



TOP COMPLIANCE (Pty) Ltd

Your Business' Safety Is Our Concern

QSE B-BBEE - Level Four

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Understanding the role of safety representatives

In every workplace, ensuring the safety and well-being of employees is not just a moral imperative but also a legal obligation. In South Africa, the [Occupational Health and Safety Act \(OHSA\) of 1993](#) provides the framework for safeguarding workers from occupational hazards and risks. Central to this legislation is the role of safety representatives, whose training and empowerment are essential components in maintaining a safe work environment. This OHSA outlines the critical function of safety representatives in identifying potential hazards and risks in the workplace, ensuring that our environment is not just compliant with legal standards, but also actively pursuing higher safety standards.

Under Section 18 of the OHSA, employers are mandated to appoint safety representatives within their organizations. This must be done in line with the requirements stipulated in the [General Administrative Regulation](#), section 6 and 7.

Functions of health and safety representatives

- (1) *A health and safety representative may perform the following functions in respect of the workplace or section of the workplace for which he has been designated, namely-*
 - (a) *review the effectiveness of health and safety measures;*
 - (b) *identify potential hazards and potential major incidents at the workplace;*
 - (c) *in collaboration with his employer, examine the causes of incidents at the workplace;*
 - (d) *investigate complaints by any employee relating to that employee's health or safety at work;*
 - (e) *make representations to the employer or a health and safety committee on matters arising from paragraphs (a), (b), (c) or (d), or where such representations are unsuccessful, to an inspector;*
 - (f) *make representations to the employer on general matters affecting the health or safety of the employees at the workplace;*
 - (g) *inspect the workplace, including any article, substance, plant, machinery or health and safety equipment at that workplace with a view to, the health and safety of employees, at such intervals as may be agreed upon with the employer: Provided that the health and safety representative shall give reasonable notice of his intention to carry out such an inspection to the employer, who may be present during the inspection;*

- (h) *participate in consultations with inspectors at the workplace and accompany inspectors on inspections of the workplace;*
 - (i) *receive information from inspectors as contemplated in section 36; and*
 - (j) *in his capacity as a health and safety representative attend meetings of the health and safety committee of which he is a member, in connection with any of the above functions.*
- (2) *A health and safety representative shall, in respect of the workplace or section of the workplace for which he has been designated be entitled to-*
- (a) *visit the site of an incident at all reasonable times and attend any inspection in loco;*
 - (b) *attend any investigation or formal inquiry held in terms of this Act;*
 - (c) *in so far as it is reasonably necessary for performing his functions, inspect any document which the employer is required to keep in terms of this Act;*
 - (d) *accompany an inspector on any inspection;*
 - (e) *with the approval of the employer (which approval shall not be unreasonably withheld), be accompanied by a technical adviser, on any inspection; and*
 - (f) *participate in any internal health or safety audit.*
- (3) *An employer shall provide such facilities, assistance and training as a health and safety representative may reasonably require and as have been agreed upon for the carrying out of his functions.*
- (4) *A health and safety representative shall not incur any civil liability by reason of the fact only that he failed to do anything which he may do or is required to do in terms of this Act.*

The OHSA stipulates specific legal requirements regarding the training of safety representatives. Upon appointment, safety representatives must undergo comprehensive training to equip them with the requisite knowledge and skills to fulfil their roles effectively. This training covers various aspects, including understanding relevant sections of the OHSA, [hazard identification and risk assessment](#) methodologies, incident investigation procedures, and communication skills. Regular refresher training sessions are necessary to keep safety representatives updated on changes in legislation, emerging hazards, and best practices in [safety management](#). This ensures that representatives remain competent and proficient in their duties over time.

The [training of safety representatives](#) is not merely a legal requirement but a strategic imperative with far-reaching implications for workplace safety and organizational success. It is vital for the following reasons:

1. Properly trained safety representatives play a crucial role in [identifying potential hazards and assessing risks](#) within the workplace. By proactively addressing these issues, they contribute to the prevention of accidents and injuries, thereby safeguarding the well-being of employees and minimizing operational disruptions.
2. Compliance with the OHSA is non-negotiable for businesses operating in South Africa. By ensuring that safety representatives receive adequate training, [employers demonstrate their commitment](#) to upholding legal requirements, thereby mitigating the risk of penalties, fines, and legal liabilities resulting from non-compliance.
3. Investing in the training of safety representatives demonstrates a commitment to employee welfare and empowerment. When employees feel valued and equipped to participate in safety initiatives, they are more likely to actively engage in promoting a culture of safety within the organization. This fosters a sense of ownership and responsibility for workplace safety among all stakeholders.
4. A strong commitment to workplace safety not only protects employees but also enhances the reputation of the organization. Clients, customers, and partners are more likely to trust and engage

with businesses that prioritize the well-being of their workforce. This can lead to increased competitiveness, improved brand image, and long-term sustainability.

The training of safety representatives is an indispensable component of effective workplace safety management. By fulfilling legal requirements and investing in the development of safety representatives, organizations can create safer, healthier, and more productive work environments. Ultimately, prioritizing safety is not just a legal obligation but a moral imperative that benefits everyone involved.

Continue to support your safety representatives in their responsibilities. Participate actively in safety programs, report hazards promptly, and take personal responsibility for your safety and that of your colleagues. Together, we can achieve a workplace that demonstrates safety excellence.

Safety is a choice you make, not a chance you take.

For any further assistance please email: info@topcompliance.co.za

Don't miss our *free* webinar on the responsibilities of employers in the workplace under the Occupational Health and Safety Act. Ensure you're informed to foster a safer, more compliant work environment for everyone.

Secure your place now by clicking the following link to register for the webinar:

<https://docs.google.com/forms/d/e/1FAIpQLSfl3Lc8ZB8kvxZxyVHAfueSI9Cva-fl1RKpipaja22DtJYLRg/viewform?usp=sharing>



Free Webinar

*Join us to explore the **duties of employers to their employees** in terms of the **Occupational Health and Safety Act.***

Date: 4th June 2024

Time: 11h00 – 12h00

Follow the link above to
book your spot



Limited spaces available

<u>Occupational health and safety auditing and consulting</u>			<u>Online safety shop</u>
			
<u>First aid equipment</u>	<u>Signage</u>	<u>Legal posters</u>	<u>Safety Equipment</u>

Courses offered by Top Compliance (Pty) Ltd

ONLINE ACADEMY - https://academy.topcompliance.co.za/	
Occupational Health and Safety Courses	
<u>Safety representative – Legal Liability</u>	
<u>The Occupational Health and Safety Act & responsibilities of management – Legal Liability</u>	
<u>Hazard Identification and Risk Assessment</u>	
<u>Food facility health & safety course in terms of R638</u>	
<u>Basic Ladder Safety Course</u>	
Fire Fighting and Prevention Courses	
<u>Fire Marshal - Basic firefighting</u>	
<u>Fire & Evacuation marshal - Basic firefighting with emergency action planning</u>	

ONSITE TRAINING	
First Aid Courses:	
<u>Level 1 - US 119567 - Perform basic life support and first aid procedures</u>	2 days
<u>Level 2 - US 120496 - Provide risk-based primary emergency care/first aid in the workplace</u>	3 days
<u>Level 3 - US 376480 - Provide first aid as an advanced first responder</u>	3 days
<u>Level 1 & 2 - US 119567 & 120496</u>	3 days
<u>Level 1, 2 & 3 - US 119567, 120496 & 376480</u>	5 days
<u>Level 2 & 3 - US 120496 & 376480</u>	3 days
<u>Child and infant CPR & choking</u>	6 hours
<u>Adult CPR & choking</u>	6 hours
<u>Adult CPR & choking and AED</u>	1 day
Occupational Health and Safety Courses	
<u>Safety representative – Legal Liability</u>	1 day
<u>The Occupational Health and Safety Act & responsibilities of management – Legal Liability</u>	1 day
<u>Hazard Identification and Risk Assessment</u>	1 day
<u>Food facility health & safety course in terms of R638</u>	6 hours

Basic Ladder Safety	6 hours
Fire Fighting and Prevention Courses	
Fire Marshal - Basic firefighting	6 hours
Fire & Evacuation marshal - Basic firefighting with emergency action planning	1 day