential. Materials/objects shall not be left unsecured in elevated areas –falling objects may cause serious injuries/fatalities.
3. The Eskom contract responsible manager has the right to instruct the principal contractor and his appointed contractors to cease work until the area has been tidied up and made safe. Neither additional costs nor extension of time to the contract shall be allowed as a result of such a stoppage.

3.14 PERSONAL PROTECTIVE EQUIPMENT REQUIREMENTS

1. All contractors shall comply with the requirements of GSR 2 of the OHS Act.
2. Where there are unusual instances, where particular activities require additional type of PPE, then a risk assessment must be conducted where such PPE requirements will be identified and the issuing be carried out accordingly.
3. Where PPE is required and visitors are not in possession of, then it is the individual contractor's responsibility to provide the PPE.
4. All PPE purchased and used by all contractor employees including visitors at/to the worksites, must comply with the relevant SANS standards or the relevant internationally recognised authority standards. No inferior PPE will be accepted

3.14.1 Training

1. All contractors shall ensure that their employees are informed / trained and understand why the PPE is necessary, and in the use, care and maintenance thereof.
2. Thereafter, all employees shall sign an undertaking to wear such PPE supplied to them.

3.14.2 Eskom Life saving Rules

1. Eskom views health and safety in high esteem and encourages that any organisation who performs work for Eskom adopt the same view.

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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 delivery of the guard huts), then the rules shall be obeyed by any contractor and their employees.
4. 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.

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**

3.14.3 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.

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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.

3.15 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. 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 percentage (0%).
4. 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.
5. All contractors shall comply with Eskom's procedure 32-37 ("Substance Abuse Procedure") whilst being on any Eskom premises, remembering that this is an Eskom Cardinal Rule: "RULE 4: BE SOBER", that is to say, they will make themselves available to be tested by Eskom as and when required.
6. Test records must be treated as "Confidential" and filed in the employee's personal file.

3.16 BEHAVIOURAL OBSERVATIONS

Also known as Visible Felt Leadership.

Safety behavioural observations must be done daily at each workplace on the contract site. It is preferable that the safety observation teams comprise of two persons and represent different levels in the organisation. The objective of behaviour safety observations is to assess and address the actual safe and unsafe behaviours of people in the workplace, as well as workplace conditions that are caused by the actions or non-actions of employees, contractors, or their supervisors.

1. These observation interventions will provide management with a clear picture of the current safety and health culture in the various workplaces, which is reflected in the actual behaviours and conditions versus the expected safety requirements.
2. The intent of the behaviour observation process is for management to be visible in the workplace and for them to:
 - a. recognise and encourage positive behaviours, so that they are sustained;
 - b. immediately address and correct unsafe behaviours and conditions; and
 - c. provide a two-way communication channel to discuss safety and health achievements and concerns regarding employees, contractors, and visitors.
3. Contractors are required to carry out periodic observations on employees. This observation is not limited to unsafe workers but to all employees. This type of observation corrects unsafe behaviour as well gives an immediate chance to reward safe behaviour.

3.16.1 Contractor audits

Eskom reserves the right to audit any type of work performed by its Contractor for quality purposes.

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3.17 CONTRACT RULES

The principle contractor shall compile a set of contract/site and general rules for the contract. These rules are a quick reference for all employees and for appointed contractors. Similarly, appointed contractors must compile a set of contract rules for their own organisations, which must complement the principle contractor's rules.

The principle contractor is fully responsible for the health and safety of his/her workers and his/her appointed contractors in accordance with the contract.

The subheadings below are an indication as to what rules could be made.

3.18 SHE PLANS

Note: The plan does not necessarily have to be split into and filed under each heading, but it would make auditing easier and employees able to reference easier). 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 hazards identified and includes safe work procedures to mitigate, reduce, or control the hazards identified. It is specific to each contract project undertaken and site where work is done, is compiled by the principal contractor and appointed contractor, and must be approved by Eskom prior to the commencement of any contract activities.
2. The principle 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 contract.
3. The plan shall incorporate the requirements as listed in this SHE specification. A copy of all the project plans shall be kept in the site SHE file and be available at all times.
4. The principle contractors SHE plan shall be submitted to the contract responsible 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 contract responsible manager.
5. The principle 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 project. 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 project plans shall be kept in the site SHE file and be available at all times.
6. The appointed contractor's 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 principal contractor. The principle contractor will be required to send a copy of the appointed contractors SHE plan to the Eskom contract responsible manager for information, approval and record retention.

3.19 RECORD KEEPING

1. All records required in terms of legislative and Eskom requirements shall be kept and filed in the contractor's SHE files. These records shall be kept for the duration of the contract. They shall be open to audit/inspection by any party who is entitled to audit/inspect the contract.
2. Where a contractor is unsure as to which records are required to be kept, then advice must be obtained from the contract SHE functionary at the earliest.

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 contract and all information relating to the post-contract phase after handover to the client, so that the client can maintain the works in a healthy and safe way.

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2. All contractors are required to keep a SHE file on every contract site for the contract. If there is more than one site per contract, 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. The SHE file shall be maintained by all the contractors on their contract sites and shall be available on request for audit and inspection purposes.
3. The SHE file shall consist of the requirements in terms of the contract's safety specification, the contractor's safety and health plans.
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 the contract, the principal contractor must hand over his / her and any appointed contractor's consolidated SHE file to the Eskom contract responsible manager. The principal contractor must also hand over all drawings, designs, lists of materials used, and other applicable information about the completed structure, as well as the list of appointed contractors, the agreement, and the type of work completed.
7. Similarly, appointed contractors are required to hand over all the documentation as listed for the principal contractor, to the principal contractor.
8. Where during extended projects, documentation in the SHE files becomes cumbersome, then older documentation must be archived in boxes which shall be correctly labelled and be available for auditing purposes. The archived documentation must be also handed over at the completion of the project.

3.21 PUBLIC HEALTH AND SAFETY

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

1. A member of the public is any non-employed person(s) who could be directly or indirectly exposed to an organisation's products or activities.
2. 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.
3. Contractors, where working in any area where members of the public have access or can approach the work site, will be approached by the public for reasons of inquisitiveness, members airing complaints, vandalism, theft, public unrest, intimidation, stray/wandering animals, etc., will implement such measures to prevent access to the public and at the same time will place great emphasis on public safety.
4. Contractors shall factor in, in their safety plan, how they intend safeguarding/controlling any members of the public against their activities during the project, without damaging Eskom's name and reputation. Assistance/information in this regard can be sought from the Eskom contract responsible manager.

3.22 WORKING IN CLOSE PROXIMITY TO/ON PUBLIC ROADS

If any of the contract work is to be performed in close proximity to or on a public road, then the utmost care shall be taken to protect the employees and road users from any danger to vehicular traffic.

1. Due to the nature of the work, the safety of contractor employees and other road users is of paramount importance.
2. The task to be performed shall be properly planned with all the role players. Dependent on the category of road to be worked on, the relevant traffic authorities must be informed of the task.
3. All the requirements as listed in the National Road Traffic Act shall be carried out and any other provincial and or local authority traffic requirements shall be carried out.

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4. High-visibility vests shall be worn by all employees involved in the task, for the duration of the task.
5. If the authorities need to be in attendance, no work shall start until such time as the authorities arrive on site, irrespective of whether outages are planned and will result in delays.
6. Work areas shall be adequately barricaded so as to prevent unauthorised access. This rule applies for normal and breakdown work.

3.23 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 NEMA, 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. Contractor managers 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.

3.23.1 Refusal to work on the grounds of health and safety policy

If not already in place, it is recommended that contractors compile a refusal to work policy to fall in line with the organisations SHE policy regarding safe work and also to standardise the reporting and investigation of such instances and the clear employee understanding of their limitations.

3.24 HOURS OF WORK

1. The requirements of the Basic Conditions of Employment Act, Chapter Two "Regulation of Working Time" must be adhered to.
2. 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.

3.24.2 Overtime

1. Contractors must be aware of the effects of human fatigue and regulate overtime accordingly. In order to complete a task by performing constant overtime, will be detrimental to the employee which could lead to an incident occurring.

3.25 SECURITY

1. Information contained therein may not be shared or disclosed with or to any other contractor / organisation or third party without the express permission obtained from the Eskom contract responsible manager.
2. Failure to comply with this requirement could have an adverse effect on the contract.

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3. Where contract work will be performed on any Eskom sites, then the security requirements for such sites shall be adhered to.
4. All contractors shall be accountable and responsible for the security of all their equipment, materials etc. on any of their work site, and when they utilise an agreed Eskom site.
5. 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

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

3.27 CONTRACT SIGN OFF

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

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