Layout

- IES and OHS
- Current Legislation pertaining to Ergonomics
- New Ergonomics regulations
- Current obligation to comply
- Benefits
- Way forward
IES

- Aim for the regulation of the labour market, reduction of unemployment, poverty and inequality through a set of policies and programs developed in consultation with our social partners
OHS Programme

• Regulation of the labour market through a set of policies and programs developed in consultation with our social partners.

• These policies and programs are aimed at enhancing occupational health and safety awareness to improve compliance in the workplace that will ensure a safe and healthy worker and working environment.
IES Programme Overview

• These policies and programs are aimed at: Improving economic efficiency and productivity, employment creation, sound labour relations, eliminating inequality and discrimination in the workplace, alleviating poverty in employment, enhancing occupational health and safety awareness and improve compliance in the workplace, as well nurturing the culture of acceptance that “worker’s rights are human rights”.
• To provide for the health and safety of persons at work and for the health and safety of persons in connection with the use of plant and machinery; the protection of person other than persons at work against hazards to health and safety arising out of or in connection with the activities of persons at work; to establish an advisory council for occupational health and safety and to provide for matters connected therewith.
The Occupational Health and Safety Act (OHSA) 1993 sets out a legal framework for workplace H&S.

Specific sections of the Act Apply to the development of policies and procedures.

And employers' general duty of care, which states that:

"... provide and maintain so far as is practicable for employees a working environment that is safe and without risks to health"
Ergonomics Risk Factor
Ergonomics

• Ergonomics within our work environment is characterized by a large number of work-related injuries and diseases like for instance musculoskeletal disorders, injuries related to lifting of loads
Ergonomics

• Risks comes from:
  – Design
  – Safety of Machinery
  – Physical environment
  – Physical workload
  – Mental workload

• Therefore there was a need to legislate ergonomics risk factors
Current Legislation pertaining to Ergonomics
The Occupational Health and Safety Act 85 of 1993 places the common law duty of reasonable care on the employer.

**Section 8**
- General duties of employers to their employees;
- Where is the starting point?
- Section 8(2)(d) – starting point of a H & S Management System:
  
  (Establish hazards & control measures (risk assessment) to any performed work.)
Section 8(2): specific provisions ....

✓ Section 8(2)(f): implementation of effective control measures.

- Identified control measures for ergonomics risk factors
Legislation pertaining to Ergonomics

Similarly, Section 14 requires employees to:

✓ Take reasonable care of their own H&S and of others who may be affected by their acts or omissions;

✓ Co-operate with the employer to enable him/her to comply with the Act;

✓ Carry out any lawful order, and obey the H&S rules;

✓ Report any unsafe situation to the employer or to the H&S rep;

✓ Employees need to be trained and informed about their legal obligations in terms of the Act.
Legislation pertaining to Ergonomics

Occupational Health and Safety Act 85 of 1993

Section 10

✓ General duties of manufacturers and others regarding articles and substances for use at work (ergonomics)

- Facilities Regulations 2004
  ✓ Regulation 8 – Seats that consider ergonomic requirements
Construction Regulations 2014:

Regulation 9: Hazard Identification and Risk assessment for construction work:

9(2) A constructor must ensure that as far as is reasonably practicable ergonomic related hazards are analyzed, evaluated and addressed in a risk assessment process.
COIDA (Compensation of Occupational Injuries and Diseases Act):

Circular Instruction 180:
Regarding the compensation of work related upper limb disorders;

Guidelines for Occupational Health Practitioners:
Compensation Commissioner’s Guidelines for health practitioners and employers on how to manage work related upper limb disorders.
Need Specific Ergonomics regulation

- There is no clear regulation that deals with the prevention of injuries and diseases caused by exposure to Ergonomic stressors.
- IES decided to develop Ergonomics regulations
Developed Ergonomics regulations
Draft regulations


January 2016 ACOHS
Approval to develop guidelines
Approval by Organised Labour Public commend
Awaiting Approval Organised Business (February 2016)
1. Current Status:

- Draft regulations were finalised by the TC and submitted to the office of the Chief Inspector for ACOHS discussion
- Approval to develop guidelines granted
- Approval by Organised Labour Public commend
- Awaiting Approval Organised Business Public commend (February 2016)
2) Way Forward:
• Language editing
• Sate law advisors
• Public commend
• Incorporation of public commends by the TC
• ACOHS
3) Focus of regulations:

• The draft regulations have considered a **program approach** which will encompass both **physical and cognitive ergonomics** as per the companies identified needs
(To ensure that the regulations are not tailored made for specific sectors but cover all sectors of economic activity)
4) Implementation:

• In preparation for implementation 15 OHH officials (9 from provinces and 6 from HQ) are undergoing a 6 module course on ergonomics at Rhodes University (NQF level 7). On completion of the course the officials will have to submit a portfolio of evidence to the Ergonomics Society of South Africa to register as Certified Ergonomics Associates and work at a professional level.

• Second group of 15 inspectors scheduled to start training April 2016. Rhodes has 15 slots available for OHH professionals to attend with inspectors. Interested can contact Rhodes
5) Implementation:

• Advocacy sessions /Road shows will be conducted for industry prior to implementation of the regulation.

• Time frame for compliance
Duty to comply.

- Without the new ergonomics regulations
- Employers still have a duty to comply with
  - Section 8
  - Section 10
  - Facilities regulations
  - Construction regulations
To do currently?

Much like overall occupational health and safety programs, effective ergonomic programs use a systems approach involving the following:

- **Management Commitment and Employee Involvement**
  Successful and Effective ergonomic programs have involvement of everyone moving in the same direction focused on achieving common set of goals.

- **Total support of management essentially for allocation of adequate resources and time for resolving identified issues.**

- **Employees perform properly assigned job tasks and are often best to contribute in the solution of problems.**
To do currently?

- Establish an ergonomic team comprised of management and employees to devote time to ergonomic issues.
- Conduct assessments of assigned job tasks to identify hazards and risky factors.
- Identify jobs that are showing onset of early signs of, or are actually causing MSDs.
  - Pursue purchases of equipment,
  - Design of work stations,
  - Modification of work practices,
What can the employer do?

- Provide training on ergonomics for affected employees and management on identification and recognition of the primary ergonomic risk factors of force, repetition, and posture.

- Educate personnel on the early symptoms of WMSDs and the proper procedures for reporting and/or recording them. Encourage early reporting of symptoms.
What can the employer do?

Much like overall occupational health and safety programs, effective ergonomic programs use a systems approach involving the following:

Medical Management

- Implement a medical surveillance and management program.
- Refer all employees with suspected workplace WMSDs to Occupational Medical Practitioner for appropriate early diagnosis and treatment.
CONCLUSION

Benefits in including ergonomics in the overall improving health and safety programs can help to realize a wide range of benefits:

✓ Fewer injuries and illnesses.
✓ Reduced costs for workers’ compensation claims.
✓ Reduced disruption of operations.
✓ Higher return-to-work rates following injury or illness.
✓ Improved work practices, leading to increased efficiency, productivity and competitiveness.
✓ Improved job satisfaction, morale, and employee retention.
✓ Reduced absenteeism.
✓ Better collaboration amongst professionals.
Benefits

Working as a collective, we can achieve more and this requires:

- Government
- Business
- Trade Unions
- Professionals
Thank You