

COLLECTIVE AGREEMENT

CITY OF TSHWANE METROPOLITAN MUNICIPALITY OCCUPATIONAL HEALTH AND SAFETY POLICY

Entered into by and between

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

AND

INDEPENDENT MUNICIPAL AND ALLIED TRADE UNION (IMATU)

and

SOUTH AFRICAN MUNICIPAL WORKERS UNION (SAMWU)

As parties to the SALGBC, Tshwane Division

Agree as follows:

The City of Tshwane Metropolitan Municipality has a responsibility to protect its employees and any other person within its boundaries, against health and safety hazards, that might arise from its service rendering activities and to apply sound risk management principles in order to promote the health, safety and well-being of all its employees. . This responsibility and the responsibility to preserve all assets and earnings are shared by all employees irrespective of appointments in accordance with relevant legislation.

Legally prescribed Occupational Health and Safety standards are accepted as the minimum standard.

In order to adhere to legal requirements the following goals shall be pursued by the City of Tshwane Metropolitan Municipality:

1. To provide a healthy and safe working environment by:

the effective planning, arranging and furnishing of the workplace;



UBM 

1/8

- executing regular audits to ensure that the plant, machinery, equipment, materials, processes and the environment conform to health and safety standards and where deviations are identified to take the necessary corrective action;
 - giving preference to health and safety features in the acquisition and installation of plant, machinery, equipment and materials.
2. To ensure that plant, machinery and equipment are utilised safely and without risks to health by:
- the proper maintenance thereof;
 - the correct and safe operation, application and usage thereof by trained personnel.
3. To protect all employees of the Municipality and the public at large against health and safety hazards which might exist or arise from activities performed by the Municipality by the effective planning and expedient execution of tasks, whilst complying with all prescribed safety and protective measures.
4. To empower employees to accept the responsibility for the health, safety and well-being of themselves and others by:
- creating an organisational climate that is conducive to health and safety;
 - providing written work procedures which include all health and safety measures to be taken;
 - providing on the job training that addresses healthy and safe working procedures;
 - making employees conversant with the hazards to their health and safety attached to any work which they have to perform and the correct work procedures to be followed;
 - providing health and safety training in accordance with the Municipality's training and development policy on an ongoing basis;
 - continuously communicating information regarding health and safety matters to employees.
5. To prevent injuries and eliminate health hazards by:
- developing, implementing, maintaining, evaluating and adapting occupational health and safety programmes;

- investigating all incidents and alleged occupation related diseases, analysing causes and implementing preventative measures;
- identifying all hazards to health and safety in the workplace and implementing corrective measures in order to eliminate or mitigate such hazards.

Employees of the City of Tshwane Metropolitan Municipality likewise accept the responsibility to:

- take reasonable care for the health and safety of themselves and of other persons who may be affected by their acts or omissions;
- cooperate with their employer in order to comply with legal requirements;
- obey health and safety rules and procedures laid down by the City of Tshwane Metropolitan Municipality;
- report any situation which is unsafe or unhealthy to their supervisors as soon as possible;
- report any incident which may affect their health or which has caused injury to themselves as soon as possible but not later than the end of the shift.

This policy shall be reviewed and amended by agreement between all parties concerned as and when necessary in order to promote health and safety in a changing environment and workplace.

Signed at Tshwane on this day of 27 May 2003 on behalf of the **CITY OF TSHWANE METROPOLITAN MUNICIPALITY.**

Signature: VB Mohl

Name in full: MOITHULOE VINCENT BARNEY

Capacity: GENERAL MANAGER: HUMAN RESOURCES
CITY OF TSHWANE METROPOLITAN MUNICIPALITY

WITNESS:

1. [Signature]

2. [Signature]

[Signature]

[Signature]

[Signature]
[Signature]
 VBM [Signature]

Signed at Tshwane on this day of 27 May...2003 on behalf of the **INDEPENDENT MUNICIPAL AND ALLIED TRADE UNION (IMATU).**

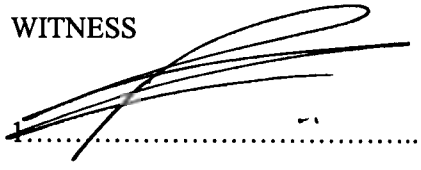
Signature: 

Name in full: JAMES EARL WROGMANN

Capacity: CHAIRPERSON

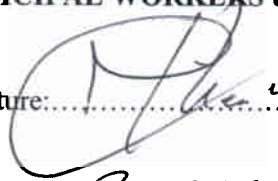
INDEPENDENT MUNICIPAL AND ALLIED TRADE UNION (IMATU).

WITNESS

1. 

2.  Bam

Signed at Tshwane on this day of 27 May...2003 on behalf of the **SOUTH AFRICAN MUNICIPAL WORKERS UNION (SAMWU).**

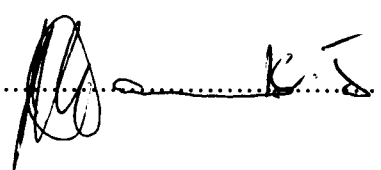
Signature: 

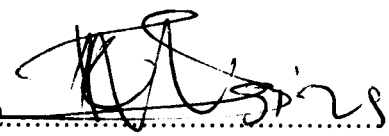
Name in full: MICHAEL MTSEMBU



Capacity: BRANCH SECRETARY

SOUTH AFRICAN MUNICIPAL WORKERS UNION (SAMWU).

WITNESS

1. 

2. 

UBM 


Copy to: General Manager: Human Resources

HR18/6/5

C. Blignaut (012 308 4028)

COUNCIL: 24 April 2003



13. CORPORATE SERVICES DEPARTMENT (HUMAN RESOURCES DIVISION)
OCCUPATIONAL HEALTH AND SAFETY POLICY

Report of the Municipal Manager:

1. PURPOSE

The purpose of this report is to obtain Council approval for the proposed Policy on Occupational Health and Safety for the City of Tshwane Metropolitan Municipality.

2. INTRODUCTION

The Occupational Health and Safety Act, 1993 (Act 85 of 1993) (The Act) provides among other things for the health and safety of people at work and for the health and safety of people in connection with the use of plant and machinery; and the protection of people other than people at work against the hazards to health and safety arising out of or in connection with the activities of people at work.

Section 7 of the Act provides for a policy on the health and safety of employees at work to be drawn up by an employer. Such a policy has been drafted, stipulating on the one hand the intention of the employer concerning the health and safety of employees and members of the community who might be affected by the activities of the City of Tshwane Metropolitan Municipality (CTMM), and on the other hand stipulating the responsibilities of employees regarding health and safety.

The proposed Occupational Health and Safety Policy is attached to the document as Annexure A. The policy has been thoroughly discussed with the labour unions and was agreed on by all parties at a meeting of the Local Labour Forum. The policy is now ready for approval by the Council. Implementation of the policy will however be subject to the approval of the Bargaining Council and the subsequent signing thereof into a collective agreement by the employer and labour unions.

3. BACKGROUND

The Occupational Health and Safety Act, 1993 (Act 85 of 1993) places general and specified duties on an employer to, as far as reasonably practicable, establish and maintain a working environment that is safe and without risk to the health of employees. It also requires the employer to conduct its business in such a manner that it protects people other than those at work against the hazards to health and safety arising out of or in connection with the activities of people performing work on behalf of the employer.

Furthermore, the Act places a general responsibility on employees to assist the employer in fulfilling its responsibility towards employees and other people.

The/...

The Council of the City of Tshwane Metropolitan Municipality acknowledges the importance of the role of its employees in reaching its strategic objectives and the negative effect occupational injuries and diseases have on productivity and finances. Therefore, a policy guiding the CTMM's activities regarding the health and safety of employees and community members should be supported.

4. CONCLUSION

The implementation of the proposed Occupational Health and Safety Policy will demonstrate the commitment of the employer to continuous health and safety at work.

5. COMMENTS

5.1 COMMENTS OF THE CHIEF FINANCIAL OFFICER

'The contents of the report have been noted.'

5.2 COMMENTS OF THE HEAD: LEGAL AND SECRETARIAL SERVICES

'Section 7 of the Occupational Health and Safety Act, 1993 (Act 85 of 1993) (OHSA) provides for the chief inspector to direct any employer to prepare a written policy concerning the protection of the health and safety of its employees at work.

Section 84(5) of the Labour Relations Act, 1995 (Act 66 of 1995) (LRA) provides that, subject to applicable occupational health and safety legislation, a representative trade union and an employer may agree that consultation with a workplace forum with a view to initiating, developing, promoting, monitoring and reviewing measures to ensure health and safety at work, must take place.

By signing this policy into an agreement at Bargaining Council level it will lay the foundation as provided for in the LRA."

ANNEXURE

- A: Proposed City of Tshwane Metropolitan Municipality Occupational Health and Safety Policy

RESOLVED:

That the proposed Occupational Health and Safety Policy be approved, subject to a collective agreement entered into at the Bargaining Council.



(Remark:/...

(Remark:

During discussion of this item by the Mayoral Committee on 18 March 2003, different opinions were raised on the proper location of the Occupational Health and Safety Division on the approved Organisational Structure of the City of Tshwane and as such the Acting Municipal Manager was requested to deal with this matter in consultation with both the MMC's for Corporate Services and Health and Social Development.)



CITY OF TSHWANE METROPOLITAN MUNICIPALITY
OCCUPATIONAL HEALTH AND SAFETY POLICY

The City of Tshwane Metropolitan Municipality has a responsibility to protect its employees and any other person within its boundaries, against health and safety hazards, that might arise from its service rendering activities and to apply sound risk management principles in order to promote the health, safety and well-being of all its employees. This responsibility and the responsibility to preserve all assets and earnings are shared by all employees irrespective of status in accordance with relevant legislation.

Legally prescribed standards as contained in the Occupational Health and Safety Act, 1993, Act 85 of 1993 are accepted as the minimum standard to comply with.

In order to adhere to legal requirements the following goals shall be pursued by the City of Tshwane Metropolitan Municipality:

1. To provide a healthy and safe working environment by:
 - the effective planning, arranging and furnishing of the workplace;
 - executing regular audits to ensure that the plant, machinery, equipment, materials, processes and the environment conform to health and safety standards and where deviations are identified to take the necessary corrective action;
 - giving preference to health and safety features in the acquisition and installation of plant, machinery, equipment and materials.
2. To ensure that plant, machinery and equipment are utilised safely and without risks to health by:
 - the proper maintenance thereof;
 - the correct and safe operation, application and usage thereof through trained personnel.
3. To protect the employees of the Municipality and the public at large against health and safety hazards which might exist or arise from activities performed by the Municipality by the effective planning and expedient execution of tasks, whilst complying with all prescribed safety and protective measures.

4. To empower employees to accept the responsibility for the health, safety and well-being of themselves and others by:

- creating an organisational climate that is conducive to health and safety;
- providing written work procedures which include health and safety measures to be taken;
- providing on the job training that addresses healthy and safe working procedures;
- making employees conversant with the hazards to their health and safety attached to any work which they have to perform and the correct work procedures to be followed;
- providing health and safety training in accordance with the Municipality's training and development policy on an ongoing basis;
- continuously communicating information regarding health and safety matters to employees.

5. To prevent injuries and eliminate health hazards by:

- developing, implementing, maintaining, evaluating and adapting occupational health and safety programmes;
- investigating all incidents and alleged occupation related diseases, analysing causes and implementing preventative measures;
- identifying all hazards to health and safety in the workplace and implementing corrective measures in order to eliminate or mitigate such hazards.

Employees of the City of Tshwane Metropolitan Municipality likewise accept the responsibility to:

- take reasonable care for the health and safety of themselves and of other persons who may be affected by their acts or omissions;
- cooperate with their employer in order to comply with legal requirements;
- obey health and safety rules and procedures laid down by the City of Tshwane Metropolitan Municipality;
- report any situation which is unsafe or unhealthy to their supervisors as soon as possible;

- report any incident which may affect their health or which has caused injury to themselves as soon as possible but not later than the end of the shift.

This policy shall be reviewed and amended by agreement between all parties concerned as and when necessary in order to promote health and safety in a changing environment and workplace.