

# Occupational Health and Safety Specifications for Construction work



*South African Revenue Service*

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## **1. Scope**

This Health and Safety specification in respect of an engineering and construction works contract:

- a) provides the overarching framework within which the Contractor is required to demonstrate compliance with certain requirements for occupational Health and Safety established by the Occupational Health and Safety Act 85, of 1993;
- b) establishes the manner in which the Contractor is to manage the risk of Health and Safety incidents in the execution of the contract; and
- c) establishes the manner in which the Employer's Health and Safety agent will interact with the Contractor.

### **Note:**

***1) This specification establishes general requirement to enable the Employer and the Contractor to satisfy the Occupational Health and Safety Act, 1993 (Act No 85 of 1993) and the Construction Regulations, 2003.***

***All construction works where physical construction started after the 7<sup>th</sup> of February 2014 must comply with the Construction Regulations 2003, and such construction works are exempted to comply with the Construction Regulations 2014 until the 7<sup>th</sup> August 2014, 6 months after the commencement of these Regulations, thereafter the Construction Regulations 2014 shall apply with the exception of Regulations 3 of 5 (7)(b) which will come into effect on the 7<sup>th</sup> August 2015, 18 months after the commencement of these Regulations)***

***All construction works where physical construction had started on or before the 7<sup>th</sup> of February 2014 must comply with the Construction Regulations 2003, and such construction works are exempted to comply with Construction Regulations 2014 until the 6<sup>th</sup> August 2015 and thereafter the Construction Regulation 2014 shall apply.***

***2) The Construction Regulations, 2003, require an Employer to stop any Contractor from executing construction work which is not in accordance with the Contractor's Health and Safety plan for the site or which poses to be a threat to the Health and Safety of persons.***

***3) This specification establishes generic Health and Safety requirements Site specific requirements for Health and Safety are stated in the scope of work associated with a contract.***

## 2. Definitions

**Act:** the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993)

**Competent person:** any person having the knowledge, training and experience specific to the work or task being performed.

**Employer's Health and Safety Agent:** the person appointed as agent by the Employer in terms of Regulation 4(5) of the Construction regulations and named in the contract data as the being the employer's agent responsible for Health and Safety matters.

**Ergonomics:** the application of scientific information concerning humans to the design of objects, systems and the environment for human use in order to optimise human well-being and overall system performance.

**Hazard:** a source of or exposure to danger

**Hazard Identification:** 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 Plan:** a documented plan which addresses hazards identified and includes safe work procedures to mitigate, reduce or control the hazards identified.

**Healthy:** free from illness or injury attributable to occupational causes

**Incident:** an event or occurrence occurring at work arising out of or in connection with the activities of person at work, or in connection with the use of plant or machinery, in which, or in consequence of which:

- a) Any person dies, becomes unconscious, suffers the loss of a limb or part of a limb or is otherwise injured or becomes ill to such a degree that he is likely either to die or to suffer a permanent physical defect or likely to be unable for a period of at least 14 days either to work or to continue with the activity for which he was employed or is usually employed;
- b) A major incident occurred; or
- c) The health or safety of any person was endangered and where:
  - i. A dangerous substance was spilled;
  - ii. The uncontrolled release of any substance under pressure took place;
  - iii. Machinery or any part thereof fractured or failed resulting in flying, falling or uncontrolled moving objects; or machinery ran out of control

**Inspector:** a person designated as such under section 28 of the Act

**Major incident:** an occurrence of catastrophic proportions, resulting from the use of plant or machinery, or from activities at a workplace

**Reasonably practicable:** practicable having regarded to:

- a) The severity and scope of the hazard or risk concerned'
- b) The state of knowledge reasonably available concerning that hazard or risk and of any means of removing or mitigating that hazard or risk;
- c) The availability and suitability of means to remove or mitigate that hazard or risk; and
- d) The cost of removing or mitigating that hazard or risk in relation to the benefits deriving therefrom;

**Registered person:** a person registered in terms of the Electrical Installation Regulations

**Risk:** the probability that injury or damage will occur

**Scaffold:** any temporary elevated platform and supporting structure used for providing access to and supporting workmen or materials or both

**Structure**

- a) Any building, steel or reinforced concrete structure (not being a building), railway line or siding, bridge, waterworks, reservoir, pipe or pipeline, cable, sewer, sewage works, fixed vessels, road, drainage works, earthworks, dam, wall, mast, tower, tower crane, batching plants, pylon, surface and underground tanks, earth retaining structure or any structure designed to preserve or alter any natural feature, and any other similar structure;
- b) Any formwork, false work, scaffold or other structure designed or used to provide support or means of access during construction work; or
- c) Any fixed plant in respect of work which includes the installation, commissioning, decommissioning or dismantling and where any such work involves a risk of a person, falling two meters or more

**Substance:** any solid, liquid, vapour, gas or aerosol, or combination thereof

**Suitable:** capable of fulfilling or having fulfilled the intended function of fit for its intended purpose

**Workplace:** any premises or place where a person performs work in the course of his employment.

### **3. Implementation of the specifications of Occupational Health and Safety**

#### **3.1. General Health and Safety Provisions**

##### **3.1.1 Legal Requirements**

All contractors entering into a contract with the SARS shall, as a minimum, comply with the requirements of the OHS Act, specifically the Construction Regulations and all other applicable legislation. An updated copy of the OHS Act shall at all times be available on site.

All national, provincial, and municipal by-laws shall be adhered to where applicable.

In addition, the Contractor shall also comply with the requirements of the COID Act and to this effect shall submit a letter of good standing with the compensation insurer to the SARS before work on site commences.

Where a contractor makes use of a sub-contractor, such a sub-contractor shall independently comply with this specification. Where this is not possible for whatever reason, the contractor shall take full responsibility for the sub-contractor and his employees in all aspects of H&S. The contractor shall therefore include such a sub-contractor activities and employees in his/her H&S plan and the execution thereof.

### **3.1.2 Pre- project Deliverables**

Prior to the commencement of the project, all deliverables, as per Annexure 1, shall be submitted to the SARS for approval. Site establishment may only commence once written approval have been obtained from the SARS.

The SARS may appoint an independent consultant to conduct audits and inspections before and during the project.

It is the duty of the Principal Contractor to communicate these H&S Specs to each contractor appointed by him.

In order for each contractor to commence construction work, that contractors' H&S file shall first be approved by the Principal Contractor. This file shall include the list of deliverables, as per Annexure 1.

In order to establish the level of H&S competence of a contractor, the SARS may request H&S audit reports from the contractors from previous projects, prior to the tender being awarded.

### **3.1.3 Competence**

The Contractor shall only appoint competent persons, as required by the OHS Act, and relevant Regulations. Proof of competence shall accompany all H&S appointments. Refer to Annexure 2.

Contractors may only appoint competent sub-contractors. The contractor must be able to prove the competence of its sub-contractors to the SARS.

**SARS reserves the right to reject any contractor if it is of the opinion that the said contractor is not competent to perform duties according to the requirements of this specification.**

#### **3.1.4 Cost of Health and Safety**

All parties tendering to work on this construction project shall ensure that they have made sufficient provision for the cost of complying with these specifications. No additional claims shall be accepted at a later stage, due to insufficient financial provisions to ensure compliance with the OHS Act, applicable Regulations or this specification.

#### **3.1.5 Incident/Injury and reporting**

All injuries of all contractors shall be registered, investigated and reported to the SARS. When reporting injuries to the SARS on a monthly basis, the following categories shall be used;

1. First Aid
2. Medical Treatment
3. Lost Time Incident
4. Fatality

All incidents reportable in terms of the provisions of Section 24 of the OHS Act shall be reported to the local Dept. of Labour in the prescribed manner.

Copies of all internal and external incident investigation reports, including the reports contemplated above shall be handed to the SARS within 7 days of the occurrence of the incident.

#### **3.1.6 Offences and Penalties**

The SARS reserves the right to stop any contractor from performing construction work, in terms of CR 4(1)(e), if construction work is not executed in accordance with that contractors' H&S Plan. The SARS shall not be held liable for any penalties payable that might arise out of such an instruction. Work may only commence once the SARS is satisfied that the contractor can perform his duties in a safe manner.

### **3.2 Operational Control**

#### **Purpose**

This Health and Safety specification identifies and encompasses the working behaviors and safe work practices that are expected of all SARS employees, Vendors and Contractors, Sub-Contractors and Visitors, engaged on SARS managed Projects.

Providing a guideline to comply with SARS best Health & Safety practices and the Occupational Health and Safety Act 85/1993 with Construction Regulations as amended in 2014, including reference to applicable legislative requirement.

#### **References**

- Occupational Health and Safety Act 85/1993 as amended and regulations (Including Construction Regulations, 2014)
- Explosives Act 26/1956
- Nuclear Energy Act 131/1993
- Compensation Of Injuries and Diseases Act. 133/1993

### **4. Interpretation**

- 4.1 The Act and its associated regulations shall have precedence in the interpretation of any ambiguity or inconsistency between it and this specification.
- 4.2 Compliance with the requirements of this specification does not necessarily result in compliance with the provisions of the Act.

### **5. Requirements**

#### **5.1 General Requirement**

The Contractor shall:

- a) Create and maintain a safe and healthy work environment'
- b) Execute the works in a manner that complies with all the requirements of the Act and all its associated regulations, and in so doing, minimize the risk of incidents occurring; and
- c) Respond to the notices issued by the Employer's Health and Safety Agent as follows:
  - 1. Improvement Notice: Improve Health and Safety performance over time so that repeat notices are not issued;
  - 2. Contravention Notice; rectify contravention as soon as possible;
  - 3. Prohibition Notice: terminate affected activities with immediate effect and only recommence activities when it is safe to do so.



## **5.2 Administration**

### **5.2.1 Notification of intention to commence construction work**

5.2.1.1 The Contractor shall notify the Provincial Director of Labour in writing using a form similar to that contained in Annexure A on the Construction Regulations issued in terms of the Act before construction work commence and retain a copy of such notification in the Health and Safety file where such work:

- a) Involves the demolition of a structure exceeding a height of 3m;
- b) Involves the use of explosives to perform construction work;
- c) Involves the dismantling of fixed plant at a height greater than 3m;
- d) Exceeds 30 days or will involve more than 300 person days of construction work; and includes
  - i. Excavation work deeper than 1m; or
  - ii. Working at a height greater than 3m above ground or a landing.

5.2.1.2 The Contractor shall ensure that no work commences on an electrical installation which requires a new supply or an increase in electricity supply before the person who supplies or contracts or agrees to supply electricity to that electrical installation has been notified of such work.

5.2.1.3 The Contractor shall ensure that no asbestos work is carried out before the Provincial Director of the Department of Labour has been notified in writing.

### **5.2.2 Copy of the Act**

The Contractor shall ensure that a copy of the Act and relevant regulations is available on site for inspection by any person engaged in any activity on the site.

### **5.2.3 Good standing with the Compensation Fund or a licensed compensation insurer**

The Contractor shall before commencing with any works on the site provide the Employer's Health and Safety Representative with proof of good standing with the compensation fund or with a licensed compensation insurer.

### **5.2.4 Emergency Procedures**

5.2.4.1 The Contractor shall submit for acceptance to the Employer's Health and Safety Agent an emergency procedure which include but are not limited to fire, spills, accidents to employees, exposure to hazardous substances, which:

- a) Identifies the key personnel who are to be notified of any emergency;
- b) Sets out details including contact particulars of available emergency services; and
- c) The actions or steps which are to be taken during an emergency.

5.2.4.2 the Contractor shall within 24 hours of an emergency taking place notify the Employer's Health and Safety Agent in writing of the emergency and briefly outline what happened and how it was dealt with.

### **5.2.5 Health and Safety File**

5.2.5.1 The Contractor shall maintain on site a Health and Safety file which contains copies of the following, as relevant:

- a) Documents required prior to commencing with physical construction activities
  - 1) The Contractor's Health and Safety policy, signed by the chief executive officer, which outlines the Contractor's objectives and how they will be achieved and implemented by the Contractor;
  - 2) The notification made to the Provincial Director of Labour, and if relevant, the notification of the person who supplies or contract or agrees to supply electricity to that electrical installation;
  - 3) The letters of appointment, as relevant, of the construction supervisor for the site in respect of construction works covered by the construction Regulations and the registered person responsible for the electrical installation covered by the Electrical Installations Regulations;
  - 4) A copy of the certificates of registration of the registered person responsible for the electrical installation covered by the Electrical Installations Regulations;
  - 5) The approval of the design of the part of an electrical installation which has a voltage in excess of 1kV by a person deemed competent in terms of the Electrical Installations Regulations;
  - 6) Proof of registration of the electrical Contractor who undertakes the electrical installation in terms of the Electrical Installations Regulations;
  - 7) The preliminary hazard identification undertaken by a competent person;
  - 8) The organogram which outlines the roles and responsibilities of the construction supervisor's assistants and safety officers; and
  - 9) The Contractors Health and Safety plan;
  - 10) The emergency procedures;
  - 11) The procedure for the replacement of lost, stolen, worn or damage personal protective clothing and

- 12) Proof that the Contractor is registered and in good standing with the compensations fund or with a licensed compensation insurer;
- b) Documents required after construction activities have commenced
  - 1) The letter of appointments, if relevant, of:
    - i) Persons who are required to assist the construction supervisor
    - ii) Safety officers;
    - iii) Health and Safety representatives;
    - iv) Replacement construction supervisor; and
    - v) Assistants of construction supervisor.
  - 2) Any revisions to the organogram which outlines the roles and responsibilities of the construction supervisor's assistants and safety officers;
  - 3) Each and every subcontract agreement;
  - 4) Proof that every sub-contractor is registered and in good standing with the compensation fund or with a licensed compensation insurer;
  - 5) Proof of all sub-contractors induction training whenever it is conducted;
  - 6) Copies of the minutes of the Contractor's sub-contractors Health and Safety meetings;
  - 7) Copies of each of the Contractor's sub-contractors Health and Safety policy, signed by the chief executive officer, which outlines the Contractor's objectives and how they will be achieved and implemented by the Contractor;
  - 8) The Health and Safety plans of all the Contractor's sub-contractors who are required to provide such plans;
  - 9) A comprehensive and updated list of all the sub-contractors employed on site by the Contractor, indicating the type of work being performed by such sub-contractors;
  - 10) The outcome of the monthly audits for compliance with the approved Health and Safety plan of each and every sub-contractor working on the site;
  - 11) Any report made to an inspector by the Health and Safety committee;
  - 12) The minutes of all Health and Safety meetings and any recommendations made to the Contractor by the Health and Safety committee;
  - 13) The findings of all audit reports made regarding the implementation of the Contractor's or a sub-contractors Health and Safety plan;

- 14) The inputs of the safety officer, if any, into the Health and Safety plan;
- 15) Details of induction training conducted whenever it is conducted including the list of attendees;
- 16) Proof of the following where suspended platforms are used:
  - i) A certificate of system design issued by a professional engineer, professional certificated engineer or a professional engineering technologist;
  - ii) Proof of competency of erectors;
  - iii) Proof of compliance of operational design calculations with requirements of the system design certificate;
  - iv) Proof of performance test results;
  - v) Sketches indicating the completed system with the operational loading capacity of the platform;
  - vi) Procedures for and records of inspections having been carried out;
  - vii) Procedures for and records of maintenance work having been carried out;
  - viii) Proof that the prescribed documentation has been forwarded to the provincial director;
- 17) Letters of appointments for competent persons to supervise the activities which law requires to be so supervised;
- 18) A copy of risk assessment made by competent persons;
- 19) Records or the register of inspections made by a competent person immediately before and during the placement of concrete or any other load on formwork;
- 20) The names of the first aiders on site and copies of the first aid certificates of competency;
- 21) Details of all incidents together with the Contractor's report on such incident; and
- 22) The record of inspections carried out by the designers of structures to ensure compliance with design

5.2.5.2 The Health and Safety file shall be made available for inspection by any inspector, sub-contractor, the Project Manager, the Employer's Health and Safety Agent or employee of the Contractor upon the request of such persons.

5.2.5.3 The Contractor shall hand over the Health and Safety file to the Employer's Health and Safety Agent upon completion of the contract and if relevant, a certificate of compliance accompanied by a test report for the electrical installation in accordance with the provisions of the Electrical Installation Regulations.

#### **5.2.6 Health and Safety Committee**

- 5.2.6.1 The Contractor shall convene Health and Safety meetings whenever more than two Health and Safety representatives have been appointed for the site. These meetings shall be attended by all Health and Safety representatives and persons nominated by the Contractor. Such meetings shall be convened at least once every month to:
- a) Make recommendations to the Contractor regarding any matter affecting the health or safety of persons on the site; and
  - b) Discuss any incident on the site in which or in consequence of which any person was injured, became ill or died.
- 5.2.6.2 The Contractor shall consult with the Health and Safety committee on the development, monitoring and review of the risk assessment.
- 5.2.6.3 The Contractor shall ensure that minutes of the Health and Safety committee meetings are kept.
- 5.2.6.4 The Employer's Health and Safety Agent shall be invited to attend such meetings as an observer.

#### **5.2.7 Inspections, formal enquiries and incidents**

- 5.2.7.1 The Contractor shall inform the relevant safety representative;
- a) Beforehand of inspections, investigations or formal inquiries which he has been notified by an inspector; and
  - b) As soon as reasonably practicable of the occurrence of an incident on the site.
- 5.2.7.2 The Contractor shall record all incidents and notify the employer's Health and Safety Agent of any incident, except in the case of a traffic accident on a public road, as soon as possible after it has occurred and report such incident to an inspector.
- 5.2.7.3 The Contractor shall investigate all incidents and issue the Employer's Health and Safety Agent with copies of such investigations.

#### **5.2.8 Personal Protective Equipment and Clothing**

The Contractor shall ensure that:

- a) All workers are issued with the necessary personal protective clothing;
- b) All workers are identifiable at all times by having the company for which they work for printed on the back or front of their overalls; and
- c) Clear procedures are in place for the replacement of lost, stolen, worn or damaged personal protective clothing.

### **5.3 Appointments**

#### **5.3.1 Health and Safety Representatives**

5.3.1.1 The Contractor shall appoint in writing one Health and Safety representative for every 50 employees working on the site, whenever there are more than 20 employees on the site, to:

- a) Review the effectiveness of Health and Safety measures;
- b) Identify potential hazards and potential major incidents;
- c) In collaboration with his employer, examine the causes of incidents;
- d) Investigate complaints by any employee of the Contractor relating to that employees health or safety on the site;
- e) Make representations to the Contractor on matters arising from a, b, c or d or on general matters affecting the health or safety of the employees at the workplace;
- f) Inspect the site with a view to, the Health and Safety of employees, at regular intervals;
- g) Participate in consultations with inspectors at the workplace and accompany inspectors on inspections of the workplace; and
- h) Participate in any internal Health and Safety audit.

5.3.1.2 The Contractor shall provide the Health and Safety representatives with the necessary assistance, facilities and training to carry out the functions established in 4.3.1

#### **5.3.2 Appointment of construction supervisor and safety officers**

5.3.2.1 The Contractor shall, prior to commencing the work, appoint a full-time competent employee in writing as the construction supervisor for the site, with the duty of supervising the performance of the work falling within the scope of the contract and may appoint one or more competent employees to assist the appointed construction supervisor.

5.3.2.2 The Contractor may, having considered the size of the project, the degree of dangers likely to be encountered or the accumulation of hazards or risks on the site, appoint a full-time or part-time construction safety officer in writing, who has in the Contractor's opinion the necessary competencies and resources, to assist the Contractor in the control of all safety related aspects on the site.

5.3.2.3 The Contractor shall compile and maintain an organogram which outlines the roles and responsibilities of the construction supervisor's assistants and safety officers.

#### **5.3.3 Competent persons**

5.3.3.1 The Contractor shall appoint in writing competent persons to supervise or inspect, as relevant, any of the following:

- a) Formwork and support work operations;
- b) Excavation work;
- c) Demolition work;
- d) Scaffolding work operations;
- e) Suspended platform work operations;
- f) Material hoists;
- g) Operation of batch plants;
- h) Explosive power tools;
- i) Vehicles and mobile equipment;
- j) Fire equipment; and
- k) The stacking and storage of articles on the site.

5.3.3.2 The contractor shall appoint in writing competent persons to:

- a) Induct employees in health and safety; and
- b) Prepare a fall protection plan.

#### **5.4 Employer's Health and Safety Agent**

5.4.1 The Employer's Health and Safety Agent shall:

- a) Audit the Contractor's compliance with the requirements of this specification prior to the commencement of any physical construction activities on the site;
- b) Accept or reject all safety plans, giving reasons for rejecting such plans;
- c) Monitor the effective implementation of all safety plans;
- d) Conduct periodic and random audits on the health and safety file to establish compliance with the requirements of this specification;
- e) Visit the site at regular intervals to conduct site inspections, and based upon such visits issue, whenever necessary, Improvement Notices, Contravention Notices and Prohibition Notices, to the Contractor or any of the Contractor's subcontractor with a copy to the Project Manager and, where relevant, to the Contractor.

5.4.2 The Contractor shall invite the Employer's Health and Safety Agent to audit compliance with the requirements of this specification before commencing with any physical construction activity on the site.

#### **5.5 Creating and maintaining a safe and healthy work environment**

##### **5.5.1 General**

5.5.1.1 The Contractor shall with respect to the site and the construction works that are contemplated:

- a) Cause a preliminary hazard identification to be performed by a competent person before commencing any physical construction activity;

- b) Evaluate the risks associated with such work constituting a hazard to the health and safety of such employees and the steps that need to be taken to comply with the Act; and
- c) As far as is reasonably practicable, prevent the exposure of such employees to the hazards concerned or, where prevention is not reasonably practicable, and minimize such exposure.

5.5.1.2 The Contractor shall ensure that:

- a) All reasonably practicable steps are taken to prevent the uncontrolled collapse of any new or existing structure or any part thereof, which may become unstable or is in a temporary state of weakness or instability due to the carrying out of construction work;
- b) No structure or part of a structure is loaded in a manner which would render it unsafe; and
- c) Account of information, if any, provided by the designer of the structure is taken into account in the risk assessment;

***Note: the information provided by the designer should outline known or anticipated dangers or hazards relating to the works and make available all information required for the safe execution of the work. It should provide as relevant, geotechnical information (or make reference to reports provided in the site information), the loading the structure is designed to withstand, the methods and sequence of construction.***

5.5.1.3 The Contractor shall carry out regular inspections and audits to ensure that the works are being performed in accordance with the requirements of this specification.

## **5.5.2 Risk Assessment**

5.5.2.1 The Contractor shall before the commencement of any work on site and during construction work, conduct a risk assessment by a competent person appointed in writing. Such an assessment shall as a minimum:

- a) Identify the risks and hazards to which persons may be exposed to;
- b) Analyse and evaluate the identified risks and hazards;
- c) Document a plan of safe work procedures, including the use of any personal protective equipment or clothing and the undertaking of periodic “toolbox talks” or inductions before undertaking hazardous work, to mitigate, reduce or control the risks and hazards that have been identified;
- d) Provide a monitoring plan; and
- e) Provide a review plan.

***Note: A Risk Assessment is an important step in protecting workers as well as complying with the law. It helps to focus on the risks that really matter in a particular workplace – the ones with the potential to cause real harm. Workers and others have a right to be***



***protected from harm caused by a failure to take reasonable control measures. The following four steps are recommended:***

- 1) Identify the hazards***
- 2) Identify who may be harmed and how***
- 3) Evaluate the risks and decide on precautions***
- 4) Record the findings***

5.5.2.2 The Contractor shall ensure that as far as is reasonably practicable, ergonomic related hazards are analysed, evaluated and addressed in the risk assessment.

5.5.2.3 Notwithstanding the provisions of the fall protection plan, the Contractor shall ensure that:

- a) All unprotected opening in floors, edges, slabs, hatchways and stairways are adequately guarded, fenced or barricaded or that similar means are used to safeguard any person from falling through such openings;
- b) No person works in an elevated position, unless such work is performed safely as if working from a scaffold or ladder;
- c) Notices are conspicuously placed at all openings where the possibility exists that a person might fall through such openings;
- d) Fall prevention and fall arrest equipment is:
  - i) Suitable and of sufficient strength for the purpose or purposes for which it is being used having regard to the work being carried out and the load, including any person, it is intended to bear; and
  - ii) securely attached to a structure or plant and the structure or plant and the means of attachment thereto is suitable and of sufficient strength and stability for the purpose of safely supporting the equipment and any person who is liable to fall;
- e) fall arrest equipment shall only be used where it is not reasonably practicable to use fall prevention equipment; and
- f) Suitable and sufficient steps shall be taken to ensure, as far as is reasonably practicable, that in the event of a fall by any person, the fall arrest equipment or the surrounding environment does not cause injury to the person.

5.5.2.4 Where roof work is being performed on a construction site, the contractor shall ensure that in addition to the requirements set out in sub regulations (2) and (4), it is furthermore indicated in the fall protection plan:

- a) that the roof work has been properly planned;
- b) that the roof erectors are competent to carry out the work;
- c) that no employees are permitted to work on roofs during inclement weather conditions or if weather conditions are a hazard to the health and safety of the employees;

- d) that prominent warning notices are to be placed where all covers to openings are not of sufficient strength to withstand any imposed loads and where fragile material exists;
- e) that the areas mentioned in paragraph (d) are to be barricaded off to prevent persons from entering;
- f) that suitable and sufficient platforms, coverings or other similar means of support have been provided to be used in such a way that the weight of any person passing across or working on or from fragile material is supported; and
- g) that there is suitable and sufficient guard-rails or barriers and toe-boards or other similar means of protection to prevent, so far as is reasonably practicable, the fall of any person, material or equipment.

### **5.5.3 Health and Safety Plans**

5.5.3.1 The contractor shall prior to commencing the works to which this specification applies, submit to the Employer's Health and Safety Agent for approval a suitable and sufficiently documented health and safety plan, based on this specification and the risk assessment that is conducted.

5.5.3.2 The health and safety plan shall as a minimum provide:

- a) The information contained in Table 1 in respect of each of the hazards associated with work falling within the scope of the contract; and
- b) An outline of the manner in which the Contractor intends complying with the requirements of this specification.

**Table 1: Example of the format of a health and safety plan**

What are the hazards relating to work tasks?	Who might be harmed and how?	What are the safe work procedures for the site?	What further action is necessary (monitoring and review)?	Action by whom	Action by when

5.5.3.3 The Contractor shall discuss the submitted health and safety plan with the Employer's Health and Safety Agent, modify such plan in the light of the discussions and resubmit the modified plan for approval.

5.5.3.4 The Contractor shall apply the approved health and safety plan from the date of its commencement and for the duration of the works to which this specification applies.

5.5.3.5 The Contractor shall conduct periodic audits for compliance with the approved health and safety plan at intervals agreed upon with the Employer's Health and Safety Agent, but at least once every month.

5.5.3.6 The Contractor shall update the health and safety plan whenever changes to the works are brought about.

#### **5.5.4 Fall protection plan**

5.5.4.1 The Contractor shall require a competent person to prepare a fall protection plan in compliance with the requirements of the Construction Regulations.

5.5.4.2 The Contractor shall ensure that the construction supervisor is in possession of the most recently updated version of the fall protection plan.

#### **5.5.5 Responsibilities towards employees and visitors**

5.5.6 The Contractor shall as far as is reasonably practicable, cause every employee to be made conversant with the hazards to his health and safety attached to any work which he has to perform, any article or substance which he has to produce, process, use, handle, store or transport and any plant or machinery which he is required or permitted to use, as well as with the precautionary measures which should be taken and observed with respect to those hazards or safe work procedures.

5.5.6.1 The Contractor shall ensure that all employees under his or her control are:

- a) Informed, instructed and trained by a competent person regarding any hazard and the related work procedures before any work commences, and thereafter at such times as may be determined in the risk assessment; and
- b) Issued with proof of health and safety induction training issued by a competent person and carry proof of such induction when working on site.

5.5.6.2 The Contractor shall cause a record of training to be kept which indicates the names, identity numbers and job description of all those who attended such training.

5.5.6.3 The Contractor shall not allow or permit any employee to enter the site, unless such person has undergone health and safety induction training pertaining to the hazards prevalent on the site at the time of entry.

5.5.6.4 The Contractor shall ensure that each visitor to a construction site are safe, and where such visitor only visits the site office and is not in direct contact with the construction work activities:

- a) Undergoes health and safety instruction pertaining to the hazards prevalent on the site; and
- b) Is provided with the necessary personal protective equipment.

5.5.6.5 The Contractor shall provide suitable on-site signage to alert workers and visitors to health and safety requirements. Such signage shall include but not be limited to:

- a) Unauthorized entrance prohibited;
- b) Signage to indicate what personal protective equipment is to be worn, and
- c) Activity related signs.

5.5.6.6 The Contractor shall not permit any person who is or who appears to be under the influence of intoxicating liquor or drugs, to enter or remain at a workplace.

#### **5.5.7 Subcontractors**

5.5.7.1 The contractor may only subcontract work in terms of a written subcontract and shall only appoint a subcontractor should he be reasonably satisfied that such a subcontractor has the necessary competencies and resources to safely perform the work falling within the scope of the contract. Such subcontract shall require that the subcontractor to:

- a) Co-operate with the Contractor as far as is necessary to enable both the Contractor and subcontractor to comply with the provisions of the Act; and
- b) As far as is reasonably practicable, promptly provide the Contractor with any information which might affect the health and safety of any person at work carrying out work or any person who might be affected by the work of such a person at work or which might justify a review of the health and safety plan.

5.5.7.2 The Contractor shall provide any subcontractor who is submitting a tender or appointed to perform a subcontract falling within the scope of the contract, with the relevant sections of this specification and any work specific information which might be pertinent to the subcontract.

5.5.7.3 The Contractor shall take reasonable steps as are necessary to ensure:

- a) Co-operation between all subcontractors to enable each of those subcontractors to comply with the requirements of the Act and associated regulations; and
- b) That each subcontractors health and safety plan is implemented

5.5.7.4 The Contractor shall conduct periodic audits for compliance with the approved health and safety plan of each and every subcontractor working on the site at intervals agreed upon with such subcontractors, but at least once per month.

5.5.7.5 The Contractor shall stop any subcontractor from executing construction work which is not in accordance with the Contractor's or sub-contractors

health and safety plan for the site or which poses a threat to the health and safety of persons.

5.5.7.6 The Contractor shall ensure that where changes to the works occur, sufficient health and safety information and appropriate resources are made available to subcontractor to execute the work safely.

5.5.7.7 The Contractor shall ensure that:

- a) Every subcontractor is registered and in good standing with the compensation fund or with a licensed compensation insurer prior to work commencing on site;
- b) Potential subcontractors submitting tenders have made provision for the cost of health and safety measures during the construction process; and
- c) Every subcontractor has in place a documented health and safety plan prior to commencing any work on site which falls within the scope of the contract.

5.5.7.8 The Contractor shall receive, discuss and approve health and safety plans submitted by subcontractors.

5.5.7.9 The Contractor shall ensure that all subcontractors are informed regarding any hazard as stipulated in the risk assessment before any work commences, and thereafter at such times as may be determined in the risk assessment.

5.5.7.10 The contractor shall reasonably satisfy himself that all employees of subcontractors are informed, instructed and trained by a competent person regarding any hazard and the related work procedures before any work commences, and thereafter at such times as may be determined in the risk assessment.

5.5.7.11 The Contractor shall satisfy himself that ensure that all subcontractor employees deployed in the site are:

- a) Informed, instructed and trained by a competent person regarding any hazards and related work procedures before any work commences, and thereafter at such times as may be determined in the risk assessment; and
- b) Issued with proof of health and safety induction training issued by a competent person and carry proof such induction when working on site.

#### **5.5.8 First Aid, emergency equipment and procedures**

5.5.8.1 the Contractor shall where more than five employees are employed at a workplace, provide a first aid box or boxes at or near the workplace which shall be available and accessible for the treatment of injured persons at that workplace. Such first aid boxes shall contain suitable first aid equipment. At

least one person is in possession of a valid certificate of competency in first aid.

5.5.8.2 The Contractor shall ensure that where there are more than 10 employees employed on the site that for every group of up to 50 employees at that workplace, at least one person is readily available during normal working hours, who is in possession of a valid certificate of competency in first aid.

#### **5.5.9 Facilities for workers**

5.5.9.1 The Contractor shall provide and keep clean and fit for use at or within reasonable access of the site:

- a) At least one sanitary facility for every 30 workers;
- b) Changing facilities for each sex; and
- c) Sheltered eating areas

#### **5.5.10 COVID-19**

5.5.10.1 During the COVID-19 pandemic the Contractor shall ensure they are protecting their workforce and the clients workforce by minimising the risk of spread of infection. The Contractor must always comply with the latest Government advice on Coronavirus including compliance with the Occupational Health and Safety Act No.85 of 1993 and the Disaster Management Act, of 2002, and the subsequent regulations.

##### **5.5.10.2 Responsibilities**

The Contractor shall ensure and maintain a safe and healthy working environment for employees and members of the public, it is advised that all the construction companies should assess the workplace risks posed by the COVID-19 pandemic, giving due consideration to the response measures announced in the president's speech. Contractors should therefore determine mitigation measures to minimize risk as far as reasonably practicable, allowing work to continue safely and without harm to all relevant stakeholders, including clients, employees, contractors, suppliers, manufacturers and all interested and affected parties.

##### **5.5.10.3 COVID-19 Symptom Screening**

The Contractor shall recognise that the public health system will not be able to respond to every possible COVID-19 incident identified in the workplace, contractors should have the following in place:

- Adequately train (directly or indirectly) identified company personnel to perform daily workplace COVID-19 symptom screening.
- Provide compulsory medical screening equipment
- Provide prescribed personal protective equipment (PPE) to those assigned to perform the screening.

- Companies should keep record of all such screening, and should an employee show any positive symptoms related to COVID-19, then such an employee will be quarantined, and the Department of Health Hotline 0800 029 999 immediately contacted.

Contractors will furthermore ensure a healthy working environment by:

- As far as reasonably practicable educating employees, subcontractors and their employees as to the preventive measures to avoid infection.
- Ensuring the workplace, ablution facilities, eating facilities are clean and hygienic.
- Providing sanitising and/or hand wash facilities as required.
- Promoting regular hand washing by employees and sub-contractors.
- Reducing meetings and gatherings that bring individuals within 2 meters of each other for extended durations.
- Providing PPE when close contact work is required.
- The separation of individuals wherever practicably possible.
- Promoting good respiratory hygiene by employees and sub-contractors.
- Keeping employees and sub-contractors informed on developments related to COVID-19.
- Each site and or Company is to open and maintain a COVID-19 register and will update the information daily.

#### 5.5.10.4 **Who should not report for duty?**

The Contractor shall ensure that anyone who meets one of the following criteria should not report for duty / be present on site:

- Has a high temperature or a new persistent cough.
- Is a vulnerable person as identified by an Occupational Health Practitioner (by virtue of their age, underlying health condition, clinical condition or is pregnant).
- Is living with someone in self-isolation.

##### 5.5.10.4.1 **Procedure if employee displays symptoms**

The Contractor shall ensure if a worker develops a high temperature or a persistent cough while at work, they should:

- Return home immediately.
- Avoid touching anything.
- Cough or sneeze into a tissue and put it in a bin, or if they do not have tissues, cough and sneeze into the crook of their elbow.

Thereafter, they must arrange to be tested and follow the government's requirements in terms of isolation and or quarantine and report this to the Department of Health.

#### **5.5.10.5 Hand Washing**

The contractor shall ensure that all individuals shall wash their hands with soap and water for at least 20 seconds or use approved alcohol based sanitizer when: -

- entering or leaving a site;
- before eating
- after eating;
- after site walks;
- after ablutions;
- after touching hand rails, door handles, paper, envelopes etc; and
- any other interactions that may require hand washing.
- appropriate areas around the site such that a person does not need to walk further than 50m to access these facilities
- Where soap and water are provided for hand washing, so too must paper towels be provided for drying of hands.
- Workers who work in close contact shall have regular access to hand washing facilities.

#### **5.5.10.6 Cleaning**

- The contractor shall ensure to clean and disinfect objects and surfaces that are frequently touched. This must be done at regular intervals

#### **5.5.10.7 Respiratory Hygiene**

- Individuals who sneeze must be considerate. Leave the group or room, cover their mouths and nose with a tissue and dispose of the tissue properly; alternatively sneeze into a flexed inside of the elbow.
- Avoid touching one's eyes, nose and mouth with unwashed hands.

#### **5.5.10.8 Social Distancing**

The contractor shall ensure that the following will apply to all individuals on a construction site:

- There will be no hand shaking with any person.
- Avoid the unnecessary touching of other individuals.
- When talking, sitting or eating with others, keep a distance of at least 1.5 - 2m between yourselves.
- Avoid close contact with anyone who has a fever or cough and request that site or office management follow these procedures and guidelines in terms of dealing with this person.
- Lifts should be avoided, as they are a confined space. Use stairways and do not touch the hand rails.
- Wherever possible, work that requires close contact shall be planned to reduce the number of individuals involved in the activity at any one time.



#### **5.5.10.9 PPE**

The contractor shall ensure:

- Workers who work in close contact with one another shall wear appropriate PPE
- Workers shall be trained on how to wear, remove and - where appropriate - dispose of their PPE properly.
- Safety and supervisory personnel shall ensure no close contact work is carried out by workers who are using defective or inadequate PPE

#### **5.5.10.10 Ablution, Eating and Changing Facilities**

The contractor shall ensure:

- The number of individuals using these facilities at one time is to be restricted to allow for social distancing requirements, and this should be supervised accordingly to ensure compliance.
- Break times are to be staggered to reduce congestion.
- Eating tables should be cleaned before and after each use.

#### **5.5.10.11 Meetings / Briefings**

The contractor shall ensure:

- Meetings where spacing of individuals would be less than 2m apart are not to be permitted.
- Toolbox talks shall be limited to a maximum duration of 15 minutes and shall be in groups that allow for a 2m spacing between individuals but do not require the speaker to shout.
- Toolbox talks must be held in well ventilated areas.
- The awareness of hand washing and other hygiene behaviours is to be communicated daily.
- Site meetings shall be reduced to only those that are essential and shall wherever possible be held via video conference.
- Wherever possible, meetings and / or briefings shall be held in open areas with good ventilation.

#### **5.5.10.12 Transport**

The contractor shall ensure:

- Where transport is provided, occupancy of the vehicle should be reduced in line with government policy in the taxi industry.
- Transport vehicles should be sanitized before and after each trip.
- A fever screening process will be implemented prior to embarkation.

**ANNEXURE A**

**NOTIFICATION OF CONSTRUCTION WORK**  
**OCCUPATIONAL HEALTH AND SAFETY ACT, 1993**  
**Regulation 4 of the Construction Regulations, 2003**

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1. (a) Name and postal address of principal contractor:

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(b) Name and telephone number of principal contractor's contact person:

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2. Principal contractor's compensation registration number:

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3. (a) Name and postal address of client:

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(b) Name and telephone number of client's contact person or agent:

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4. (a) Name and postal address of designer(s) for the project:

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(b) Name and telephone number of designer's contact person:

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5. Name and telephone number of principal contractor's construction supervisor on site appointed in terms of regulations 6(1):

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6. Name/s of principal contractor's sub-ordinate supervisors on site appointed in terms of regulation 6 (2):

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7. Exact physical address of the construction site or site office:

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Occupational Health and Safety Specifications for construction work

8. Nature of the construction work:

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9. Expected commencement date: \_\_\_\_\_

10. Expected completion date: \_\_\_\_\_

11. Estimated maximum number of persons on the construction site:

Total: \_\_\_\_\_ Male: \_\_\_\_\_ Female: \_\_\_\_\_

12. Planned number of contractors on the construction site accountable to principal contractor:

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13. Name(s) of contractors already selected:

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Principal Contractor

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Date

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Client's Agent (where applicable)

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Date

---

Client

---

Date

**THIS DOCUMENT IS TO BE FORWARDED TO THE OFFICE OF THE DEPARTMENT OF LABOUR PRIOR TO COMMENCEMENT OF WORK ON SITE.**

**ALL PRINCIPAL CONTRACTORS THAT QUALIFY TO NOTIFY MUST DO SO EVEN IF ANOTHER PRINCIPAL CONTRACTOR ON THE SAME SITE HAD DONE SO PRIOR TO THE COMMENCEMENT OF WORK.**

## Annexure 1

### APPLICATION FOR A PERMIT TO DO CONSTRUCTION WORK

(In terms of Regulation 3(2) of Construction Regulation, 2014)

This application must be submitted with the following documents:

1. Health and Safety specification.
  2. Health and Safety Plan.
  3. Baseline Risk Assessment.
- 

1. Name, postal address and telephone numbers of the client:

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2. Details of the Agent:

- a) Title, Surname and Initials:

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- b) Identity number/Passport Number:

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- c) Registration number with SACPCMP:

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- d) Office Tel. number and/or Mobile number:

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- e) Postal Address:

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3. Name, postal address and telephone numbers of the appointed principal contractor:

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4. Name, postal address and telephone numbers of designer of the project:

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5. Name, postal address and telephone numbers of the following persons:

- a) Construction Manager:

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- b) Construction Health and Safety Manager:

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- c) Construction Health and Safety Officer:

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6. Exact physical address of the construction and site office:

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7. Nature of construction work:

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8. Expected commencement date:

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9. Expected completion date:

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10. Estimated maximum number of person on the construction site:

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11. Planned number of contractors on site accountable to principal contractor:

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12. Name(s) of contractors appointed:

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13. Signature of Client/Client's Agent

Date

14. Signature of the Principal Contractor

Date

**FOR OFFICE ONLY**

<b>Authorization /Unique No.</b>	<b>LABOUR CENTRE</b>	<b>OFFICIAL APPROVAL STAMP</b>

15. Date of application:

\_\_\_\_\_

16. Submitted documents prescribed in Construction Regulation 5(4) (Please Tick ✓):

<b>CR 5(1)(a)</b>		<b>CR 5(1)(b)</b>		<b>CR 5(1); (C-S)</b>	
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17. Result of the application (Please Tick ✓)	<b>Approved</b>		<b>Declined</b>	
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18. Reason for declining the application:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
19. Signature of the Supervisor

\_\_\_\_\_  
20. Signature of revoking Officer/Inspector

## ANNEXURE 2

## OCCUPATIONAL HEALTH AND SAFETY ACT 85, OF 1993

## CONSTRUCTION REGULATIONS, 2014

## MEDICAL CERTIFICATE OF FITNESS

Name of Employee \_\_\_\_\_ ID Number \_\_\_\_\_ Co Number \_\_\_\_\_

	*Possible Exposure e.g. Noise, heat, fall risk, confined space etc.	*Job Specific Requirements e.g. Operating Mobile Crane, Digging Tranches, Erecting formwork & Support work etc.	*Protective Equipment e.g. Dust Respirator (Light Duty), Welding, Gloves etc.
*Occupation e.g. General Worker, Welder, Bricklayer, Steel fixer, Mobile Crane Operator, etc.			

**\*The Employer to complete the information in the spaces marked with an \* before sending the Employee for a medical examination**

**Declaration by the Medical Examiner:**

I certify that I have, by examination and testing, using the above criteria specified by the employer, satisfied myself that the abovementioned employee is fit to perform the duties as described by the employer in the matrix above.

Occupational Medicine Practitioner/Occupational Health Nursing Practitioner: (Please print Name): \_\_\_\_\_

Signature: \_\_\_\_\_ Practice Number: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

