Construction SHE Legal Compliance: Shifting the Dial toward Improved Construction Leadership, Compliance & Performance

14 - 15 October 2024

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Health and Safety Status: Globally and SA Construction

Adopted From ILO Website: World Statistics – 17 Oct 23

- 2.3 million succumb to work-related accidents or diseases every year globally
- Over 6000 deaths every single day
- 340 million occupational accidents
- 160 million victims of work-related illnesses annually
- Hazardous substances alone are estimated to cause 651,279 deaths a year.
- The gross underreporting of occupational accidents and diseases, including fatal accidents, is giving a false picture of the scope of the problem
- The construction industry has a disproportionately high rate of recorded accidents.
- The 2022 budget allocated R812.5 billion over the next three years for infrastructure investment (Opportunity)
- Construction projects worth R340 billion in industries such as energy, water, transport and telecommunications in the pipeline

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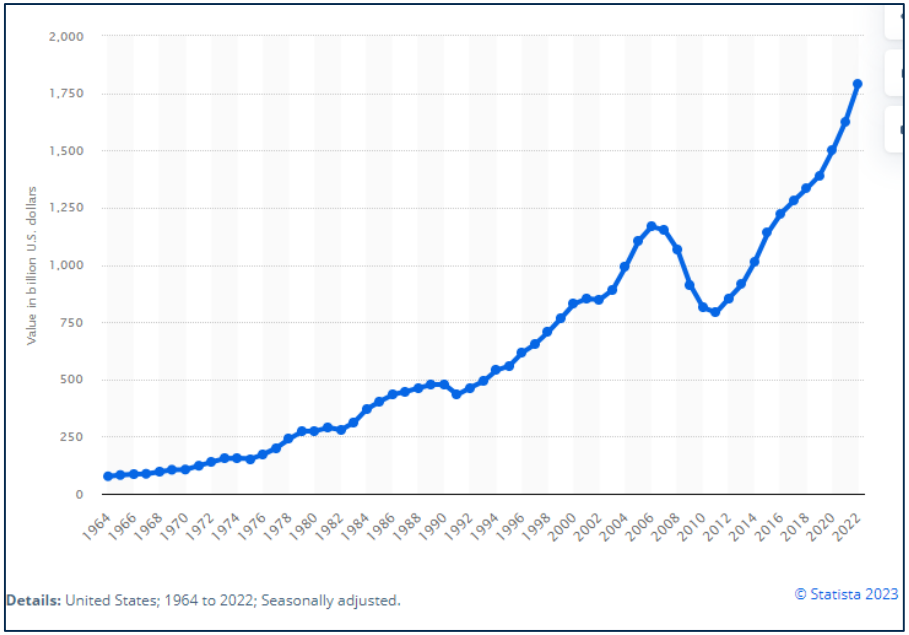
A Global Perspective: USA
Elsevier: PPE non-compliance among construction workers: An assessment of contributing factors utilizing fuzzy theory – Vol 85, June 23

Value of new construction put in place in the United States from 1964 to 2022 *(in billion U.S. dollars)*



Economic value vs workplace safety

- **Construction workers face higher risks of fatal and non-fatal injuries compared to other industries** due to factors like: Inadequate use of appropriate Personal Protective Equipment (PPE)
  - **Insufficient safety supervision**
  - **Poor risk perception**
  - **Lack of climate-adapted PPE usage**
  - **Inadequate safety training**
  - **Lack of management support**
- In 2020, the US construction industry accounted for 21.2% (1,008 fatalities) of all industry occupational fatalities.
- To improve construction safety, proactive hazard management, emphasizing hazard identification (elimination, engineering, administration, and PPE), is crucial.
- **Lack of PPE is a primary** cause of **fall incidents** in construction.
- **Leadership** plays a pivotal role in shaping the **safety culture**, which impacts employee behaviour.
- **Safety culture** in construction is influenced by **upper management, safety personnel, and training.**

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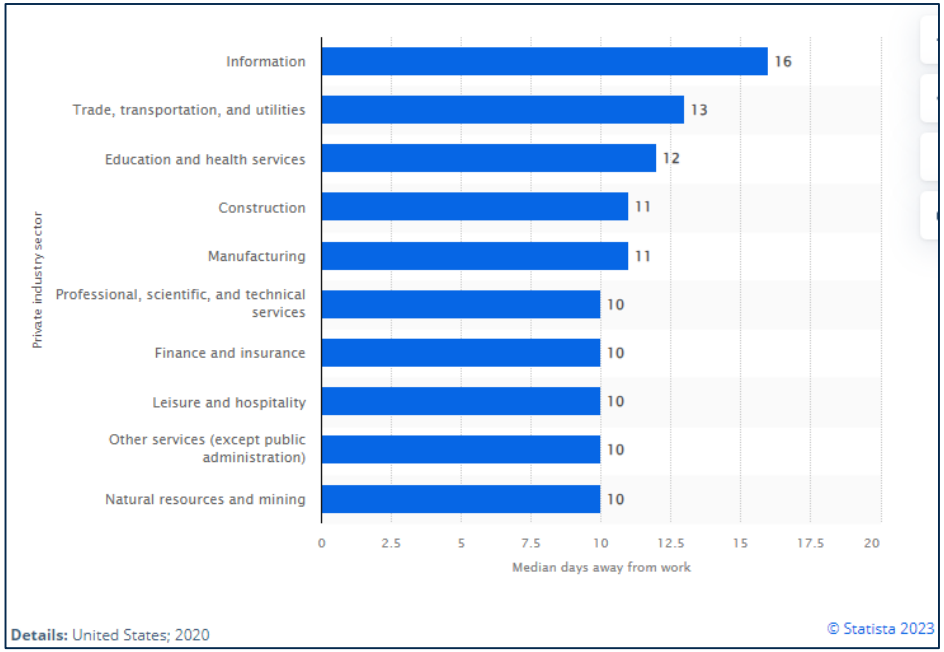
American Journal of Interdisciplinary Research and Innovation: Analysis of Safety Behaviour of Workers Under Small-Scale Construction Sites: NJ Okoye, et al – Volume 2, Issue 2, 2023

- **Small scale construction sites in developing countries are hazardous workplaces**:
  - 85% of construction workers were non-compliant in the study
  - Ignorance of safety regulations
  - Low worker knowledge and skills
  - A do not care attitude by both employees and management
  - Limited inspectors in the construction sectors
  - No written health and safety policy in place
  - Limited understanding of worker safety
  - Lack of provision of appropriate personal protective equipment
  - Workers do believe the use of PPE is unnecessary
  - Limited hygiene practices observed on site

Median days away from work due to nonfatal occupational injuries and illnesses in the United States in 2020, by industry sector



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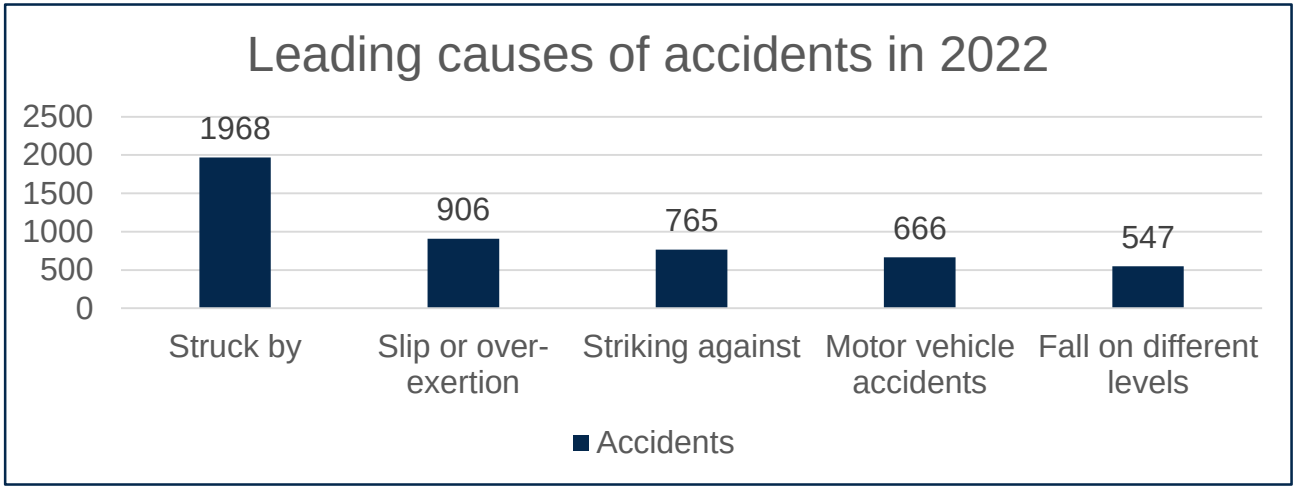
State of the Construction Industry:

FEM 2022 Construction Industry Workplace Accidents Statistics: 21 July 2023



- FEM consolidated statistics for 7 years (from 2016 to 2022, extracted as of May 2023) reflect the following concerning figures:
  - **52 899 injuries requiring medical attention**
  - Of the 52 899 reported accidents, 17 206 were “struck by” incidents, making up 32.5% of reported accidents over this period
  - On average (based on the number of working days within this period), there were 30 accidents per day
  - 4 942 accidents resulted in permanent disabilities over the 7-year period, with 251 of these resulting in a pension
  - Between 2016 and 2022, there were 455 fatalities, with 42.4% of deaths occurring as a result of motor vehicle accidents

FEM CEO of the firm view:

“Workplace safety is the responsibility of both employers and employees – employers need to ensure that all health and safety measures are in place, including ongoing staff training. Employees need to adhere to health and safety processes, policies and industry best practices.”

Source: https://www.fem.co.za/fem-2022-construction-industry-workplace-accident-statistics/

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Top Three High-risk Activities

Construction's top three high-risk activities identified… and they're not what you'd expect! – Via SACPCMP: 18 October 2023: Local Construction Consultancy In Gauteng

- 3 key high-risk activities on construction sites:
  - Working at heights;
  - Poor house keeping (50% of slips and trips and fire related incidents); and
  - Administration (lack of record keeping including permits, training, safety induction and safety plans, 18% of supervisors and construction site workers have not received health and safety training).

Where Should You Focus: Where are your High Severity Incidents Coming From

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What Next ???
ILO 2022 Revised Edition, ILO Code of Practice Health and Safety in Construction

Meeting of Experts held in Geneva from 21 to 25 February 2022 where it was adopted:

- Establish a suitable program on the safety and health of workers consistent with national laws and regulations (risks in construction, compliances with technical standards and codes):
  - Risks liable to arise at the workplace are eliminated, controlled and minimized as far as possible
  - Excessive or unnecessarily strenuous work positions and movements are avoided
  - Organization of work takes into account, the safety and health of workers
  - Materials and equipment used are suitable from a safety and health point of view
  - Working methods are employed which protect workers against the harmful effects of chemical, physical, biological and psychosocial risks
  - Full compliance with safety regulations is achieved
  - All personnel are competent to conduct their allocated tasks (or fulfil their duties)

- Employers should initiate and maintain a process of consultation and cooperation with workers and their representatives concerning all aspects of safety and health in construction
- The employer should take all appropriate precautions to protect persons and the environment, where practicable
- Employers: arrange regular safety inspections at suitable intervals of all buildings, plant, equipment, tools, machinery, workplaces and systems of work under the control of the employer at construction sites

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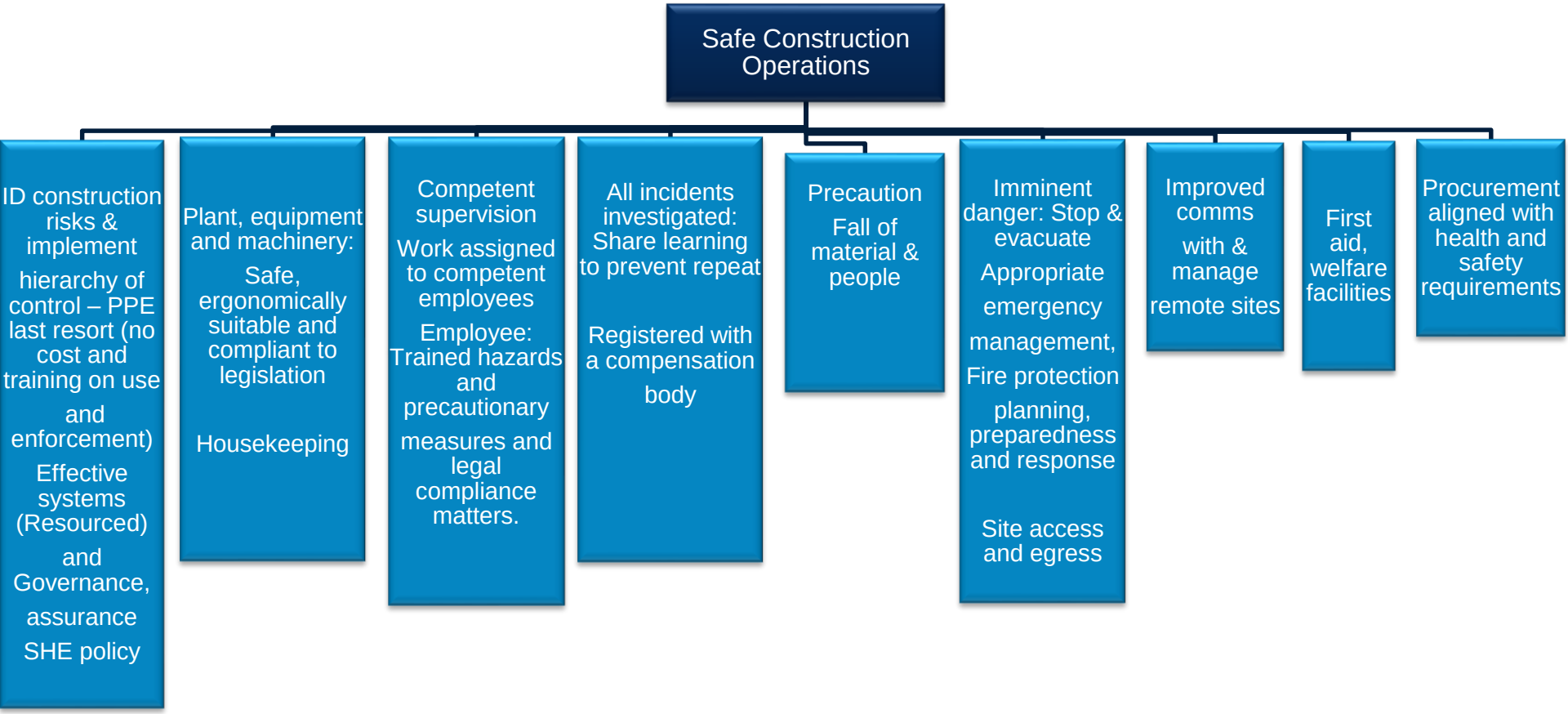
ILO 2022 Revised Edition, ILO Code of Practice Health and Safety in Construction



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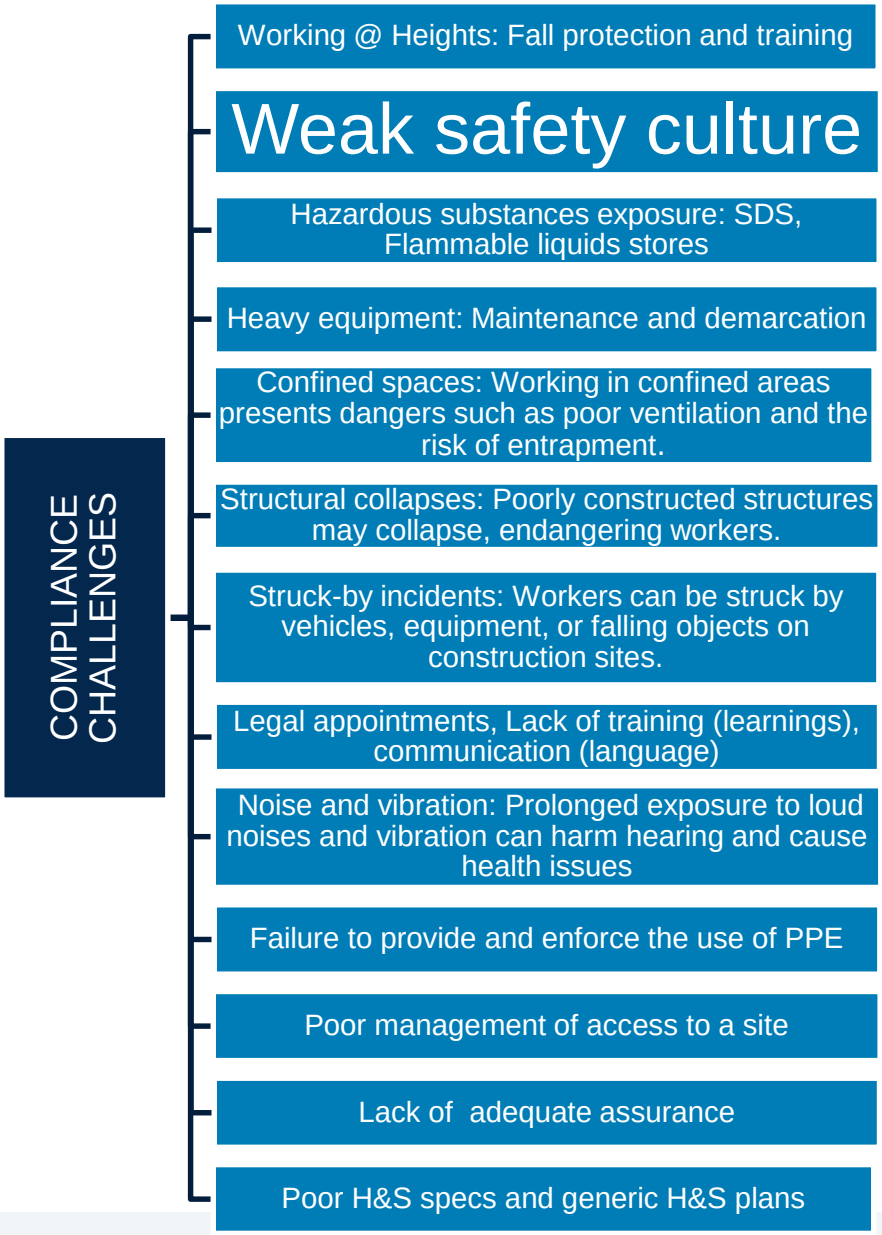
Understanding the Challenges Facing the Construction Industry South Africa



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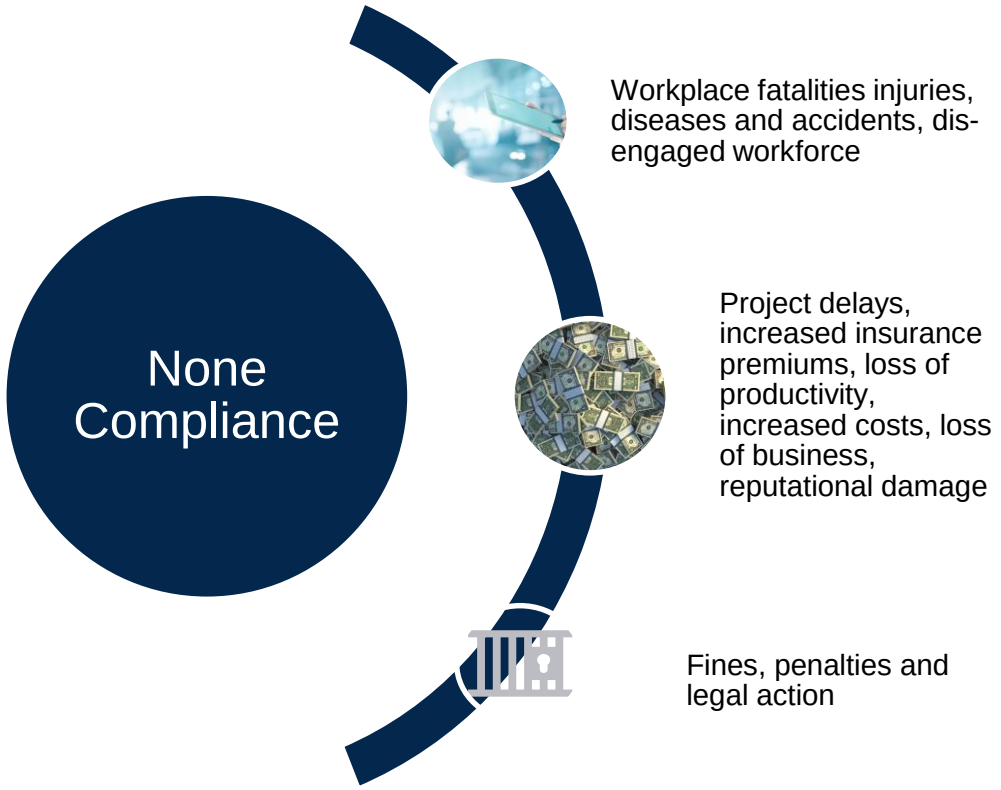
Consequences of Non-compliance



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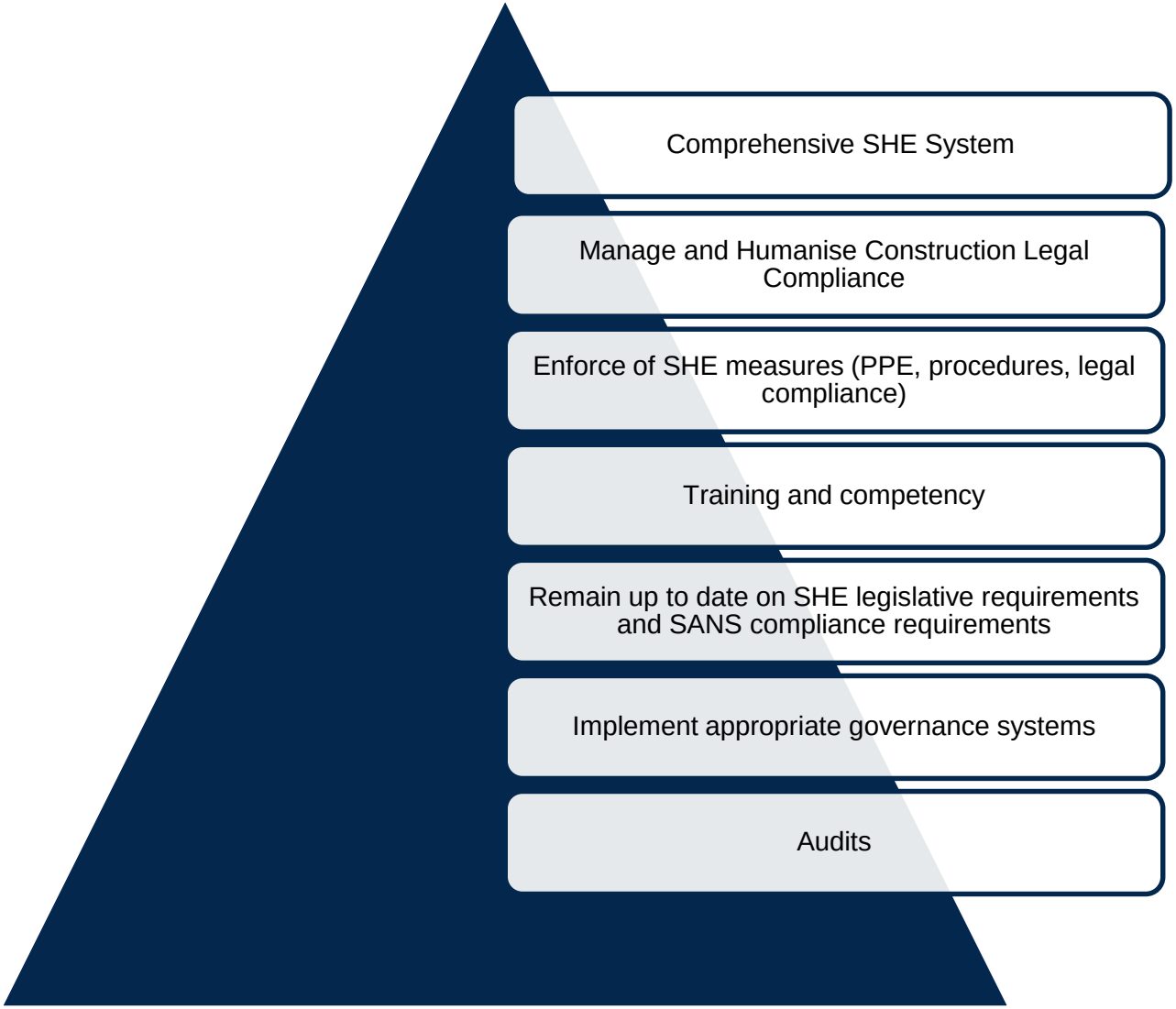
Unlocking the key to compliance



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A Practical Proposal: Construction Health and Safety Legal Compliance: Shifting the Dial toward Improved Construction Leadership, Compliance & Performance

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SHE Policy

GROUP SAFETY, HEALTH AND ENVIRONMENTAL POLICY

SASOL

The management of Safety, Health and Environment (SHE) applies to everyone at Sasol, across all geographies and in line with all international and national protocols where we operate. It helps us achieve our Purpose of "Innovating for a better world" while we deliver on our triple bottom line outcomes of People, Planet and Profit. Our Values and People Promise underpin this policy and sustain a positive culture in which SHE is embedded through relationships built on care and trust.

As a global chemicals and energy company, with safety as a core value, zero harm remains a top priority as we strive to deliver safe, reliable and responsible operations. Decarbonising and transitioning our operations in a just and equitable manner is central to our activities to continue growing value into the future.

We have a multi-faceted approach to SHE integrated into our environmental, social and governance (ESG) framework. Our aim remains the creation and preservation of sustainable value informed by stakeholder engagements, reasonably responding to stakeholder expectations and being transparent regarding our commitments and performance.

We continuously measure and improve our performance across SHE and appropriately disclose on this. We strongly believe that our workforce is key to delivering on our Future Sasol vision. Our leaders, along with the rest of our workforce, conscientiously endeavour to embed accountability and behaviour that demonstrate care, integrity, compliance and discipline in accordance with our Code of Conduct.

BY HOLDING EACH OTHER TO ACCOUNT, WE UPHOLD OUR VALUES AND ACHIEVE OUR SHE VISION BY:

- Institutionalising safety as a leadership imperative through a culture of care and discipline.
- Fostering reliable, safe and sustainable operations through a safe and healthy workforce.
- Monitoring and enhancing the physical, mental and emotional wellness of our workforce for sustainable safety and health performance.
- Eliminating fatalities by embedding our high severity incidents (HSI) elimination programme.
- Responsible use of natural resources, preventing pollution and degradation and by exercising our duty of care in respect of quality of air, water, land and biodiversity in the areas within where we operate, including our fence line communities.
- Managing and mitigating our environmental risks in a responsible manner and leveraging opportunities towards achieving our Net Zero ambition.
- Progressing our greenhouse gas (GHG) emission reduction roadmaps in support of our ambition and targets and, in parallel, growing new low-carbon businesses in support of a just transition.
- Respecting, upholding and protecting human rights guided by our Human Rights Policy with every effort to conduct our activities with due care and consideration to the environment and the fence line communities within which we operate.
- Fulfilling our commitments as a Responsible Care® signatory, to enable safe chemicals management throughout a product's life cycle while ensuring the chemistry contributes to society and benefits the environment.
- Adhering to inherent safe design, asset management and operations discipline as guided by international best practice in order to maintain reliable and safe operations.
- Implementing sustainable practices and internationally recognised management standards.
- Systematic SHE risk and incident management by implementing and assuring critical controls to proactively prevent key undesirable events and incorporating lessons learnt from SHE incidents into employee and service provider training and development programmes to prevent future incidents.

Fleetwood Grobler
President and Chief Executive Officer

August 2022 www.sasol.com

Key Aspects of a Construction Business SHE Policy

- Safety must be a core value of the construction business activities
- A commitment to safety, health and environment: embedment through relationships built on care and trust
- Zero harm must be the business top priority
- Leaders and workforce are made accountable and the desired behaviours are demonstrate through care, integrity, compliance and discipline
- Institutionalising construction safety is a leadership imperative achieved through a culture of care and discipline
- Focus on eliminating fatalities through Construction Safety High Severity Incident (HSI) prevention programme
- Clear leadership commitment towards construction legal compliance and safety
- Systematic SHE (Construction) risk and incident management by implementing and assuring critical controls of top SHE (Construction) risks

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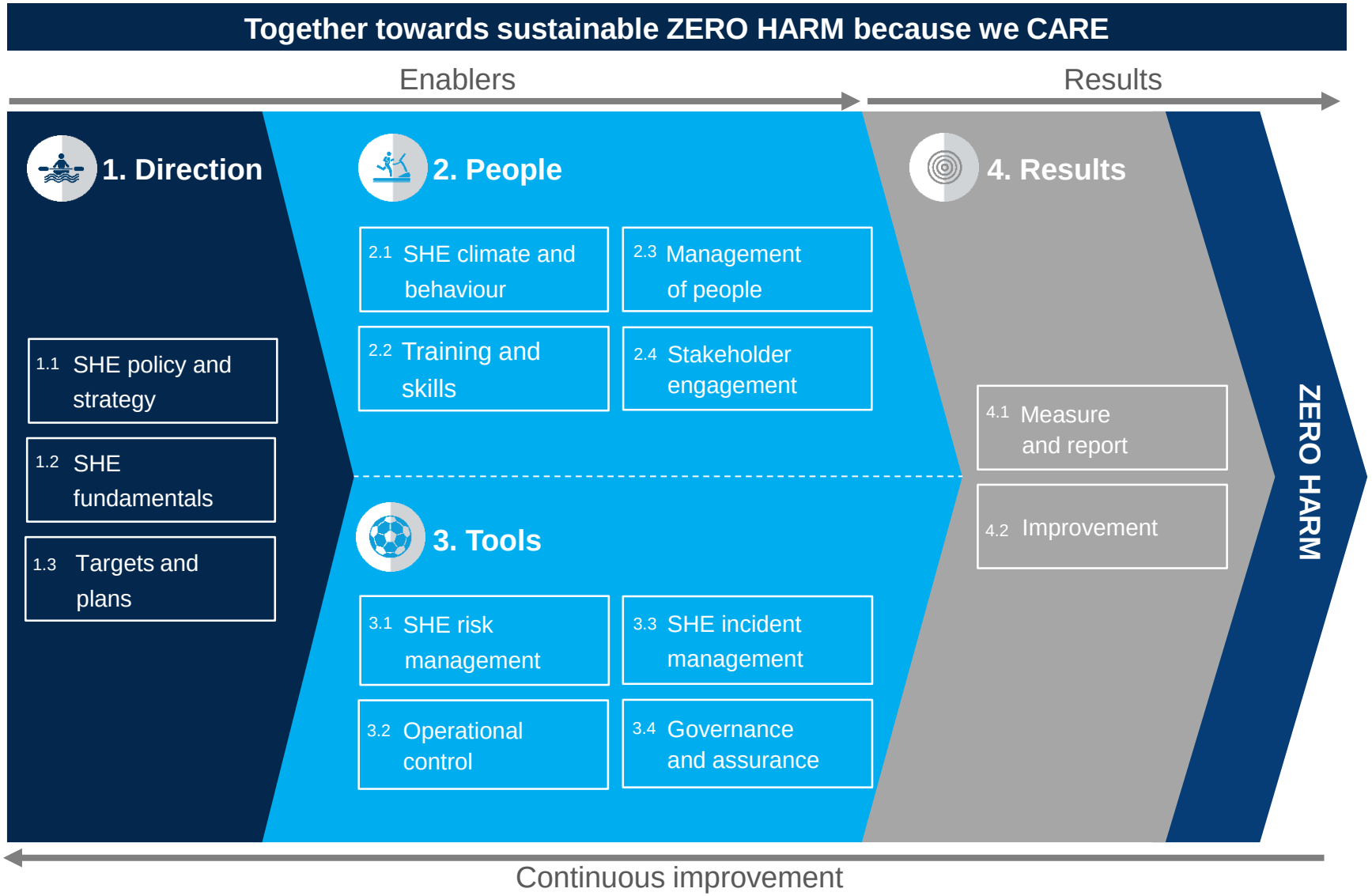
Construction SH(E) Excellence Approach



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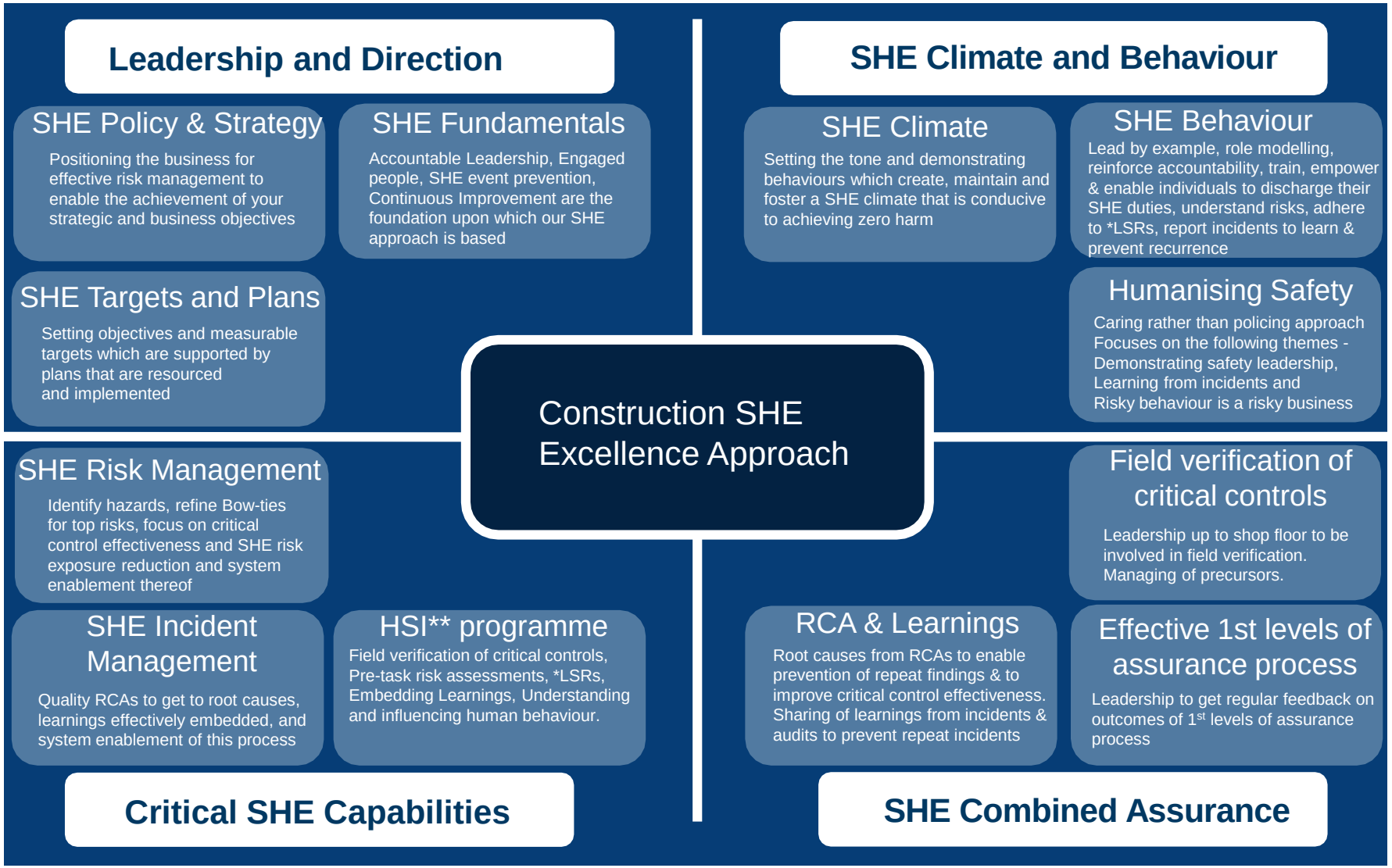
Key elements of an effective construction safety approach



* Life Saving Rules

** High Severity Incident prevention programme

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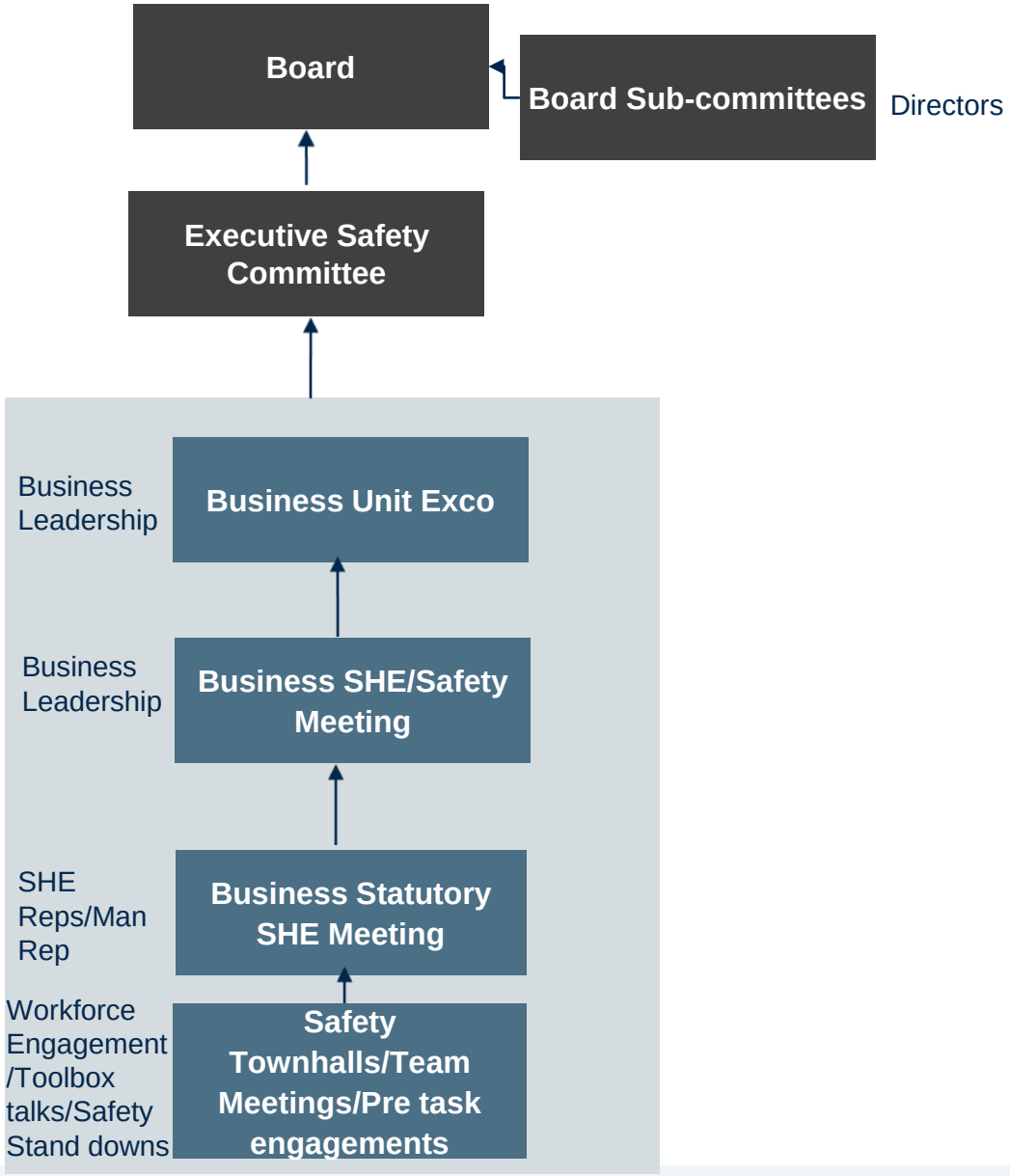
Construction SHE Governance



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Construction High Severity Incident (HSI) Programme Focus Areas

The Construction HSI programme should be specifically developed to prevent fatalities and high severity injuries/incidents. The following are the focus areas of the programme.

Life saving rules (LSRs)

Adhering to non-negotiable construction life saving rules with clear responsibilities for the risk owner, control owner and control executor.

Pre task risk assessments (PTRAs)

Pre-task risk assessments are focused on first line (supervisory) leadership engagement with the team that is executing the task before task commencement taking into account the risk profile, applicable life saving rules, learnings from previous incidents and awareness of the emotional state of mind of the task executors before a task is executed.

Critical control management (CCM)

Physical verification of critical controls performed by leadership through to first line supervision, as part of 1st levels of assurance.

Institutionalization of learnings

A standardised approach implemented to develop, communicate and embed learnings for actual and potential high severity injuries severity near misses to prevent repeat incidents (Review risk assessment, procedure, training and checklists)

Understanding and influencing human behaviour

Focused on a predictive leadership approach in creating and maintaining a safety climate, and supporting safety behaviours that are conducive to achieving zero harm.

Other construction safety focus areas applicable to the business risk profile

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Focus Areas

OBJECTIVE: implementing a systems to create a safe, healthy and environmentally compliant workplace

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Safety of our People is Our Priority

- Humanising safety is a key driver to delivering on this undertaking informed by two core values, namely **BE SAFE** and **BE CARING.**
- **Leader behaviour**, informed by their **beliefs**, sets the tone for the **safety climate** in which employees work
- **The Safety Climate** influences employees' behaviour, which collectively over time, **embeds a safety culture.**
- Humanising safety is centred around **caring deeply for our people** and **placing their safety first**. It facilitates **leading compliance through care.**

Control **Criticism** **Correction**	**Commitment** **Coaching** **Collaboration**

Humanising safety creates the cultural shift towards safe and productive work

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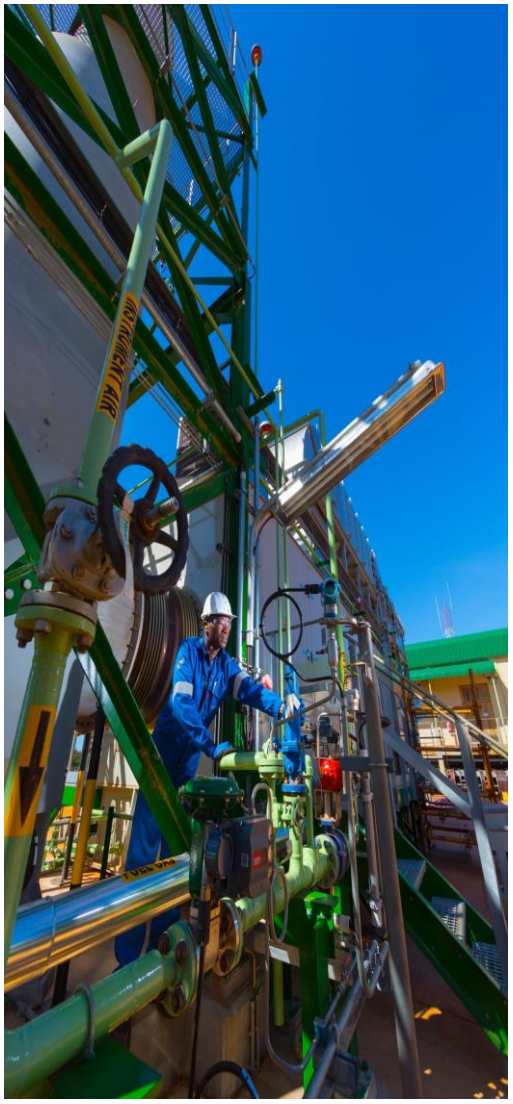
HUMANISING SAFETY DEFINED



DEFINITION

Humanising Safety is **leading and influencing** the workplace safety climate through a tone of **care and commitment** where everyone experiences **authentic respect and fair discipline** that motivates safe and productive work.

The concept of Humanising Safety is about enabling **safety compliance** and performance by **caring for our people** (including our service providers). This means that fair and consistent **operational discipline** (doing the right thing, the right way, every time) and SHE improvement is achieved through **caring and coaching** our people.

Humanising Safety is all about creating **connections** with our people, centred on our key values of:

- **be safe** by always placing the safety of people first
- **be caring** by caring deeply for our people, planet, and communities
- **be accountable** by owning our results

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BUILDING A HUMANISING SAFETY CLIMATE: POSITIVELY IMPACTING CONSTRUCTION SAFETY PERFORMANCE

You as leader have a responsibility to set the tone for sustainable zero harm by providing clear direction and enabling a committed and accountable workforce that demonstrate the desired SHE behaviours at all times (refer to the One Sasol SHE Excellence Approach)

Tone | Connect | Check | Reinforce

As bold and competent leader, you set the tone by being:	Effective tone engages your people to:
▪ Accessible, approachable and visible ▪ Innovative, adaptable and authentic ▪ Decisive and courageous ▪ Inspiring, selfless, caring and interested ▪ Setting a good personal example	▪ Belong ▪ Experience self-worth ▪ Feel proud ▪ Feel valued ▪ Have purpose and meaning ▪ Inspired to do the right thing ▪ Report unsafe behavior without fear

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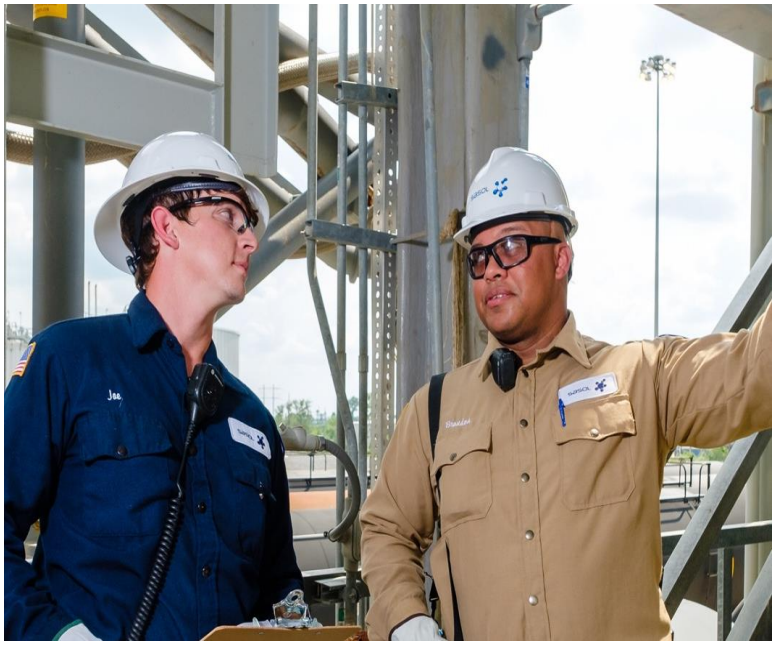
BUILDING A HUMANISING SAFETY CLIMATE: POSITIVELY IMPACTING CONSTRUCTION SAFETY PERFORMANCE

Favourable leadership behaviour, consistently applied, reinforces a culture conducive towards safe and productive work.

Tone → Connect → Check → **Reinforce**



Continue to:	Outcomes of reinforcement includes:
▪ Remain self aware ▪ Reflect ▪ Self regulate	▪ Increased innovation and inclusion ▪ Increased engagement and productivity ▪ Increased wellbeing and retention

Your people will experience:	Final note:
▪ A relationship with you ▪ Your presence ▪ Commitment and loyalty ▪ A feeling of care and engagement ▪ Trust and respect ▪ Order and fair discipline	▪ Building quality connections is a skill that can be learnt ▪ Be a role model of what great looks like

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How do we do a construction workplace inspections

- Plan the inspection
  - Engage key stakeholders prior to inspections
  - Ensure the applicable legal landscape is considered
  - Ensure the compliance to the approved health and safety plans are tested

- Execute the inspection
  - Move systematically through given area
  - Identify hazards
  - Observe deviations
  - Engage the relevant team members and discuss the deviation
  - Be seen as part of the team and not someone monitoring the team
  - Record feedback provided by the team
  - Be clear about the non-compliance and the location where it was identified

- Feedback, Action and Follow-ups
  - Provide feedback
  - Initiate remedial measures
  - Follow-up on actions and address non-compliance outstanding
  - Explain the risk of continued non-compliance
  - Do all of the above in a manner that fosters teamwork in the spirit of Humanising Safety – Be Caring and Be Safe

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Understand Construction SHE Leadership

Construction SHE leadership: Construction leadership must demonstrate a commitment to construction SHE requirements. It involves creating a culture of care where everyone is responsible for construction SHE and maintaining a safe working environment. Leaders play a proactive in identifying and addressing construction SHE concerns and are committed to continuous improvement in SHE performance.

- **Cultivates Caring Construction SHE Culture:** Leadership is pivotal in establishing a robust SHE culture where the emphasis on **SHE is ingrained in every aspect of the workplace**. It fosters an environment **where SHE a shared responsibility and a common value among all** employees.
- **Reduces Incidents:** Effective **Construction SHE leadership helps in identifying and mitigating risks**, thereby reducing the occurrence of accidents and injuries.
- **Enhances Productivity:** A **safe work environment contributes to increased productivity and morale among employees**. When employees feel safe, they are more engaged, motivated, and focused, which positively impacts the overall performance of the organization.
- **Promotes Compliance:** Leaders ensure that **the organization adheres to all relevant SHE regulations and standards within the context of caring**. This compliance is crucial in avoiding legal repercussions and maintaining a positive reputation in the industry.
- **Encourages Accountability:** SHE leadership **instills a sense of accountability among employees for maintaining safety standards**. It promotes a sense of ownership and responsibility in adhering to safety protocols and reporting hazards.
- **Facilitates Continuous Improvement:** SHE **leaders are committed to learning and improvement, analyzing incidents to implement corrective actions and prevent recurrence**. This continuous improvement is essential for evolving SHE practices and maintaining high SHE standards.
- **Builds Trust and Respect: By prioritizing the well-being of employees and demonstrating genuine concern for SHE, leaders build trust and respect within the organization**, which are foundational for a positive and inclusive workplace culture.

In essence, **SHE leadership is indispensable for creating a safe, compliant, and productive work environment**, and it plays a crucial role in the overall success and sustainability of the organization.

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10 Effective Construction SHE Leadership Skills

Effective safety leadership is crucial for maintaining a safe, healthy and environmentally sound work environment. SHE leaders play a pivotal role in promoting the appropriate SHE culture, preventing accidents, and protecting employees from harm.

- **Commitment to SHE**

Commitment to SHE is the **foundational element of effective SHE leadership** (Live it, Believe it, Feel it and Act on it). Leaders demonstrate a **genuine and unwavering concern for the well-being and safety of all employees and the environment**. This commitment is **reflected in every action and decision made by the leader**, with SHE being prioritized. Leaders create an environment where every i**ndividual feels valued and protected.** This commitment goes beyond mere compliance with SHE legislation and involves **creating and fostering a SHE culture where the protection of human life, CARING, and health and the environment** is the paramount concern.

- **Communication**

Effective communication is crucial in **conveying the SHE expectations, policies, and procedures** to all employees. Leaders must ensure that the **SHE messages are clear, concise, and understood by everyone, regardless of their role or level within the organization.** This involves **regular and consistent communication about SHE standards and expectations and providing feedback** and clarification when needed.
It's not just about disseminating information, **it's about engaging in meaningful dialogues with employees to address their concerns** and answer their questions.

- **Visibility**

Visibility in the workplace is an essential aspect of SHE leadership. Leaders need to be **present and visible, observing operations and interacting with employees to reinforce the desired SHE culture and behaviour**. This presence allows leaders to gain insights into the operations and the challenges faced by employees, enabling them to identify potential SHE risks and address them proactively. Being visible and approachable also **fosters a sense of connection and trust between leaders and employees, encouraging open discussions about SHE concerns and suggestions**. When leaders are actively engaged in the workplace and demonstrate a genuine interest in the employees' safety, it **reinforces the importance of adhering to safety protocols**. It contributes to the development of a **robust CARING culture.**

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10 Effective Constrcution Leadership Skills

- **Risk Management**

SHE risk management is a **critical component of SHE leadership, focusing on the identification, assessment, and mitigation of risks and hazards in the workplace**. Leaders must be vigilant in recognizing potential SHE issues and proactive in addressing them to prevent accidents and incidents. This involves conducting **regular SHE assessments, analyzing work processes, and implementing control measures to reduce risks.** By systematically managing risks, leaders can **create a safer work environment and minimize the likelihood of adverse events** occurring.

- **Empowerment**

Empower employees **to take responsibility for their own safety and the safety of others**. Leaders should create an environment where **employees feel confident voicing their concerns and suggestions without fear of retribution**. This empowerment involves providing employees with the necessary tools, knowledge, and support to make informed SHE decisions and to act proactively to mitigate risks. This sense of empowerment **fosters a collaborative and proactive approach to SHE, where everyone is invested in creating a safe and healthy work environment** and respect for the environment.

- **Recognition And Reinforcement**

Recognition and reinforcement plays a pivotal role in encouraging compliance with SHE standards. **Leaders should acknowledge and reward SHE behaviours and practices, providing positive reinforcement to motivate employees**. This could involve **recognizing individuals or teams who have demonstrated exemplary SHE behaviors or have identified and mitigated potential SHE risks**. By celebrating SHE achievements and reinforcing the importance of SHE compliance, **leaders can cultivate a positive and supportive SHE culture**.

- **Decision-Making**

SHE leadership decision-making involves **making informed and thoughtful decisions that prioritize the SHE and well-being of employees**. **Leaders must weigh the SHE implications of every decision**, ensuring that actions taken do not compromise the safety and health of individuals and the environment. This requires a **thorough understanding of the operational processes, potential hazards, and the impact of decisions on SHE.** Leaders must be diligent and proactive in evaluating the risks associated with various options and choosing the path that minimizes harm.

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10 Effective Construction Leadership Skills

- **Accountability**

Accountability in SHE leadership means **holding oneself and others responsible for adhering to SHE standards and addressing non-compliance promptly and effectively**. Leaders must **set clear SHE expectations** and ensure that **individuals are held accountable** for their actions. When **SHE breaches occur**, leaders must **address them immediately, implementing corrective actions and ensuring that lessons are learned** to prevent recurrence.
By enforcing accountability, **leaders contribute to the development of a CARING and SHE-conscious culture** where individuals understand the **importance of complying with safety protocols** and are **committed to maintaining a safe work** environment.

- **Continuous Learning And Improvement**

Continuous learning is **essential for enhancing SHE performance and preventing the recurrence** of incidents and near misses. Leaders must **actively seek feedback, analyze SHE incidents, and implement lessons learned** to improve SHE protocols and practices. This involves **fostering an open and learning-oriented environment** where employees feel comfortable reporting SHE concerns and incidents.
Leaders should **encourage the sharing of SHE knowledge and experiences and facilitate learning opportunities** to build competence within the organization.

- **Building Trust And Respect**

Building trust and respect are **fundamental to fostering a positive and an inclusive Caring and SHE culture** within an organization. Leaders must **establish and maintain relationships based on trust and respect with all employees**, regardless of their role or level within the organization. This involves **being transparent, consistent, and fair in interactions and demonstrating genuine concern** for the well-being of employees. **Trust and respect are the cornerstones of effective safety SHE**, enabling open communication, mutual support, and shared commitment to safety, ultimately contributing to the overall success and resilience of the organization.

SHE Leadership is a cornerstone for establishing **a resilient and positive Caring and SHE culture within any organization**. It goes **beyond mere compliance, embedding SHE in every aspect of the organizational ethos.**

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