



CAPE WINELANDS DISTRICT

MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

OCCUPATIONAL HEALTH AND SAFETY POLICY

**REVISED POLICY ADOPTED BY COUNCIL ON 21 OCTOBER 2021
AT ITEM C.15.1 [CONFIDENTIAL MEETING]**

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1. INTRODUCTION

The need for the policy stems from the Occupational Health and Safety Act and Regulations, 1993 (Act No. 85 of 1993) [OHSA] which requires employers, including municipalities, amongst other things to develop and adopt an occupational health and safety policy.

2. PURPOSE OF THE POLICY

- 2.1 To ensure compliance with the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), subordinate legislation, regulations, codes of practice, and to acknowledge that the Employer has the responsibility and moral obligation to provide a safe and healthy workplace.
- 2.2 To create a framework for decision-making in respect of human resource management in as far as occupational health and safety is concerned in the Municipality.
- 2.3 To promote and maintain the highest degree of physical, mental and social wellbeing of workers.
- 2.4 To prevent amongst workers, injury and ill health caused by their working conditions.
- 2.5 To place and maintain workers in a working environment that is conducive to their individual physiological and psychological conditions.
- 2.6 To protect workers from factors adverse to their health and safety.
- 2.7 To promote and maintain a safe working environment.

3. SCOPE AND APPLICATION

This policy shall apply to all employees and contractors of the Cape Winelands District Municipality.

4. DEFINITIONS

For the purpose of this policy unless the context otherwise indicates –

“Accident” means an accident arising out of and in the course of an employee’s employment and resulting in a personal injury, illness or the death of an employee.

“Danger” means anything which may cause injury or damage to persons or property.

“Employee” shall mean a person in the employment of the Cape Winelands District Municipality, either in a permanent, contract of temporary capacity.

“Executive Management” shall mean the Municipal Manager and Heads of Department.

“Hazard” means a source of or exposure to danger.

“Heads of Department” shall mean all appointees in terms of section 56 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000).

“Health and Safety Committee” means a committee established under section 19 of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993).

“Healthy” means free from illness or injury attributable to occupational causes.

“Incident” means an incident as contemplated in section 24(1) of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993)

“Issue” means personal safety equipment or protective clothing as well as other clothing and uniforms not compulsory by law.

“Machinery” means any article or combination of articles assembled, arranged or connected and which is used or intended to be used for converting any form of energy to performing work, or which is used or intended to be used, whether incidental thereto or not, for developing, receiving, storing, containing, confining, transforming, transmitting, transferring or controlling any form of energy.

“Medical Surveillance” means a planned programme of 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, including medical fitness tests in terms of Annexure 3 of the Construction Regulations, 2014.

“Municipal Manager” shall mean a person appointed by the Municipal Council as the Municipal Manager for the Municipality in terms of section 82 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998).

“Occupational Health” means occupational hygiene, occupational medicine and biological monitoring.

“Occupational Health Practitioner” means an occupational medicine practitioner or a person who holds a qualification in occupational health recognized as such by the South African Medical and Dental Council as referred to in the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No. 56 of 1974) or South African Nursing Council as referred to in the Nursing Act, 1978 (Act No. 50 of 1978).

“Occupational Hygiene” means the anticipation, recognition, evaluation and control of conditions arising in or from the workplace which may cause illness or adverse health effects to persons.

“Plant” includes fixtures, fittings, implements, equipment, tools and appliances, and anything which is used for any purpose in connection with such plant.

“Premises” includes any building, vehicle, vessel, train or aircraft.

“Risk” means the probability that injury or damage will occur.

“Safe” means free from any hazard.

“Staff Member” means the employees of the Cape Winelands District Municipality, including the Municipal Manager and Senior Managers reporting directly to the Municipal Manager.

“Substance” includes any solid, liquid, vapour, gas or aerosol, or combination thereof.

“Work” means work as an employee, and for such purpose an employee is deemed to be at work during the time that he is in the course of his employment.

“Workplace” means any premises or place where a person performs work in the course of his employment.

All terminology not defined under paragraph 4 of this policy shall bear the same meaning as in the applicable legislation.

5. LEGISLATIVE FRAMEWORK

This policy and its application must be in accordance with the following legislative prescripts:

- 5.1 Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997).
- 5.2 Labour Relations Act, 1995 (Act No. 66 of 1995).
- 5.3 Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000).
- 5.4 Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998).
- 5.5 Local Government Municipal Finance Management Act, 2003 (Act No. 56 of 2003).
- 5.6 Occupational Health and Safety Act and Regulations, 1993 (Act No. 85 of 1993).
- 5.7 Compensation for Occupational Injury and Diseases, 1993 (Act No. 130 of 1993).
- 5.8 Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No. 56 of 1974) or South African Nursing Council as referred to in the Nursing Act, 1978 (Act No. 50 of 1978).
- 5.9 Employment Equity Act, 1998 (Act No. 55 of 1998).
- 5.10 All relevant Collective Agreements.

6. OBJECTIVES OF POLICY

- 6.1 To implement an Occupational Health and Safety Programme.
- 6.2 To identify all risks and changes in risk factors in areas regarded as high risk.
- 6.3 To stay abreast of legislative requirements and to meet such requirements as far as is reasonably practicable.
- 6.4 To train everyone in the Municipality on matters pertaining to their work and the associated risks involved.
- 6.5 To ensure that the knowledge and information available is adequate to achieve these objectives.
- 6.6 To continually evaluate health and safety programmes and adapting it, as and when problems are identified.
- 6.7 To participate actively in accident/incident prevention programmes.

7. LEGISLATIVE COMPLIANCE

- 7.1 The Municipality must follow all aspects of the Occupational Health and Safety Act and Regulations, 1993 (Act No. 85 of 1993), including any other related documents.
- 7.2 Any training done regarding legislation or health and safety programmes, policies and procedures must be noted and kept on file.
- 7.3 Any person who does not adhere to legislation will be guilty of an offence and must be disciplined in terms of the applicable Disciplinary Code.

8. COMMUNICATION

This policy, and related information pertaining to occupational health and safety, must be communicated and displayed to all employees using the full range of communication methods available to the Municipality.

9. BUDGET AND RESOURCES

Heads of Department must budget annually for the implementation of occupational health and safety related matters.

10. RECORD KEEPING

All documentation and correspondence emanating from this policy must be kept on either personal and/or record files as dictated by the nature of the applicable issue.

11. NON-COMPLIANCE

Non-compliance to any of the provisions contained in this policy will be regarded as misconduct and must be dealt with in terms of the applicable Disciplinary Code.

12. MEDICAL SURVEILLANCE PROGRAMME

A Medical Surveillance Programme must be used to identify and record the presence of any occupational disease and the degree of exposure. The information must be used to ensure that the health of the employee will not be compromised by placement in a particular job.

Employees who have a health condition which will or could be compromised will not be placed in high-risk areas. General health information, not required for the job, is used to identify health needs and the health care that the individual would require.

12.1 Pre-employment examination

- 12.1.1 Certain employees must undergo a pre-employment medical examination prior to being appointed to a position.
- 12.1.2 The inherent requirements of the position will determine whether medical examination is needed.
- 12.1.3 The selection criteria will be the risks involved determined by the job and results must be kept confidential.
- 12.1.4 The inherent medical requirements must be used to ensure non-discriminatory results.
- 12.1.5 A declaration must be signed by the applicant accepting the conditions of the Medical Surveillance Programme and any testing required.
- 12.1.6 The applicable manager/supervisor must be notified of the suitability of the applicant.

12.2 Periodic Screenings

- 12.2.1 Employees working in specific areas or shifts must undergo screening at various intervals, depending on the health risk profile applicable to a specific job (e.g., drivers will be examined annually).
- 12.2.2 A certificate of fitness must be issued by an Occupational Health Practitioner.

12.3 Transfer Screening

- 12.3.1 Employees must only be screened for the job they are initially placed in, if applicable and depending on the nature of the job.
- 12.3.2 This means that employees will not necessarily be suitable to work in another area, except if they are required to be multi-skilled to work in all areas.
- 12.3.3 Any employee requiring or applying for transfer to another post must first undergo an assessment to ensure suitability for that particular post.

13. INJURY REPORTING

- 13.1 In terms of the Occupational Health and Safety Act, 1993 (Act No. 83 of 1993), all injuries and incidents must be reported immediately or as soon as practically possible for assessment, recording, or possible investigation.
- 13.2 An employee who sustained an injury on duty must report it to his/her supervisor as soon as possible, however by no later than the end of the workday or the end of a shift.
- 13.3 It is the supervisor's responsibility to ensure that the Employer's Report of an Accident (W.Cl.2) is completed and a copy of it is provided to the injured employee.
- 13.4 The injured employee will give this copy to the recommended medical practitioner as confirmation of an alleged injury on duty.

- 13.5 When an employee visits the recommended medical practitioner with a WCA case, he/she cannot unilaterally change the medical practitioner without the permission of the medical practitioner who originally examined the employee.
- 13.6 Only the medical practitioner can refer the employee, and only to a medical specialist, not another medical practitioner.
- 13.7 The Municipality has the right to request a second opinion if they are not satisfied with the opinion from the first medical practitioner.
- 13.8 Employees must visit the medical practitioner until the WCA case has been finalised and closed.

14. PERSONAL PROTECTIVE EQUIPMENT (PPE)

- 14.1 Occupations which require PPE to be worn by the incumbents must be identified.
- 14.2 Employees will be required to sign for the PPE issued, to follow the prescribed procedures and undergo training required for correct usage.
- 14.3 No employee shall intentionally or recklessly interfere with, damage or misuse PPE which was provided in the interest of health or safety.
- 14.4 Where PPE has been issued, it shall be deemed as an offence if it is not worn at all times, and thus disciplinary action in terms of the applicable Disciplinary Code must be instituted on non-compliance.

14.5 Safety equipment

14.5.1 Supervisors must ensure that employees receive the applicable PPE required for the job.

14.5.2 Employees must use PPE as instructed and take care of it.

14.5.3 Employees will be charged for loss or destruction of PPE only when it occurs through negligence.

14.6 Safety shoes

14.6.1 The Municipality will designate the jobs that requires safety shoes.

14.6.2 Under no circumstances must an employee be permitted to work in sandals or open-toe shoes in respect of jobs and work areas which require that safety shoes must be worn.

14.7 Eye Protection

14.7.1 The wearing of safety glasses, where applicable, is mandatory, for example, clear safety glasses for indoor activities and dark safety glasses for outdoor activities.

14.8 Wear and Usage of PPE

14.8.1 Employees are compelled to wear and use the relevant PPE.

14.8.2 Managers/supervisors are responsible to ensure that employees wear the relevant PPE.

14.8.3 Managers/supervisors, the Occupational Health and Safety Officer and safety representatives must continuously check on employees and report deviations to the relevant manager/supervisor.

14.8.4 No employee may use or wear PPE in his/her private time or for private usage.

14.9 Cleaning of PPE

14.9.1 Cleaning, washing and ironing of PPE are the responsibility of the employee.

14.9.2 Abnormal circumstances must be referred to the manager/supervisor for consideration.

14.10 Ownership of PPE

14.10.1 All issued PPE remains the property of the Municipality whilst in employment and on termination of service it will be returned to the employer, whereby it must be disposed of in an acceptable manner.

14.11 Undertaking in writing

14.11.1 All employees must undertake in writing to wear and use all PPE, before an issue takes place.

14.12 Frequency of PPE issued

- 14.12.1 PPE will be issued as per the policy applicable on the specific workplace.
- 14.12.2 The applicable policy may determine the frequency of issues, or provide that PPE only be issued on the principle of as and when needed and will therefore only be replaced when worn out.
- 14.12.3 The applicable policy will determine which equipment and clothing must be issued, the quantities that must be issued as well as the minimum life expectancy of the items issued.
- 14.12.4 Proof that the items are worn out or the return of worn-out items, is compulsory before a new issue can/may be made.

14.13 Responsibility for PPE

- 14.13.1 Employees who negligently lose or damage their issues will be held responsible for the replacement costs.

15. SAFETY RULES AND GUIDELINES

- 15.1 As safety is the constant concern of the Municipality, every precaution must be taken to provide a safe workplace.
- 15.2 Occupational Health and Safety Representatives must make regular inspections and conduct safety meetings as prescribed in accordance with the Occupational Health & Safety Act, 1993 (Act No. 85 of 1993).

- 15.3 Occupational Health and Safety Representatives must meet with management to plan and implement improvements in the safety program.
- 15.4 The Cape Winelands District Municipality regards the safety of employees of utmost importance and any wilful or habitual violation of safety rules shall be considered causes for disciplinary actions.
- 15.5 The cooperation of every employee is necessary to ensure safe places of work.
- 15.6 Unsafe conditions or hazards must immediately be reported to the supervisor, or the Occupational Health and Safety Representative.
- 15.7 Employees must give earnest consideration to the rules of safety presented to them by poster signs, discussions with their supervisors, posted departmental rules, etc.
- 15.8 To ensure the safety of employees, the following rules and guidelines must be observed and obeyed by all employees:
 - 15.8.1 Practice the safety procedures established for a specific job.
 - 15.8.2 Sickness or injury, no matter how slight, must immediately be reported to the supervisor. Under no circumstances must an employee treat his own or someone else's injuries or attempt to remove foreign particles from the eye.
 - 15.8.3 In case of injuries resulting in possible fracture to legs, back, or neck, or any accident resulting in an unconscious condition, or a severe head injury, the employee is not to be moved until medical attention has been given by authorized personnel.

- 15.8.4 Employees are not to wear loose clothing or jewellery near machinery.
- 15.8.5 The attention of employees must never be distracted as it might cause them to be injured.
- 15.8.6 Employees must, where required, wear PPE, such as safety glasses, masks, gloves, etc.
- 15.8.7 Safety equipment such as restraints, pull backs, and two-hand devices are designed for the employees' protection and must be adjusted as such.
- 15.8.8 Materials, skids, bins, boxes or other equipment must be piled so as not to block aisles, exits, firefighting equipment, electric lighting or power panel, valves, etc. FIRE DOORS AND AISLES MUST BE KEPT CLEAR at all times.
- 15.8.9 Work areas must be kept clean at all times.
- 15.8.10 Compressed air must be used only for the job for which it is intended, and clothes must not be cleaned with it.
- 15.8.11 Smoking regulations must be observed.
- 15.8.12 Machines must be shut down before cleaning, repairing, or leaving.
- 15.8.13 Tow motors and lift trucks must be operated by authorized personnel. Walk-type lift trucks will not be ridden and only the operator is permitted to ride tow motors.

- 15.8.14 Speed that is safe for existing conditions must not be exceeded.
- 15.8.15 Running and horseplay are strictly forbidden.
- 15.8.16 Access to fire extinguishers must not be blocked.
- 15.8.17 No tampering with electric controls or switches is allowed.
- 15.8.18 Machines or equipment must only be operated upon proper instruction and authorization to do so by the supervisor.
- 15.8.19 Employees must lift loads by using their legs and not their backs.
- 15.8.20 Machine guards must be kept in their intended places.
- 15.8.21 Objects must not be thrown.
- 15.8.22 Clean up spilled liquid, oil, or grease must be cleaned immediately.
- 15.8.23 Appropriate shoes and clothing must be worn.
- 15.8.24 Trash and paper must be placed in proper containers and not in cans provided for cigarette butts.

16. SAFETY CHECKLIST

- 16.1 It's every employee's responsibility to be on the lookout for possible hazards.
- 16.2 Should one of the conditions on the list hereunder be observed, or any other possible hazardous situation, it must immediately be reported to the applicable supervisor:

- 16.2.1 Slippery floors and walkways.
- 16.2.2 Tripping hazards, such as hose links, piping, etc.
- 16.2.3 Missing (or inoperative) entrance and exit signs and lighting.
- 16.2.4 Poorly lighted stairs.
- 16.2.5 Loose handrails or guard rails.
- 16.2.6 Loose or broken windows.
- 16.2.7 Dangerously piled supplies or equipment.
- 16.2.8 Open or broken windows.
- 16.2.9 Unlocked doors and gates.
- 16.2.10 Electrical equipment left operating.
- 16.2.11 Open doors on electrical panels.
- 16.2.12 Leaks of steam, water, oil, etc.
- 16.2.13 Blocked aisles.
- 16.2.14 Blocked fire extinguishers, hose sprinkler heads.
- 16.2.15 Blocked fire doors.
- 16.2.16 Evidence of any equipment running hot or overheating.

16.2.17 Oily rags.

16.2.18 Evidence of smoking in non-smoking areas.

16.2.19 Roof leaks.

16.2.20 Directional or warning signs not in place.

16.2.21 Safety devices not operating properly.

16.2.22 Machine, power transmission, or drive guards missing, damaged, loose, or improperly placed.

16.3 Seat belts

16.3.1 All employees must use seat belts and shoulder restraints (if available) whenever they operate a vehicle for municipal business.

16.3.2 The driver is responsible for seeing that all passengers in front and rear seats are buckled up.

16.4 Good housekeeping

16.4.1 Work locations must be kept clean and orderly.

16.4.2 Machines and other objects (merchandise, boxes, shopping carts, etc.) must be kept out of the centre of aisles.

16.4.3 Trash must be placed in the proper receptacles.

16.4.4 Shelves must be stocked carefully in order that so merchandise will not fall over upon contact.

16.5 Induction training

16.5.1 All newly appointed employees must be properly informed of this policy and its contents thereof and must acknowledge receipt of a copy in writing.

16.5.2 This policy is therefore a part of each employee's service contract and where necessary, specific conditions in this regard must be additionally included in the service contract.

17. WORKING IN RAINING CONDITIONS

17.1 Every employee who works in the open must wear suitable protective clothing when raining.

17.2 Depending on the level, rate or concentration of the rainfall, the supervisor concerned may require employees who work in the open to continue working whilst raining if such employees wear suitable protective clothing.

17.3 The supervisor concerned, and the health and safety representative must evaluate the rainfall level, extent, concentration and the effect it has on the safety, health and qualitative production of employees working in the rain.

17.4 Should the supervisor the health and safety representative am in agreement and am of the view that the level, rate or concentration of the rainfall affects the safety, health, effectiveness or qualitative production of the employees, they must order work to be abandoned forthwith and order such employees to move to a suitable place identified by the supervisor where there is shelter.

- 17.5 Should the supervisor the health and safety representative upon their assessment of the weather conditions am in agreement and am of the view that there is slim and/or no prospect of the stoppage of rainfall, they may instruct the employees to abandon work and to return to the relevant depot, workshop or plant.
- 17.6 Any employee removed from a worksite in the open due to rain may be expected to perform other duties at the depot, workshop or plant, which will not expose him/her to rain.

18. EVACUATION DRILLS

- 18.1 The purpose of an Emergency Evacuation Plan and drill is the following:
- 18.1.1 To ensure that employees and visitors in any of the Cape Winelands District Municipality's buildings are aware of the manner in which to exit the building in the quickest, easiest and safest way possible if a fire, bomb or any emergency should occur and that all employees understand comprehensively the procedure for evacuation in the event of such an emergency.
 - 18.1.2 To help employees to familiarise themselves with the sound of the alarm, thereby ensuring a timeous, well-co-ordinated plan of action in the event of any emergency situation or major incident which may arise at any of the Cape Winelands District Municipality's premises.
 - 18.1.3 To maintain, protect and ensure the physical safety and security of Councillors, employees and visitors and their property and that of any other persons legally entitled to be on the premises.

- 18.1.4 To outline the procedures to be followed to cope with any emergency situation, major incident or disaster.
- 18.1.5 To avoid panic, possible loss of life and damage to property.
- 18.2 An Emergency Evacuation Plan may expose unrecognized hazardous conditions that would aggravate an emergency situation which can subsequently be eliminated.
- 18.3 An Emergency Evacuation Plan specifies procedures for handling sudden and unexpected situations and will reduce the possible consequences of an emergency and a disorganized evacuation by:
 - 18.3.1 Preventing fatalities and injuries.
 - 18.3.2 Reducing damage to buildings, stock, and equipment.
 - 18.3.3 Accelerating the resumption of normal operations.
- 18.4 Employees will be held responsible if the Emergency Evacuation Procedures are not executed diligently when the emergency siren is activated or if instructed by the Emergency Evacuation Team and disciplinary action may be instituted if the conduct of employees is in contravention of section 14(c) of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993).

19. RESPONSIBILITIES OF THE EMPLOYER AND ITS NOMINEES

- 19.1 Identify potential hazards which may be present while work is being done, and any equipment is being used.
- 19.2 Ensure that plant, tools, equipment and machinery are safe, maintained in good working order and those materials and operational processes are without risk to health.
- 19.3 Establish the precautionary measures that are necessary to protect his or her workers against the identified hazards and provide means to implement these precautionary measures to reduce or remove the risks associated with the hazards.
- 19.4 Provide the necessary information, instructions, training and supervision.
- 19.5 Not permit anyone to carry on with any task unless the necessary premeasures have been taken.
- 19.6 Take steps to ensure that every person under his control comply with the requirements of the act.
- 19.7 Enforce the necessary control measures in the interest of health and safety.
- 19.8 See to it that work being done, and equipment being used is under the general supervision of a worker who has been trained to understand the hazards associated with the work and such a worker must ensure that the precautionary measures are implemented and maintained.
- 19.9 Delegate responsibilities to employees appointed in terms of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993).

- 19.10 Decide if employees appointed in terms of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993) may sub-delegate responsibilities.
- 19.11 Provide employees appointed in terms of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993) with appropriate information, training and facilities and time to execute.

20. HEALTH AND SAFETY REPRESENTATIVES

- 20.1 Every employer who has more than 20 employees in his employment at any workplace, shall appoint a health and safety representative(s) for that workplace.
- 20.2 The health and safety representatives must be designated in writing for a specific period and for a specific workplace, or section thereof.
- 20.3 Only employees employed in a full-time capacity at a specific workplace and who are acquainted with conditions and activities at that workplace shall be eligible for designation as health and safety representatives for that workplace.
- 20.4 Health and safety representatives must attend appropriate health and safety training as the Employer may require.

21. FUNCTIONS OF HEALTH AND SAFETY REPRESENTATIVES

Health and Safety Representatives may perform the following functions in respect of the workplace or section of the workplace for which they have been designated:

- 21.1 Review the effectiveness of health and safety measures.
- 21.2 Identify potential hazards and major incidents at the workplace.

- 21.3 Examine the causes of incidents at the workplace.
- 21.4 Investigate complaints lodged by an employee relating to that employee's health and safety at work.
- 21.5 Inspect the workplace at such intervals as may be agreed upon with the employer.
- 21.6 Participate in consultations with inspections at the workplace and accompany inspectors or inspections of the workplace.
- 21.7 Health and safety representative shall attend every health and safety committee of which is a member.
- 21.8 Make representations to the employer on general matters affecting the health or safety of the employees at the workplace.

22. HEALTH AND SAFETY COMMITTEES

- 22.1 An employer shall in respect of each workplace where two or more health and safety representatives have been designated, establish one or more health and safety committee.
- 22.2 Each safety representative must be given the opportunity to serve as a member of the health and safety committee.
- 22.3 The nominated persons by an employer on a health and safety committee must be designated in writing by the employer for such period as may be determined by him.

- 22.4 The procedure at meetings of health and safety committee must be determined by the committee.
- 22.5 Health and safety committee meetings must be held as often as may be necessary, but at least once every three months.

23. FUNCTIONS OF HEALTH AND SAFETY COMMITTEES

- 23.1 Health and Safety Committees may make recommendations to the Employer or to an inspector regarding any matter affecting the health and safety of persons at the workplace.
- 23.2 Discuss any incident at the workplace and keep record.
- 23.3 A Health and Safety Committee must keep record of each recommendation made to the Employer or an inspector.
- 23.4 It remains the responsibility of the Employer to ensure that the Health and Safety Representatives and/or Committee perform the duties assigned to them.
- 23.5 A Health and Safety Committee or a member thereof shall not incur any civil liability by reason of the fact only that he/she failed to do anything, which he/she may do or is required to do in terms of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993).

24. DUTIES OF THE OCCUPATIONAL HEALTH AND SAFETY OFFICER

- 24.1 Ensure full compliance with the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993).
- 24.2 Recommend to the Municipal Manager written appointments indicating duties, functions and responsibilities.

- 24.3 Document all agreements relevant to occupational health and safety.
- 24.4 Report all deviations, deficiencies and concerns to the Municipal Manager for authorization, action and implementation within reasonable timeframes.
- 24.5 Ensuring that all aspects of the programme are identified assessed, suitable risk control measures are implemented, maintained, evaluated and reviewed for efficiency and compliance.
- 24.6 Incident Investigations.
- 24.7 Internal Audits.
- 24.8 Monitoring of legal compliance.
- 24.9 Training, development and facilitation of employees, representatives, awareness, information, formal and informal training, committee meetings, remedial actions, contractor control.
- 24.10 Support structures for representatives and committees.
- 24.11 Maintain occupational health and safety information, records and database.
- 24.12 Supervise execution and compliance with the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993).
- 24.13 Report on incidents, trends and risks.

25. DUTIES OF HEADS OF DEPARTMENT

- 25.1 Ensure full compliance with the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993).
- 25.2 Document all agreements relevant to the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993).
- 25.3 Report all deviations, deficiencies and concerns to the Municipal Manager for authorisation, action and implementation within reasonable timeframes.
- 25.4 Ensure that all health and safety aspects in relation to all areas of work are identified, assessed, suitable risk control measures are implemented, maintained, evaluated and reviewed for efficiency and compliance.

26. DUTIES OF EMPLOYEES

- 26.1 Take care of their own health and safety, as well as that of other persons who may be affected by their actions or negligence to act.
- 26.2 Follow all the health and safety rules and procedures that are provided and communicated by the Employer or anyone authorized or competent to do so.
- 26.3 Wear the prescribe safety clothing or use the prescribed safety equipment where it is required.
- 26.4 Cooperate with the Employer or any person who has been authorized by the Employer to carry out duties in terms of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993).

- 26.5 Inform the Employer or their Health and Safety Representative of any unhealthy circumstances or acts that they are aware of.
- 26.6 Give information to an inspector from the Department of Employment and Labour, if and when required.
- 26.7 Formally report any incident that they were involved in or aware of that could cause a health risks or that may result in an injury.
- 26.8 Not interfere with, damage or misuse anything that is provided in the interest of health or safety. This applies to intentional and or careless or irresponsible actions.

27. SUPERVISOR ROLES AND RESPONSIBILITIES

Supervisors shall have the following responsibilities –

- 27.1 To read, understand and be familiar with the requirements of the Cape Winelands District Municipalities policies, specifically this Occupational Health and Safety policy and any other organisational procedures.
- 27.2 To plan and carry out all work in accordance with the requirements as stipulated in this policy.
- 27.3 To ensure that all aspects of safety training, such as site and Municipality induction(s), refresher and any specialist training where necessary, i.e. plant equipment has been undertaken and to highlight any deficiencies.
- 27.4 To promote and participate in all Occupational Health and Safety initiatives on projects, such as prevention of nonconformities in the form of accidents, incidents, injuries and illnesses and to actively seek to eliminate any unsafe work practices and conditions in the workplace.

- 27.5 To ensure that all operators carry out activities only for which they are competent and trained to do so.
- 27.6 To ensure that all information affecting health and safety is communicated to the workforce by use of toolbox talks or Occupational Health and Safety briefings to operators as directed by the Manager.
- 27.7 To advise on the development of improved safe working procedures or method statements and to monitor their implementation.
- 27.8 To report any failure to comply with company Occupational Health and Safety requirements to management, and to actively participate in accident, incident or nonconformity investigation in a prompt and professional manner.
- 27.9 To encourage all employees to show awareness and attention to detail in Occupational Health and Safety matters and to ensure that all statutory forms, registers and records are being used, adhered to, kept up to date and are available for inspection or auditing.
- 27.10 To enforce the provision and wearing of the PPE on site.

28. AMENDMENTS

The Council may from time-to-time amend this policy, due to practical reasons or legislative requirements.

29. EFFECTIVE DATE

The Revised Occupational Health and Safety Policy will become effective upon approval thereof by the Council of the Cape Winelands District Municipality.

30. RECOURSE ON APPLICATION

If there is any grievance/dispute that may arise about the application of this policy, it shall be handled in terms of the grievance procedure or disciplinary procedure collective agreement of the South African Local Government Bargaining Council.

31. PRECEDING POLICIES RESCINDED

Please note that all previous policies in respect of this subject are RESCINDED and REPLACED with the adoption of the revised policy.