

# **MOLEMOLE LOCAL MUNICIPALITY**



## **HEALTH AND SAFETY POLICY**

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## **1. HEALTH AND SAFETY POLICY**

### **1.1 OBJECTIVES**

- 1.1.1** Molemole Local Municipality and its Employee Organisations agree that the intention and purpose of the policy is to prescribe the principles and procedures which shall regulate the relationship between themselves in respect of health and safety matters.
- 1.1.2** To actively promote a continuing program to work towards improved health and safety.
- 1.1.3** To stimulate employee participation in occupational health and safety matters.
- 1.1.4** To provide healthy, safe and productive working environment.
- 1.1.5** To provide an avenue for employees to bring health and safety issues to the attention of Management through Health and Safety representatives.

### **1.2 DEFINITIONS**

- 1.2.1** An employee: Shall mean a person who works for Molemole Local Municipality
- 1.2.2** Health and Safety Representative: Shall mean an employee who is duly elected in terms of the provisions of this policy and appointed as stipulated in this policy.
- 1.2.3** The Act: Occupational Health and Safety Act 85 of 1993.
- 1.2.4** Employee Organisation: Shall mean the SAMWU and IMATU
- 1.2.5** The Parties: Shall mean the Municipality and the Employee Organisation.

### **1.3 PRINCIPLES**

- 1.3.1** Both the Council and employee organisations recognise their mutual interest in the safety of all employees and therefore agree to co-operate in a continuing programme to eliminate health and safety hazards.
- 1.3.2** Whilst the laying down and prescribing of safety standards, practices and procedures is the responsibility of the Council, both parties resolve to promote safety awareness and encourage compliance with safety practices and procedures.
- 1.3.3** The Council has statutory responsibility and accountability for the health and safety of all employee. Although certain functions and duties shall be carried out by employees, this does not relieve the Council of its responsibility and accountability in this area.
- 1.3.4** All parties concerned are required to work within the framework of the relevant legislation and to adhere to safety standards which may be laid down by the Council. The employee organisation may make representative on any aspect of health and safety.

- 1.3.5 Any employee may remove himself/herself from work and inform their immediate superior of any situation which may constitute a serious or imminent danger to himself or others as stipulated in Section 21(1) of the Act.
- 1.3.6 Health and Safety Representative shall not suffer any prejudice in their employment as a consequence of carrying out their duties in terms of this policy.

#### **1.4 HEALTH AND SAFETY ORGANISATION**

##### **1.4.1 Health and Safety Committee**

- ✓ The Health and Safety Committee shall be constituted by the following;
- ✓ One departmental representative
- ✓ HR representative
- ✓ One trade union representative from each trade union,

#### **1.5 FUNCTIONS:**

- 1.5.1 The task functions of the committee shall amongst others be to discuss Health and Safety policy.
- 1.5.2 To initiate action where unsafe conditions prevail and to handle incidents and claims resulting from unhealthy or unsafe conditions.
- 1.5.3 To recommend solutions on matters that were referred to it from work stations for resolution and
- 1.5.4 Any matters which could affect the Municipality Health and Safety program,
- 1.5.5 To represent employees on all aspects of Health and Safety.
- 1.5.6 To identify potential hazards and risk to the Health or Safety of employees.
- 1.5.7 To examine the causes accidents and other dangerous occurrences at the workplace, in collaboration with the Supervisor or Manager.
- 1.5.8 To investigate complaints any employee (in his designated workstation) relating to his/her Health or Safety at work.
- 1.5.9 To make representations or recommendations to the supervisor or to a Health and or Safety at work.
- 1.5.10 To inspect the section/ workplace at such intervals as maybe agreed with the Supervisor/Manager.
- 1.5.11 To participate in any Health and Safety inspection of the area concerned, by the inspection.
- 1.5.12 To participate in consultations over Health and Safety with inspectors at the workstation.
- 1.5.13 To receive relevant information from the inspector.
- 1.5.14 To attend meetings of the Health and Safety Committee.
- 1.5.15 To visit the site of an accident or dangerous occurrence and attend the post-accident inspection, in his/her designated workplace.
- 1.5.16 To attend any investigation or inquiry held in terms of Act (Occupational Health and Safety Act 85 of 1993)

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- 1.5.17** To inspect any relevant document which the Council may keep as required by the Act which is related to his/her workplace.

## **1.6 DISPUTE RESOLUTION**

- 1.6.1** All unresolved matters may be referred to the Local Labour Forum. Should the parties fail to reach settlement, either party may evoke the dispute resolution mechanism provided by the new Labour Relation Act.

## **1.7 ELECTION AND ELIGIBILITY OF HEALTH AND SAFETY REPRESENTATIVES**

- 1.7.1** Management and employee representatives will brief employees in each workstation on the purpose, function and duties of the Health and Safety Representatives and trier alternates.
- 1.7.2** Each department to nominate own Health and Safety representative
- 1.7.3** The names of nominated reps to be ratified and announced to employees in respective department
- 1.7.4** Each Health and Safety Rep shall be furnished with an appointment letter signed by Municipal Manager and accept by signing his/her acceptance of the duties and responsibilities outlined in section 7 of this policy as well as section 18(1) of the Act
- 1.7.5** Management shall designate another Health and Safety representatives within 30 days of Health and Safety Representatives position becoming vacant.
- 1.7.6** Health and Safety representatives shall elect from their own numbers their offices bearers. The Chairman and Secretary shall attend the meeting of the working committee on the labour matters.

## **1.8 TERM(S) OF OFFICE**

- 1.8.1** Health and Safety Representatives shall be appointed for the period of three (3) years. The incumbent may be re-appointed for another term in office.

## **1.9 INVESTIGATION OF ACCIDENTS**

- 1.9.1** Should a serious or fatal accident take place, the relevant representative responsible for the work station in which the accident occurred together with the office bearers of the Health and Safety Committee, will be informed immediately by the management
- 1.9.2** No inspection of an accident site shall take place without the presence of the relevant Health and Safety Committee representatives.
- 1.9.3** The employee organisation shall have the right to post an observer at an accident site from the time of the accident until the inspection take place.
- 1.9.4** Should a Governmental inquiry, into an accident be held, this shall be attended by a maximum of five(5) Health and Safety representatives including an officials/advisor of the employee organisation and/or an

independent expert provided this is consented to by the Government Inspector.

- 1.9.5 After such inquiry a meeting shall be held by the Health and Safety Committee including the Health and Safety Representatives responsible for the workstation where the inquiry was held, to view and assess factors contributing to the accident, the proceeding of the inquiry and the corrective step which should be taken to prevent recurrence of the (same or similar) accident.

## 1.10 AMENDMENT OF POLICY

- 1.10.1 Any proposed amendment to this policy shall be submitted in writing by either party and may be renegotiated

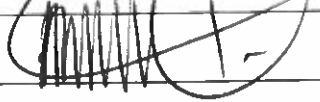
## 1.11 TERMINATION OF POLICY

This policy shall terminate:

- 1.11.1 Upon expiry of 30 days written notice by either of the two parties, to the other of its intention to withdraw from the Policy

## 2 ENDORSEMENT

The Policy shall come into effect on the date of endorsement and shall cease only in the event where changes / variations has been signed by the Accounting Officer. Changes resulting from change in legislation or any mandatory order will have automatic effect.

Signature:	
Initials and Surname:	ME PAJA
Designation:	MAJOR
Council Resolution Number:	02/7.3.2 / 30/05/23
Council Date:	30/05/2023