

# **CITY OF TSHWANE METROPOLITAN MUNICIPALITY**

## **OCCUPATIONAL HEALTH**

### **OCCUPATIONAL DISEASES**

#### **POLICY AND PROCEDURE**

##### **1. BACKGROUND**

The City of Tshwane is a recognised employer and as such subject to the laws governing the health and safety of workers in all workplaces.

The COID Act provides for the compensation of employees who contract an occupational disease (OD) in the course of their employment. According to the Act an employee is entitled to compensation if it can be proven that the employee has contracted an OD or that the disease arose out of and in the course of employment. If an employee who has contracted an OD was employed in any work environment where any of the diseases as listed in Schedule 3 could result, it will be presumed unless the contrary is proved that the disease arose out of and in the course of his or her employment.

##### **2. AIM**

The aim of this policy is to provide guidelines on the prevention, monitoring and management of ODs among employees of the CTMM.

##### **3. SCOPE**

The policy is applicable to all divisions within the CTMM where work is carried out that may result in ODs as listed in the Amended Schedule 3.

##### **4. LEGAL FRAMEWORK**

1. Constitution Act of RSA 1996 – Bill of Rights
2. Occupational Health and Safety Act 1993, (Act 85 of 1993)
3. Compensation for Occupational Injuries and Diseases Act 1993, (Act 105 of 1993)
4. Health Act 2004

##### **5. DEFINITIONS**

- \* Work: Involves all work involving the handling of and /or exposure to any agent(s) mentioned in the list of Occupational diseases; and/or any occupation involving the handling of and /or exposure to specified agent /work process mentioned in the list of Occupational Diseases
- \* Occupational Disease: Disease arising out of handling of and /or exposure to specified agent OR work process mentioned in the list of Occupational Diseases

##### **6. OCCUPATIONAL DISEASES ACCORDING TO SCHEDULE 3 OF COID ACT (SEE ANNEXURE 1)**

The list has been amended and diseases grouped as:

- 6.1. Diseases caused by agents
  - \* diseases caused by chemical agents
  - \* diseases caused by physical agents
  - \* diseases caused by biological agents
- 6.2. Diseases by target organ systems
  - \* Occupational respiratory diseases
  - \* Occupational skin diseases
  - \* Occupational musculo-skeletal disorders
- 6.3. Occupational Cancers

## **PROCEDURE FOR REPORTING OCCUPATIONAL DISEASES**

### **1. STANDARD REPORTING FORMS**

The following standard forms from the Department of Labour are used when reporting an OD or drafting reports about ODs:

- WCI 1 (E) Employer's report of an occupational disease
- WCI 14 Notice of an occupational disease and claim for compensation (this is filled in by the employee or a person acting on his or her behalf)
- WCI 22 First medical report in respect of an occupational disease
- WCI 26 Progress/Final medical report in respect of an occupational disease
- WCI 110 Industrial history. Extra information required in cases of silicosis, asbestosis or other fibrosis of lungs caused by mineral dust.
- WCI 111 Medical report of a specialist. Extra information required in cases of silicosis, asbestosis or other fibrosis of lungs caused by mineral dust

### **2. THE CTMM BECOMES AWARE OF AN ALLEGED OCCUPATIONAL DISEASE WHEN:**

- An OD is diagnosed by a private medical practitioner who reports it to the IOD office, the affected employee's department or Occupational Health through a sick certificate, medical report or relevant documentation.
- The Compensation Commissioner (CC) notifies the IOD Office.
- The Occupational Medicine Practitioner (OMP) suspects an OD following Medical Surveillance or a consultation for a medical ailment,
- Employees report to the Occupational Health Clinics with alleged ODs.

### **3. REPORTING OF AN OCCUPATIONAL DISEASE**

#### **3.1 Procedure to be followed when notice / documents of an alleged / diagnosed OD is received by the IOD Office, any department or Occupational Health Clinic.**

**3.1.1** The notice / documents are sent to the Head of Occupational Health.

**3.1.2** If the necessary documents are incomplete, the appointed AO provides the employee with the necessary and / or incomplete documents for completion by his/her medical practitioner. The employee must collect and hand it to the appointed AO as soon as it is ready.

**3.1.3** Completed documents are studied by the relevant Occupational Medicine Practitioner (OMP) in consultation with the employee as necessary. If documents or special investigations are lacking, the employee is requested to provide them. The workplace is visited if required.

**3.1.4** The cost incurred in the diagnosis of an OD is for the employee's own account until the claim has been accepted by the Compensation Commissioner (CC). It will then be reimbursed.

**3.1.5** The OMP presents the case to the OD Panel.

**3.1.6** The OMP sends all the documents together with the opinion of the Panel ("Reporting of an Occupational Disease" to the IOD Office. The OMP also generates a WCI 1 which must be signed by the department. The date of the diagnosis is the date on which the OD Panel adopted its decision.

**3.1.7** The appointed AO notes these in the OD Register and follows up monthly with the IOD Office for the outcome by the CC.

**3.1.8** The OMP, relevant Occupational Health and Safety Compliance Officer, Occupational Hygienist, department and other interested parties investigate the OD to ensure that similar cases are prevented as far as possible.

**3.1.9** The affected employee is reviewed regularly to monitor progression of the disease.

**3.1.10** After the decision of the CC has been received, the IOD Office sends a copy of the decision to the appointed AO.

- 3.1.11. The appointed AO faxes a copy of the WCI 22 to the Department of Labour in order to comply with Regulations 6(4) of the General Administrative Regulations published under GN R1449 GG 17403 of 6 September 1996.
- 3.1.12 Copies of all documentation are placed in the clinic file of the employee and kept at archives for at least **forty years** after the employee has left the service.
  
- 3. 2. **Procedure to be followed if an OMP suspects an OD following Medical Surveillance or a consultation for a medical ailment / alleged OD.**
- 3.2.1 If the OMP suspects that an employee contracted an OD, the OMP examines the employee and arranges for the necessary special investigations to confirm it.
- 3.2.2 The Occupational Health section may bear the cost of the examinations and investigations until the CC accepts the condition as an OD.
- 3.2.3 Steps 3.1.2 – 3.1.12 are followed.