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Annotation: The information contained in this document is the minimum requirement; it can be updated, amended or removed to cover the SHE requirements related to the scope or the risks of the project. (This annotation shall be removed when drafting and finalising a specification)

Project Name: ISO 14001, 9001 and 45001 CERTIFICATION AUDITS

Project Address: Eskom Rotek Industries, Rosherville, Germiston

Scope of the project: Maintain the current certification for ISO 14001, 9001 and 45001 through surveillance and recertification audits.

ERI Contract's Manager

Name: Bhutana Mhlanga




ERI's Health and Safety Manager

Name: *Diane Maunatlala*

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1. Introduction

ERI'S'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 ERI minimum requirements which are required to be met for the specific contract and for the duration of the contract period by contractors and where required, the delivery organisation.

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

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

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

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

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

2. Supporting Clauses

2.1 Scope

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

2.1.1 Purpose

This document will provide a standardised approach to the compilation of SHE specifications throughout ERI for contracts, standards 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.

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2.2.1 Normative

- [1] Basic Conditions of Employment Act No 75 of 1997.
- [2] Occupational Health and Safety Act and Regulations No 85 of 1993.
- [3] National Environmental Management Act 107 of 1998.
- [4] Mine Health and Safety Act 29 of 1996
- [5] National Road Traffic Act 93 of 1996.
- [6] 32-37 Eskom Substance Abuse Procedure.
- [7] 240-62196227 Life- saving Rules.
- [8] 32-95 Environmental, Occupational Health and Safety Incident Management Procedure
- [9] 32-727 SHEQ Policy


2.2.2 Informative

- [10] Tobacco Products Control Act 83 of 1993 (Updated 2011.05.19)
- [11] SANS 1186 Symbolic Safety Signs
- [12] Constitution of the Republic of South Africa No 108 of 1996

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2.3 Definitions

Definition	Explanation
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
Controlled disclosure	controlled disclosure to external parties (either enforced by law, or discretionary).
Client	ERI representative (Internal – Asset Owner), also referred to as the contract administrator/custodian or agent or project manager (as defined in the contract). He/she is the person responsible for ensuring that the works or services are executed in terms of the contract, as well as adherence to legislation pertaining to the contract.
Competent person	(OHS Act) means any person having the knowledge, training, experience, and qualifications, specific to the work or task being performed, provided that, where appropriate, qualifications and training are registered in terms of the South African Qualifications Authority Act, 1995 (Act No. 58 of 1995)
Contractor – includes appointed contractor	means an employer who performs contract work and includes principal contractors
Employee	(OHS Act) means, subject to the provisions of subsection (2), any person who is employed by or works for an employer and who receives or is entitled to receive any remuneration or who works under the direction or supervision of an employer or any other person
Employer	(OHS Act) means, subject to the provisions of subsection (2), any person who employs or provides work for any person and remunerates that person or expressly or tacitly undertakes to remunerate him/her, but excludes a TES (ex labour broker) as defined in section 1(1) of the Labour Relations Act 1956 (Act No. 28 of 1956)
ERI requirements	ERI requirements flowing from directives, policies, standards, procedures, specifications, work instructions, guidelines, or manuals
Health and safety file	(OHS Act) means a file or other record, containing the information in writing required by the construction regulations.
Health and safety plan	(OHS Act) means a site, activity or project specific document plan in accordance with the client's health and safety specifications.
Health and safety specification	(OHS Act) means a site, activity or project specific document prepared by the client pertaining to all health and safety requirements related to construction work.
Health and safety requirements	means comprehensive health and safety requirements for a contract, project, site, and scope of work. This specification is intended to ensure the health and safety of persons, both workers and the public, and the duty of care to the environment. The health and safety requirements must be specific to each contract, project, site, and scope of work
Principal contractor	(In the text of this document) Means an employer, as defined in section 1 of the OHS Act, who intends to tender for or has signed a contract with ERI for services rendered.
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.
Service provider	any private person or legal entity that provides any service(s) to ERI for compensation

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2.4 Abbreviations

Abbreviation	Description
BU	Business Unit
CE	Chief Executive
COID Act	Compensation for Occupational Injuries and Diseases Act
DoL	Department of Labour (Inspection and Enforcement services – Provincial office)
EP	Emergency Preparedness
ERfW	Environmental Regulations for Workplaces
GAR	General Administrative Regulations
GSR	General Safety Regulations
NEMA	National Environmental Management Act
OHS Act	Occupational Health and Safety Act and Regulations, 85 of 1993

2.5 Related/Supporting Documents

Eskom/ERI OHS Act section 37(2) agreement to be signed at procurement during the signing of the NEC contract, it is the responsibility of the project manager to ensure that the 37(2) agreement is signed and a copy be kept in the contractor file at procurement.

3 Specification

3.1 Scope of work

- Maintain the current certification for ISO 14001, 9001 and 45001 through surveillance and recertification audits.
- Scheduling audits in consultation with the management representation of ERI.
- Conduct annual surveillance audits for each three yearly certification cycle
- Conduct recertification audits at the end of each certification cycle.
- Provide audit reports with findings, non-conformities, and recommendations for improvement.
- Issue certificates upon completion of an audits cycle.


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

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

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3.2 Legal Compliance

3.2.1 Section 37(2) (Legal) Agreement

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

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

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

3.2.2 Hazardous work by children (Child Labour)

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

17. being protected from exploitative labour practices;

18. 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. ERI does not condone the use of child labour and therefore all effort must be exercised and child labour should not be used.

3.2.3 OHS Act

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

3.2.4 Legislative compliance


All contractor will comply with all the legislation pertaining to this contract being but not limited to:

- The Constitution of the Republic of South Africa (particularly Section 24 of the Bill of Rights).
- Occupational Health and Safety Act 1993 (Act 85 of 1993) and its Regulations.
- Compensation for Occupational Injuries and Diseases Act.
- Mine Health and Safety Act 29 of 1996 where applicable
- National Environmental Management Act 107 of 1998.

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- National Road Traffic Act 93 of 1996.

3.3 ERI Requirements

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

3.3.1 Appointment of a contractor

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

3.3.2 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 the contractor SHE files and attached as an annexure in the SHE Plan.

3.3.3 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 (LoG) from such commissioner. The obligation lies with the contractors to ensure that the LoG remain valid throughout the contract period. A copy of the LoG must be filed in the contractor SHE files.


3.3.4 Substance Abuse

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

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3.3.5 Medicals

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

1. Contractor must ensure that its employees and their appointed contractor employees 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 man job specification, which must indicate the description of work, list of hazards and potential occupational exposure limits, physical hazards and required physical attributes.
3. Medical fitness certificates shall be renewed annually for employees who are working on site. This shall be maintained until completion of the contract.
4. The Contractor must ensure that his / her employees and appointed contractor employees have undergone pre-entry medical examination before starting work on the contract.
5. The principal contractor shall provide a documented process for managing those employees who are issued with a conditional certificate of fitness.

3.3.6 Appointments

For the duration of the contract, the principal contractor and all appointed contractors shall appoint competent employees who will meet the requirements of the OHS Act. Where appointments are made, contractors shall ensure that the appointees have been suitably trained and or informed of their responsibilities before getting them to accept such appointment. The relevant statutory appointments shall be made in accordance with the requirements of the OHS Act which includes the requirement of a competent person being appointed in the relevant roles. The statutory appointments should include but not limited to: incident investigator, risk assessor, SHE representative, project supervisor or project manager and 16(2) appointments.

3.3.7 Risk Assessments


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

- identification of all hazards;
- evaluation of the risks;

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- measures to control the risks.

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

3.3.8 Personal Protective Equipment Requirements

1. The contractor must provide a detailed programme that includes the issuing, maintenance and replacement of PPE for all his employees and appointed contractors on site.
2. All contractors shall comply with the requirements of GSR 2 of the OHS Act.
3. The risk-based PPE matrix must be compiled detailing the types of PPE that is required to be issued to employees performing the respective tasks.
4. 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.
5. All PPE purchased and used by all contractor employees including visitors must comply with the relevant SANS standards.
6. Where deemed as a requirement, then high visibility vests shall be worn.

3.3.9 Incident Investigation


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

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

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3.3.10 Emergency Management

The art of emergency preparedness and response is to minimise the effects of any emergency and to restore normal activities as soon as practical. The contractor employee must adhere to site emergency protocols.

3.3.11 Non-Conformance and Compliance

1. Any non-compliance to any health and safety requirement is subject to discipline in terms of the Eskom Procurement and Supply Management Procedure.
2. Where non-conformances are issued by ERI, then one of the close-out steps of the procedure will be for the offender to be called by the responsible project manager to explain the non-conformance issued and what plan is in place to prevent a recurrence of the non-conformance.

4 Acceptance

Null.

5 Revisions

N/A

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