



**LIMPOPO**  
PROVINCIAL GOVERNMENT  
REPUBLIC OF SOUTH AFRICA

**DEPARTMENT OF  
ROADS AND TRANSPORT**

# **OCCUPATIONAL HEALTH AND SAFETY POLICY**

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## GLOSSARY

### OCCUPATIONAL HEALTH AND SAFETY ACT

1. **Approved inspection authority:** means an inspection authority approved by the chief inspector:  
provided that an inspection authority approved by the chief inspector with respect to any particular service shall be an approved inspection authority with respect to that service only.
2. **Biological monitoring:** means a planned programme of periodic collection and analysis of body fluid, tissues, excreta or exhaled air in order to detect and quantify the exposure to or absorption of any substance or organism by person: building includes:-
  - a. any building or structure or part thereof which is in the process of being erected.
  - b. any structure attached to the soil,
  - c. any prefabricated building or structure not attached to the soil.
3. **Chief Executive officer:** a person who is responsible for the overall management and control of the business of such body corporate or enterprise.
4. **Chief inspector:** is the officer designated under section 27 as chief inspector, and includes any officer acting as chief inspector.
5. **Council:** means the advisory council for Occupational Health and Safety established by section 2.
6. **Danger:** means anything which may cause injury or damage to person or Property.
7. **Department:** means the Department of Labour.
8. **Employee:** any person who is employed by or works for an employer and who receives or is entitled any remuneration or who works under the direction or supervision of an employer or any person.
9. **Employer:** any person who employs or provides work for any person and remunerates that person  
or expressly or tacitly undertakes to remunerate him.
10. **Employment or Employed:** means employed as employee.
11. **Hazard:** means a source of or exposure to danger.



12. **Health and Safety Committee:** means a committee established under Section 19.
13. **Health and Safety Equipment:** means any article or part thereof which is Manufactured, provided or installed in the interest of the health or safety of any person.
14. **Health and Safety Representative:** means a person designated in terms of section 17.
15. **Health and Safety Standard:** means any standard irrespective of whether or not it has the force of law which, if applied, for the purpose of this act.
16. **Healthy:** means free from illness or injury attributable to occupational causes.
17. **Incident:** means an incident as contemplated in section 24.
18. **Inspection Authority:** means any person who with the aid of specialized knowledge or equipment or after such investigations, tests, sampling or analyses as he may consider necessary, and whether for reward or otherwise, renders a service by making special findings,
  - (a) the health of any person.
  - (b) the safety or risk to health of any work ,article ,substance, plant or machinery or of any condition prevalent on or in any premises.
  - (c) the question of whether any particular standard has been or is being complied with, with respect to any work, article, substance, plant or machinery, or with respect to work or a condition prevalent on or in any premises, or with respect to any other matters.
19. **Inspector:** means a person designated under section 28.
20. **Listed work:** means any work declared to be listed work under section 11.
21. **Machinery:** means any article or combination 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.
22. **Major Incident:** means an occurrence of catastrophic proportions, resulting from the use of plant or machinery, or from activities at a workplace.
23. **Occupational Health:** includes occupational hygiene, occupational medicine and biological monitoring.

24. **Occupational Medicine Practitioner:** means a medical practitioner as defined in the Medical, Dental and Supplementary Health Services.
25. **Office:** means an office as defined in the section 1(1) of the Basic Conditions of Employment Act,
26. **Officer:** means an officer or employee as defined in section 1(1) of the Public Service Act, 1984(Act NO.111 of 1984).
27. **Premises:** includes any building, vehicle, vessels, train or aircraft.
28. **Prescribed:** means prescribed by the regulation.
29. **Regulation:** means a regulation made under section 43.
30. **Risk:** means the probability that injury or damage will occur.
31. **Safe:** means free from any hazard.
32. **Trade union:** means a trade union as defined in section 1 of Labour Relations Act, 1956 (Act nO.28
33. **Work:** means work as an employee or as a self-employee person, and for such purpose an employee is deemed to be at work during the time that he is in the course of his employment, and a self-employed person is deemed to be at work during such time as he devotes to work as a self-employed person.
34. **Compensation for Occupational Injuries and Disease Act.**
35. **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 the employee.
36. **Chiropractor:** means a person registered as a chiropractor in terms 2 of the associated Health Service Professions Act, 1982 (Act no 63 of 1982).
37. **Compensation:** means compensation in terms of this Act and, where applicable, medical aid or payment of the cost such as medical aid.
38. **Compensation Fund:** means the fund established by section 15.
39. **Compensation Commissioner:** means the compensation commissioner appointed under section 2 of the compensation for Occupational Injuries and Diseases Act,1993.



40. **Compensation for Occupational Injuries and Diseases Act:** means Labour Court established by section 151 of the Labour Relations Act
41. **Contractor:** means a person referred to as a contractor in section 89.
42. **Director-General:** means the Director-General of the Department of Labour.
43. **Employer:** In terms of the Compensation for Occupational Injuries and Diseases Act, 1993 an employer means any person, including the State, who employs an employee
44. **Employer Individually Liable:** All Provincial Departments are employers who in terms of section 84(1a) are exempt from paying assessments to the compensation fund.
45. **Medical Aid:** means medical, surgical or hospital treatment, skilled nursing service, any remedial treatment approved by Director-General, and ambulance service where, in the opinion of the Director-General.
46. **Minister:** means the Minister of Labour.
47. **Occupational Disease:** means any disease contemplated in section 65(1a) or (b) .
48. **Occupational Injury:** means a personal injury sustained as a result of an accident
49. **Pension:** means a pension referred to in section 49 or 54.
50. **Periodical Payment:** means a periodical payment of compensation in respect of temporary disablement
51. **Presiding Officer:** means any officer appointed in terms of section 2(1 a) or (b) and designated as such by the Director- General.
52. **Temporary Partial Disablement:** in relation to an employee, means the temporary partial inability of such employee as a result of an accident or occupational disease for which compensation is payable to perform the whole of the work at which he or she was employed at time of such accident or at the commencement of such occupational disease or to resume work at a rate of earnings not less than that which he or she was receiving at the time of such accident or at the commencement of such occupational disease.
53. **Temporary Total Disablement:** in relation to an employee, means the temporary total inability of such employee as a result of an accident or

occupational disease for which compensation is payable to perform the work at which he was employed at the time of such accident or at the commencement of such occupational disease or work similar thereto.



## **1. INTRODUCTION**

The Department of Roads and Transport acknowledges its responsibility and is committed to create and maintain a work environment that is safe and without risk to the health of its employees.

## **2. PURPOSE**

To provide measures aimed at promoting the health and safety of all employees within the department and provide protection of such employees and persons other than employees from hazards arising out of or in connection with their day to day activities.

## **3. LEGAL FRAMEWORK**

- 3.1 The Constitution of the Republic of South Africa (1996) chapter 2 section 24 (a) states that everyone has the right to a safe environment.
- 3.2 Skills Development Act, 1998 (Act No. 97 of 1998) requires an employer to develop the skills of employees.
- 3.3 Occupational Health and Safety Act, 1993 (Act No.85 of 1993) as amended lays down specific rules aimed at preventing accidents at work and promote occupational health and safety.
- 3.4 Compensation for Occupational Injuries and Diseases Act 130 of 1993 regulates the payment of compensation to persons who are injured or who contract a disease while working.
- 3.5 The Labour Relations Act, 1995 (Act No. 66 of 1995) requires the employer to provide a safe environment for the workers.
- 3.6 Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997) places certain obligations on the employer with regard to the working conditions of employees.
- 3.7 The Public Service Regulations, 2001 (Chapter 1, part VID) require a Head of Department to establish and maintain a safe and healthy working environment for employees in that department.

## **4. OBJECTIVES**

- 4.1 To promote and maintain a safe and healthy working environment to the department's employees and its customers.



- 4.2 To eliminate any hazardous/risk substances in the working environment.
- 4.3 To provide all equipments necessary to do the work, and all the systems according to which work must be done, in a condition that will affect the health and safety of workers.
- 4.4 To provide as far as reasonably practicable personal protective equipment to the employees of the department.
- 4.5 To make it a responsibility of each and every Departmental employee to work safely at all times.
- 4.6 To provide induction and training courses for the employees with emphasis on identifying and preventing danger, hazards and risks in the working environment.

## **5. ROLES AND RESPONSIBILITIES**

### **5.1 EMPLOYER**

The Head of Department as the Chief Executive Officer may assign any person under his/her control to carry out the following duties of the employer:

- 5.1.1 Provide and maintain as far as is reasonably practicable, a working environment that is safe and without risk to the health of the employees.
- 5.1.2 Identify potential hazards, which may be present while work is being done.
- 5.1.3 Establish the precautionary measures that are necessary to protect the workers against the identified hazards.
- 5.1.4 Provide the workers with the necessary information, instructions, training and supervision while keeping the extent of their competence in mind.
- 5.1.5 Determine the procedures to be followed if an employee is exposed to a hazardous substance or involved in an incident that may influence negatively his/her health and safety.
- 5.1.6 Not to permit any worker to carry on with any task unless the necessary precautionary measures have been taken.
- 5.1.7 Ensure that every employee complies with the requirements of the Occupational Health and Safety Act, 1993 and its regulations as well as other relevant legislations related to occupational health and safety.
- 5.1.8 Ensure that work being done and the equipment used, are under the general supervision of a worker who has been trained to understand the

hazards associated with the work and ensure that the precautionary measures are implemented and maintained.

5.1.9 Ensure that health and safety representatives are elected or nominated and appointed in the workplace as contemplated in section 17 of the Occupational Health and Safety Act, 1993.

5.1.10 Ensure that all cases of occupational diseases or injuries are reported within 7 days in the prescribed manner to the Compensation Commissioner.

5.1.11 In terms of the Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993 section 44, the rights to benefits shall lapse if the accident in question is not brought to the attention of the commissioner or of the employer or mutual association concerned, as the case may be, within 12 months after the date of such accident.

5.1.12 Co-operate with the inspector and ensure that any directions, subpoenas, requests or commands are complied with.

5.1.13 Ensure that the health and safety committee complies with the provision of the Occupational Health and Safety Act, 1993 section 19(4) and performs the duties assigned to it by subsection 1 and 2.

## **5.2 EMPLOYEES**

Every employee shall at work:

5.2.1 Take care of his or her health and safety as well as that of other persons who may be affected by his/her acts or negligence to act;

5.2.2 Cooperate with the Head of Department or another employee to comply with the requirements of the Occupational Health and Safety Act, 1993 and its regulations;

5.2.3 Obey the health and safety rules and procedures laid down by the employer or anyone authorized by the employer in the interest of health and safety;

5.2.4 Wear the prescribed safety clothing or use the prescribed safety equipment where it is required;

5.2.5 Report any unsafe or unhealthy conditions to the employer or health and safety representatives as soon as possible;



5.2.6 If he or she is involved in an incident that may influence his or her health or cause an injury, report that incident to the immediate supervisor or any authorized person or the health and safety representative as soon as possible, but not later than the end of the shift/day.

## **6. NOMINATION AND APPOINTMENT OF HEALTH AND SAFETY REPRESENTATIVES**

The health and safety representatives are to be nominated and appointed within the department as follows:

- 6.1 The health and safety representatives will be appointed in accordance with the Section 17 of the Act.
- 6.2 The health and safety representatives must be appointed in writing for a period of 12 months.
- 6.3 The health and safety representative shall be designated for each directorate within the department.
- 6.4 The health and safety representative should be informed that these responsibilities will form part of their job description and will not entitle them to additional remuneration.
- 6.5 All the activities regarding the function and training of representative must be performed during working hours.
- 6.6 The Head of the Department in consultation with the employees can designate more than the prescribed number of representative if the workplace situation requires.
- 6.7 All health and safety representative must be trained on their legislative functions and health safety issues.

## **7. HEALTH AND SAFETY COMMITTEE**

- 7.1 The department shall establish health and safety committee in terms of section 19 of the Act.
- 7.2 The established committee shall carry out functions and responsibilities in accordance with section 20 of the Act.
- 7.3 The health and safety committee shall hold meetings often as may be necessary, although the minimum requirement quarterly. In case of high-risk workplaces, the committee may meet monthly.

7.4 The committee must keep records on their activities, that is, recommendations to the employer and minutes. The section 16(2) appointee must sign the minutes.

7.5 All recognized trade unions in the department are entitled to have representation on the health and safety committees.

## **8. APPOINTMENT OF FIRST AIDERS**

8.1 In terms of General Safety Regulations, Section 3, the department shall appoint First Aiders as prescribed.

8.2 The appointed First Aiders must be appropriately trained and always be in possession of the valid certificate of competency in first aid. They must always be readily available during working hours.

8.3 The names of the First Aiders should be displayed in their respective work stations.

## **9. APPOINTMENT OF FIRE MARSHALS**

9.1 In terms of the Occupational Health and Safety Act, No. 85 of 1993 the department shall appoint Fire Marshals as prescribed.

9.2 The appointed Fire Marshals must be appropriately trained and always be in possession of the valid certificate of competency in fire fighting. They must be readily available during working hours.

9.3 The names of the Fire Marshals should be displayed in their respective work stations.

## **10. PROCEDURE TO BE FOLLOWED IN REPORTING AN OCCUPATIONAL INJURY OR DISEASE**

10.1 Every employee involved in an accident that may influence his or her health or have caused an injury should report in writing (complete WCL3 form) to the Head of Department or supervisor or to the health and safety representative as soon possible, but not later than the end of the day/ shift. (In terms of the Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993 section 44, the rights to benefits shall lapse if the accident in question is not brought to the attention of the commissioner or of the employer or mutual association concerned, as the case may be, within 12 months after the date of such accident.)

10.2 The employee should ensure that a medical practitioner complete WCL 4 form (First medical report in respect of occupational diseases) within 14



days after having for the first time examined him/her, and furnish that medical report to the head of department or any authorized person.

- 10.3 Any medical practitioner who examines or treats a person for a disease described in the Second Schedule to the Workmen's Compensation Act, or any other disease which he believes arose out of that person's employment, shall within the prescribed period and in the prescribed manner report to the head of the department.

## 11. REPORTING OF ACCIDENTS AND INCIDENTS

- 11.1 Each accident/incident occurring within the department must be reported to the health and safety representative who will notify the employees supervisor or the occupational health and safety coordinator on the prescribed form or any incident/accident before the end of the day.

- 11.2 The Head of Department or designated person shall therefore report such incident/accident/occupational acquired disease as prescribed by the Act to the Local Department of Labour.

- 11.3 The following forms (not limited to the list below) shall be completed for compensation purposes:-

A	WCL 1	Employer's report of occupational diseases
B	WCL 2	Employer's report of accident
C	WCL 3	Notice of accident and claim for compensation
D	WCL 4	First medical report
E	WCL 5	Progress/Final report
F	WCL 6	Resumption report
G	WCL 14	Notice of occupational disease and claim for compensation
H	WCL 20	Inquiry on unpaid medical account
I	WCL 22	First medical report in respect of occupational diseases
J	WCL 26	Progress/Final medical report in respect of occupational diseases
K	WCL 32	Declaration by widow
L	WCL 46	Burial expenses
M	WCL 55	Acknowledgement card
N	WCL 56	Acceptance card
O	WCL 69	Claim for subsistence and transport expenses
P	WCL 132	Affidavit by employee

## 12. BENEFITS TO EMPLOYEES

- 12.1 For the period the employee is unable to perform his normal duties, he / she is entitled to special sick leave with full pay.

12.2 In case where the employee has died because of his/her injuries, the dependants (widow/widower or children below the age of 18 years) are entitled to compensation.

### **13. RESPONSIBILITY OF THE DEPARTMENT**

13.1 The department is liable for payment of compensation during the period of temporary total disablement of one of its employees.

13.2 All reasonable medical expenses arising from the treatment of an employee's injuries or occupational diseases must be paid at the rates prescribed by the compensation commissioner.

13.3 Responsible for payment of all reasonable travelling expenses in order to obtain medical treatment.

13.4 An employee who sustains an injury or contract an occupational disease due to the negligence of a superior in charge of a branch or division in the department, has the right to claim for additional compensation in terms of the Act and if successful the department will be liable to pay the amount fixed by the compensation commissioner.

13.5 The department is compelled to adjust the pensions awarded under the said Act if the Minister has increased them.

13.6 Payment for permanent disablement in the form of lump sum or monthly pension is the responsibility of the department.

13.7 Where an employee leaves the service of the department for whatever reason, all liabilities of that department become the responsibility of the Director-General of the Department of Finance.

### **14. MONITORING AND EVALUATION**

14.1 The Employee Wellness Directorate at Head Office shall co-ordinate and monitor the implementation of the requirements of the Occupational Health and Safety Act, 1993 and Compensation for Occupational Injuries and Diseases Act, 1993 in all districts and liaise with the Office of the Premier.

14.2 The departmental Occupational Health and Safety coordinator shall also monitor the development and implementation of the policy in the department.



**15. POLICY REVIEW**

15.1 The policy will be reviewed annually.

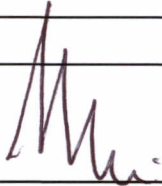
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**HEAD OF DEPARTMENT**

18/02/09  
**DATE**

Note: This policy document is a blue print of the original policy that was approved by MEC Justice Piitso on 12.03.07.