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## HEALTH AND SAFETY SPECIFICATION FOR TSHWANE SOUTH TVET COLLEGE

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### 1. INTRODUCTION

In terms of Construction Regulation 5(1) (b) of the Occupational Health and Safety Act, 1993 (Act 85 of 1993), Tshwane South TVET College, as the Client and/or its Agent on its behalf, shall be responsible to prepare Health & Safety Baseline Specifications for any intended construction project and provide any Principal Contractor who is bidding for or appointed to perform construction work for the Client and/or its Agent on its behalf with the same.

The Principal Contractor and contractors shall be responsible for the Health & Safety Policy for the site in terms of Section 7 of the Act and in line with Construction Regulation 7 as well as the Health and Safety Plan for the project.

This 'Health and Safety Specifications' document is governed by the "Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), hereinafter referred to as 'The Act'. It should be noted that no single Act or its set of Regulations be read in isolation. Furthermore, although the definition of Health and Safety Specifications stipulates 'a documented specification of all health and safety requirements pertaining to associated works on a construction site, so as to ensure the health and safety of persons', it is required that the entire scope of the Labour Legislation, including the Basic Conditions of Employment Act be considered as part of the legal compliance system. With reference to this specification document this requirement is limited to all health, safety and environmental issues pertaining to the site of the project as referred to here-in. Despite the foregoing it is reiterated that environmental management shall receive due attention.

Prior to drafting the Health and Safety Plan, and in consideration of the information contained here-in, the contractor shall set up a Risk Assessment Program to identify and determine the scope and details of any risk associated with any hazard at the construction site, in order to identify the steps needed to be taken to remove, reduce or control such hazard. This Risk Assessment and the steps identified will be the basis or point of departure for the Health and Safety Plan.

The Health and Safety Plan shall include documented 'Methods of Statement' (see definitions under Regulation 1 of Construction Regulations) detailing the key activities to be performed in order to reduce as far as reasonably practicable, the hazards identified in the Risk Assessment.

Every effort has been made to ensure that this specification document is accurate and adequate in all respects. Should it however, contain any errors or omissions they may not be considered as grounds for claims under the contract for additional reimbursement or extension of time, or relieve the Principal Contractor and contractors from his responsibilities and accountability in respect of the project to which this specification document pertains. Any such inaccuracies, inconsistencies and/or inadequacies must immediately be brought to the attention of the Agent and/or Client.

## **2. SCOPE OF HEALTH AND SAFETY SPECIFICATION DOCUMENT**

The Health and Safety Specifications pertaining to the (write the name of the project) These specifications are contained in the index and intend to specify the normal and specific requirements of Tshwane South TVET College pertaining to the health and safety matters (including the environment) applicable to the project in question. These Specifications should be read in conjunction with the OHS Act 85, 1993 and its Regulations with specific reference to the Construction Regulations, 2014; SABS codes referred to by the OHS Act; Basic Conditions of Employment Act (Act 75 of 1997); National Environmental Management Act 107 of 1998 and all Regulations; and Compensation for Occupational Injuries and Diseases (COID) Act No. 130 of 1993

This will also include any Safety Standards which were or will be promulgated under the Act or incorporated into the Act and be in force or come into force during the effective duration of the project. The stipulations in this specification, as well as those contained in all other documentation pertaining to the project, including contract documentation and technical specifications shall not be interpreted, in any way whatsoever, to cancel or nullify any stipulation of the Act, Regulations and Safety Standards which are promulgated under, or incorporated into the Act.

## **3. PURPOSE**

The purpose of this specification document is to provide the Principal Contractors with information other than the standard conditions pertaining to construction sites which might affect the health and safety of persons at work and of persons in connection with the use of plant and machinery. It further aims to protect persons other than its employees against any potential hazards to their health and safety arising out of or in connection with the activities of persons at work during the construction work for Tshwane South TVET College.

3.1 To brief the Principal Contractor/Contractor on the significant health and safety requirements and aspects of the project. This shall include the provision of the following information and requirements namely:

- a) safety considerations affecting the site of the project and its environment
- b) health and safety aspects of the associated structures and equipment

- c) required submissions on health and safety matters required from the Principal Contractor (and Contractors)
- d) and the Principal Contractor's (and Sub - Contractors) health and safety plans.

2.3 To ensure that the Principal Contractor (and Contractors) is fully aware of what is expected from them with regards to the Occupational Health and Safety Act, 85 of 1993 and the Construction Regulations made there-under including the applicable safety standards, and in particular in terms of Section 8 of the Act.

3.3 To inform the Principal Contractor that the Occupational Health and Safety Act, 85 of 1993 in its entirety shall apply to the contract to which this specification document applies. The Construction Regulations promulgated on 7 February 2014 and incorporated into the above Act by Government Notice R 84, published in Government Gazette 37305 shall specifically apply to all persons involved in the construction work pertaining to this project.

## **DEFINITIONS**

The following definitions from the Occupational Health and Safety Act are listed as follows:

### **Chief Executive Officer**

In relation to a body corporate or an enterprise conducted by the State, means the person who is responsible for the overall management and control of the business of such body corporate or enterprise.

### **Danger**

Means anything that may cause injury or damage to persons or property.

### **Employee**

Means, subject to the provisions of Subsection (2), any person who is employed by or works for any employer and who receives or is entitled to receive any remuneration or who works under the direction or supervision of an employer or any other person.

### **Employer**

Means, subject to the provisions of Subsection (2), any person who employs or provides work for any person or remunerates that person or expressly or tacitly undertakes to remunerate him, but excludes a labour broker as defined in Section 1(1) of the Labour Relations Act, 1953 (Act No. 28 of 1956).

### **Healthy**

Means free from illness or injury attributable to occupational causes.

### **Employee**

Means, subject to the provisions of Subsection (2), any person who is employed by or works for any employer and who receives or is entitled to receive any remuneration or who works under the direction or supervision of an employer or any other person.

**Employer**

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**Healthy**

Means free from illness or injury attributable to occupational causes.

**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.

**Plant**

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

**Properly Used**

Means used with reasonable care, and with due regard to any information, instruction or advice supplied by the designer, manufacturer, importer, seller or supplier.

**User**

In relation to plant or machinery, means the person who uses plant or machinery for his own benefit or who has the right of control over the use of plant or machinery, but does not include a lessor of, or any person employed in connection with, the plant or machinery.

**Reasonably Practicable**

Means practicable having regards 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 to remove or mitigate 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 there from.

**Risk**

Means the probability that injury or damage will occur.

**Safe**

Means free from any hazard.

**Standard**

Means any provision occurring:

- a) in a specification, compulsory specification, code of practice or standard method as defined in Section 1 of the Standards Act, 1993 (Act No. 29 of 1993); OR
- b) in any specification, code or any other directive having standardization as its aim and issued by an institution or organization inside or outside the Republic which, whether generally or with respect to any particular article or matter and whether internationally or in any particular country or territory, seeks to promote standardization.

**The following definitions from the Construction Regulations are listed as follows:**

**Agent**

Means any competent person who acts as a representative for a client.

**Competent Person**

Means any person having the knowledge, training, experience and qualifications specific to the work or task being performed:

Provided that where appropriate qualifications and training are registered in terms of the provisions of the South African Qualifications Authority Act, 1995 (Act No. 58 of 1995), these qualifications and training shall be deemed to be the required qualifications and training.

**Construction work**

Means any work in connection with:

- a) the construction, erection, alteration, renovation, repair, demolition or dismantling of or addition to a building or any similar structure;
- b) the construction, erection, maintenance, demolition or dismantling of any bridge, dam, canal, road, railway, runway, sewer or water reticulation system or any similar civil engineering structure; or the moving of earth, clearing of land, the making of an excavation, piling or any similar civil engineering structure or type of work.

**Construction work permit**

means a document issued in terms of regulation 3;

**Contractor**

Means an employer who performs construction work.

**Hazard Identification**

Means 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 File**

Means a file, or other record containing the information required in these regulations.

**Health and Safety Plan**

Means a site, activity or project specific documented plan in accordance with the client's health and safety specification;

**Health and Safety Specification**

Means a site, activity or project specific document prepared by the client pertaining to all health and safety requirements related to construction work;

**Method Statement**

Means a document detailing the key activities to be performed in order to reduce as reasonably as practicable the hazards identified in any risk assessment.

**Principal Contractor**

Means an employer appointed by the client to perform construction work;

**Risk Assessment**

Means a program to determine any risk associated with any hazard or aspect at a construction site, in order to identify the steps to be taken to remove, reduce or control such hazard.

**DESCRIPTION OF WORK**

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**DESCRIPTION OF SITE**

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As the principal contractor you are required to fulfil all requirements of the Occupational Health and Safety Act and its regulations with specific references to the construction regulation 2014, any other applicable legislation or regulation and TSHWANE SOUTH TVET COLLEGE specific Health and Safety specification for your scope of work.

Before any work commences, you have to provide TSHWANE SOUTH TVET COLLEGE with Health and Safety plan for approval and only when the plan has been approved work may commence.

If you or your employees are found in breach of any of these requirements, you can be prevented from carrying on with the work you are busy with or you will be fined, instructed to leave the site until you comply fully, payment could be delayed you have complied with the requirements or your contract can be terminated.

As required by the Construction regulation TSHWANE SOUTH TVET COLLEGE will perform monthly safety audits on the work, equipment and content and continuous management of safety file onsite to ensure that your safety plan is properly implemented and maintained.

You are required to appoint competent, responsible person, in writing as the Construction manager who will be responsible to maintain SHE on the construction site.

The construction regulation requires that you provide TSHWANE SOUTH TVET COLLEGE with a safety file in accordance with the construction regulation 2014, which must contain record of at least the following.

- i. Health and Safety Policy signed by CEO or statement of commitment to SHE
- ii. Letter of good standing with the Unemployment Insurance Fund Compensation Commissioner, Federated Employers or similar insurer, and a Tax Clearance Certificate.
- iii. Copy of mandatory agreement and CR 5 agreement with **TSHWANE SOUTH TVET COLLEGE**.
- iv. A copy of this specification and baseline risk assessment from TSHWANE SOUTH TVET COLLEGE and issue based risk assessment of the work to be done on the construction site starting with risks that your employees and other persons are exposed to through the work they perform. The risk assessment must also cover and/or include Covid 19 and environmental risks. All risk assessments are to be conducted by a legally appointed competent person.
- v. The plan must include a declaration in this regard or the risk assessment must contain the signature(s) of this appointed persons.
- vi. Continuous risk assessment including a mandatory daily pre-work risk assessment
- vii. Copy of approved health and safety plan including safe work procedures, Covid 19 Control and Monitoring Plan.
- viii. Copies of all legally appointed persons who will be working the project

**The list below indicates the applicability of the appointments but contractors should by no means be limited to these indications**

<b>APPOINTMENT</b>	<b>OHS-ACT / REGULATION REFERENCE</b>
Construction Manager	CR 8 (1)
Assistant Construction Manager	CR 8 (2)
Construction H&S Officer where applicable	CR 8 (5)
Construction Supervisor	CR 8 (7)
Construction Assistant Supervisor	CR 8(8)
Risk assessor	CR 9(1)
Fall Protection Competent Person	CR 10 (1)
Temporary works competent person	CR12 (2)
Excavation Work Supervisor	CR 13 (1)(a)
Demolition Work Competent Person	CR 14 (1)
Competent Person (Use of Explosives for Demolition Work)	CR14(11)

- ix. Proof of all training and competence of all legally appointed persons. The competency of each member of the HSE Team must be provided and should include knowledge, training, experience & qualifications specific to the appointment.
- x. No work involving any of the listed appointments may be performed without the knowledge and approval of an appointed competent person.
- xi. A list of names and ID numbers or passport numbers with valid work permits of all your workers onsite.
- xii. Copy of monthly external audit by **TSHWANE SOUTH TVET COLLEGE** non-conformances and what you have done to become compliant.
- xiii. A fall protection plan is required if you have workers working at height.
- xiv. All workers on the construction site must have a medical certificate of fitness for the construction work they will be involved in.
- xv. After the risk assessment, you are required to provide your workers with PPE such as safety boots, hard hats, safety goggles, safety harnesses or any other Personal Protective Equipment that is needed to perform the work safely. This must also include resources required to combat the spread of Covid 19.
- xvi. Furthermore, the Act requires that you train your workers in the need for and the proper use of PPE and the action that will be taken against any employee that does not comply with this requirement.
- xvii. All temporary work as defined by the construction regulation 2014.
- xviii. Ensure that sufficient first aiders, fire fighters to ensure compliance with the regulation.
- xix. Plant, equipment and Tool inspection registers.
- xx. Specific Induction Training - all employees of the Principal and other Contractors must be in possession of Site Specific Occupational Health and Safety Induction or other qualifying training and also provide the induction syllabus covered. All workers onsite are required to undergo site induction training and retain the proof of training in the file
- xxi. Safety inspection and safe work procedure lists must be in the safety file and completed on a regular basis as required by the regulation for the type of risk your workers are exposed to.
- xxii. Compulsory First Aid Kit is required if you have more than 10 persons onsite, 1 for every 50 persons and fire extinguishers if the work that is being done has a fire risk.



- xxiii. First Aid treatment register.
- xxiv. List of emergency number for any emergency onsite.
- xxv. Emergency plan.
- xxvi. Accident investigation management procedures and copies of investigation (Annexure 1 of the General Administrative Regulations, 2003).
- xxvii. List of hazardous chemicals being used and MSDS for those chemicals.
- xxviii. All employees performing jobs requiring specific training in terms of the OHS Act 85, 1993 and Regulations such as crane operators, mobile plant drivers and users of construction vehicles, mobile plant and other equipment must be in possession of valid licenses and must submit proof of such training
- xxix. A section for a non-compliance that has been reported to client/main contractor safety Manager/officer.
- xxx. Housekeeping procedures.
- xxxi. Fire prevention procedures.
- xxxii. Procedures for disciplinary action taken for workers' noncompliance.
- xxxiii. Copy of the act, construction regulations and any other applicable standards.

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**Signature: Contractor**

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**Designation**

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**Date**

**SPECIFICATION CONTROL SHEET**

**PROJECT NAME:**

**DECLARATION**

This original document has been prepared, reviewed and received by the undersigned:

**: ORIGINAL**

**CLIENT**

Prepared by:

Approved by:

Reviewed by:

Commented on by:

Name:

Name:

Name:

Name:

Signature:

Signature:

Signature:

Signature:

Date:

Date:

Date:

Date:

Capacity:

Capacity:

Capacity: Project  
Manager

Capacity: Client

**PRINCIPAL CONTRACTOR RECEIPT**

Received by:

Name:

Signature:

Date:

Capacity: