

DEPARTMENT OF EMPLOYMENT AND LABOUR STATE OF OCCUPATIONAL HEALTH AND SAFETY IN SOUTH AFRICA Tibor Szana

26 July 2019



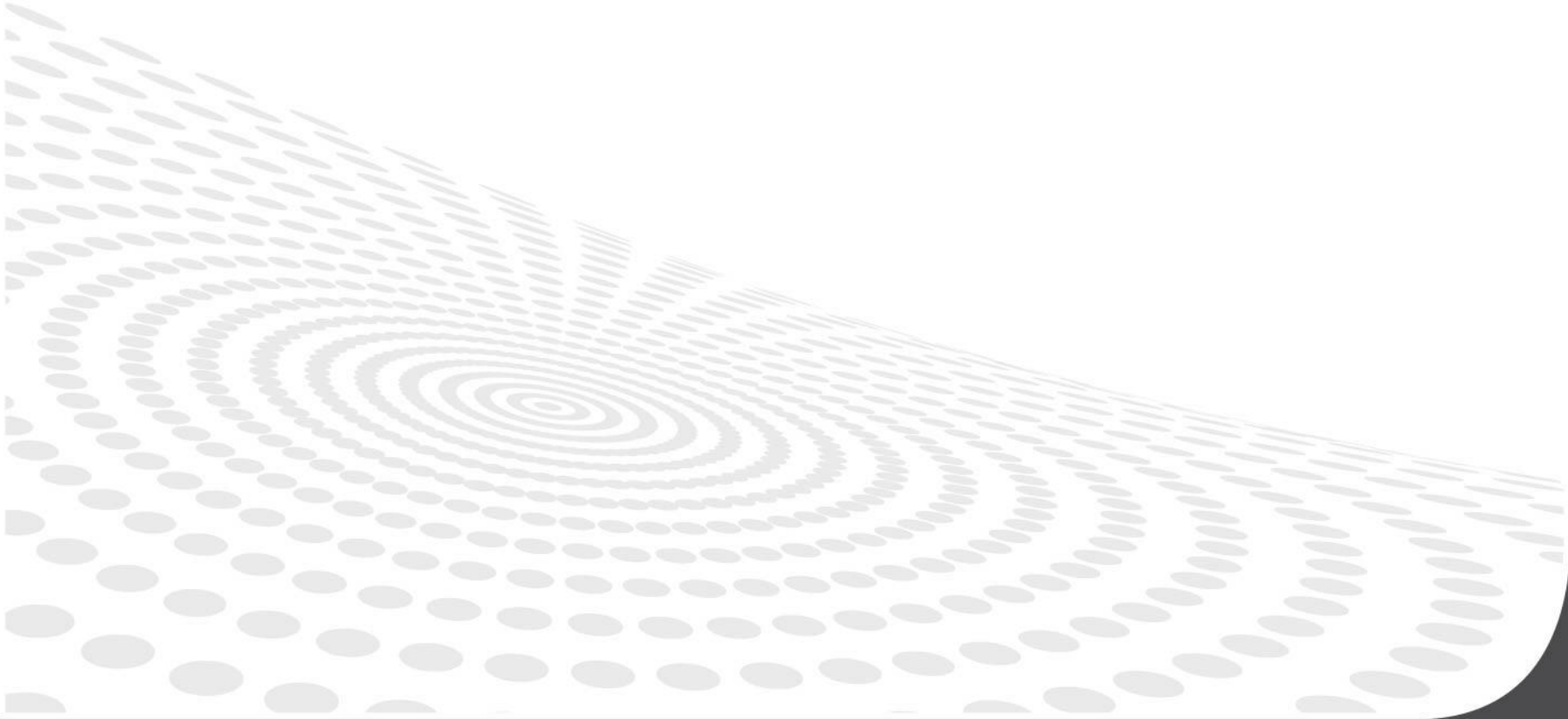
labour

Department:
Labour
REPUBLIC OF SOUTH AFRICA



Introduction

- Profile of South Africa
- OHS a national view



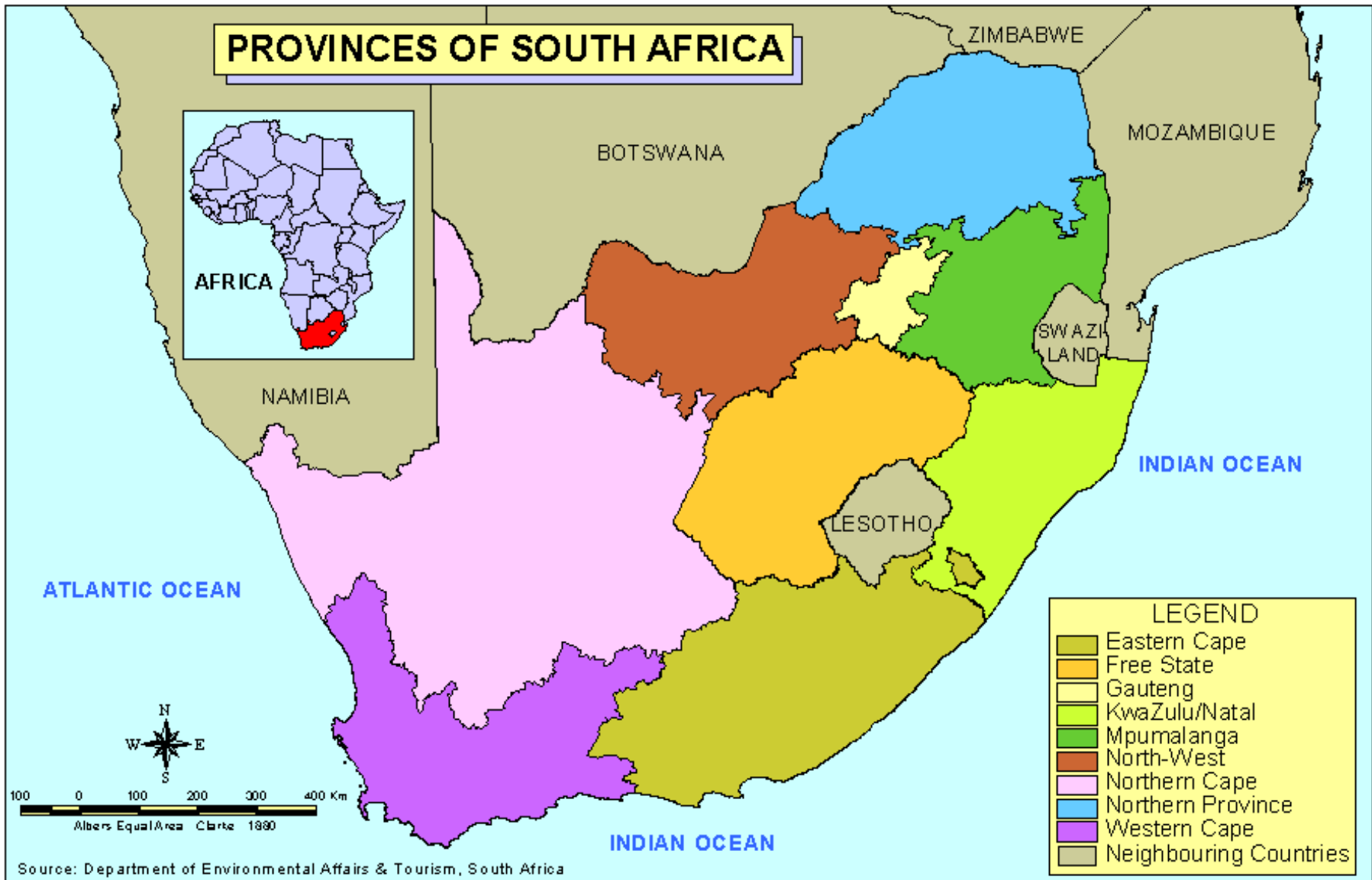
Profile of South Africa ...

- South Africa –
 - Area
 - Population
 - Employed
 - Mix of 3rd and 1st world
 - Formal and informal economy
 - Focus on SMMEs
 - South African growth
 - Highest risk sectors identified

South Africa



PROVINCES OF SOUTH AFRICA



Source: Department of Environmental Affairs & Tourism, South Africa

Political features South Africa

Where are we located ...

- South Africa is located at the southern tip of the African continent, at the confluence of the Atlantic Ocean on the west and the Indian Ocean on the south and east.
- Cape Agulhas marks the southernmost point of Africa, some 161 kilometres (100 miles) south-east of the Cape of Good Hope.
- The land area of 1 219 912 square km (471 008 sq. miles) supports a population of ± 47.4 million people (2006 estimate), 51 per cent of which are female.



- South Africa's mid-year population is estimated to have increased to 57,73 million in 2018,
- representing an overall increase of 1,55% between **2017** and 2018.
- Approximately 51% (approximately 29,5 million) of the *population* is female.
- Gauteng continues to record the largest share of the population with approximately 14,7 million people (25,4%).
- **Life expectancy for South Africa** was estimated at 57,9 for 2010 HOWEVER

Current life expectancy is at ...

- By 2018, life expectancy at birth was estimated at 61,1 years for males and 67,3 years for females.
- The global life expectancy as at 2019 is 72,6 years.
- In South Africa, it stands at 64,2 years, indicating that SA lags 8,4 years behind the global average.

The demographic composition is as follows:

- South Africa's black African population has grown from 38.5 million people in 2008 to 46.7 million in 2018 (80.9% of the total);
- the coloured population has grown from 4.4 million people in 2008 to 5.07 million in 2018 (8.8%); and
- the Indian/Asian population has grown from 1.24 million people to 1.45 million people over the same period (2.5%).
- The white population has grown from 4.5 million to 4.52 million (7.8%).

Population per area

- South Africa's mid-year population is estimated to have increased to 57,73 million in 2018, representing an overall increase of 1,55% between 2017 and 2018.
- Gauteng continues to record the largest share of the population with approximately 14,7 million people (25,4%) living in the province.
- The second largest population with 11,4 million people (19,7%) remains KwaZulu-Natal and Northern Cape remains the province with the smallest share of the South African population at approximately 1,23 million (2,1%).

- The Mid-year population estimates 2018 report released by Statistics South Africa, further indicate that **the female population in the country has remained stable year on year at approximately 51%** (approximately 29,5 million).



Bordering countries

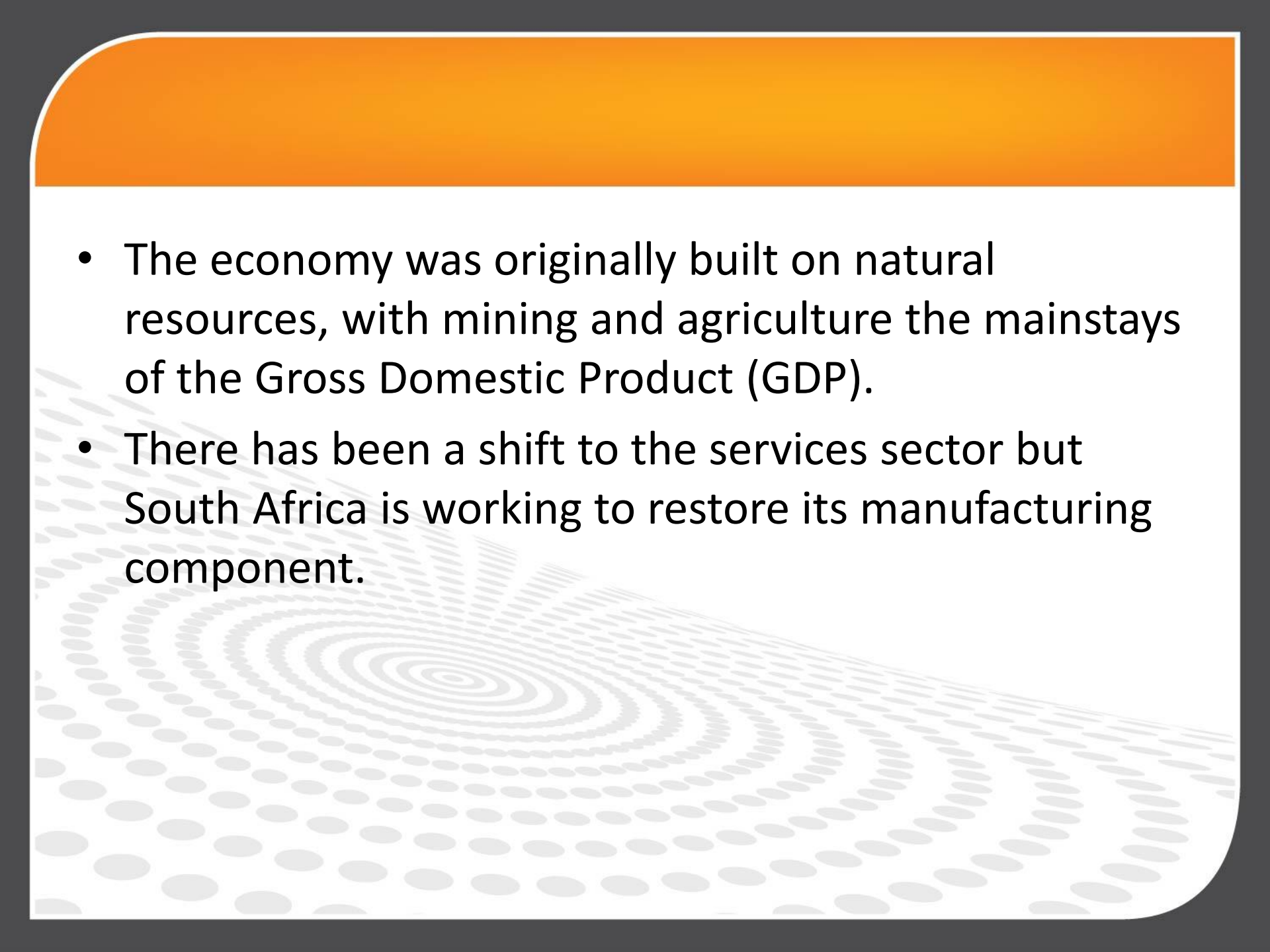
- South Africa has borders with Namibia to the north-west, Zimbabwe and Botswana to the north, and Mozambique and Swaziland to the north-east.
- The independent kingdom of Lesotho forms an enclave within the south-east part of South Africa.

Provinces

- South Africa is divided into nine provinces:
 - Gauteng,
 - Northern Province,
 - Mpumalanga,
 - North-West,
 - KwaZulu-Natal,
 - Eastern Cape,
 - Western Cape,
 - Northern Cape and
 - Free State.

Economic growth

- The economy has grown steadily since 1992, but has slowed down in recent years with a mix of job shedding in some areas and conservative job growth and investments in other areas.

- 
- The economy was originally built on natural resources, with mining and agriculture the mainstays of the Gross Domestic Product (GDP).
 - There has been a shift to the services sector but South Africa is working to restore its manufacturing component.

Economic transformation

- Government aims to boost small enterprises, equalise income and wealth and create long-term jobs.
- Developing SMMEs has received attention as an engine for general economic growth, and for employment creation.

- South Africa's diversity and richness of mineral deposits (including coal, iron, copper, gold, platinum) remains the catalyst for economic development through amongst other aspects FDI.
- Although these are distributed across the country, the most economically important deposits (gold, coal and platinum) are found in Gauteng Province, which remains the most populous and affluent.

Structure of Presentation

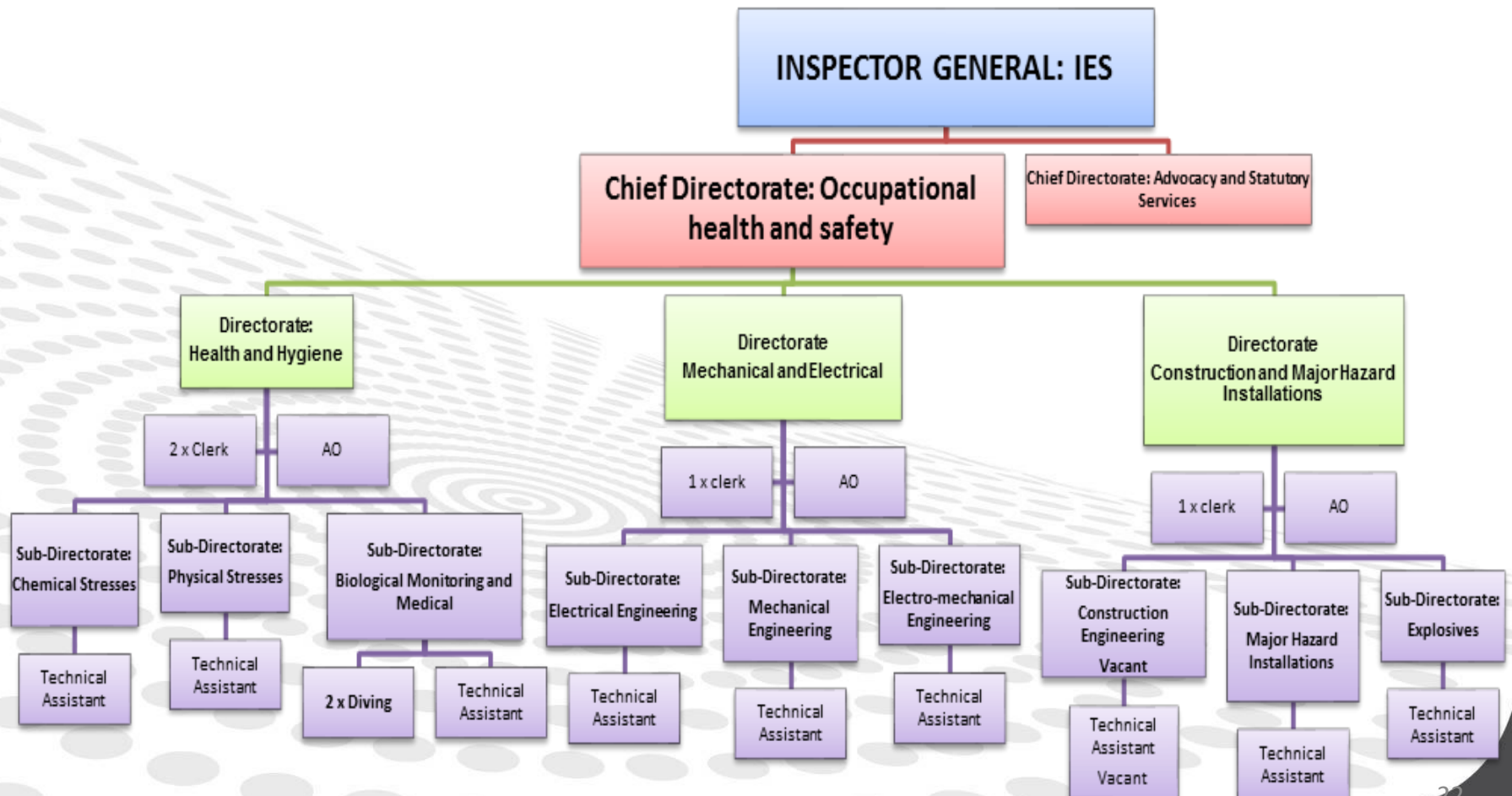
- Human resource
- Tools of Trade
- Levels of compliance
- New areas of focus
- Identifying areas for focus
- Conclusion



Human resource



Head Office Organogram



OHS Inspectors - Nationally

	SALARY LEVEL	NUMBER OF WARM BODIES	VACANT POST	TOTAL
Eastern Cape	12	1	0	1
	10	4	0	4
	8	8	1	9
Free State	8	14	0	14
	10	3	0	3
	12	1	0	1
Gauteng	8	25	4	29
	10	1	4	5
	12	1	0	1
Kwa-Zulu Natal	8	29		29
	tl	6		6
	10	5		5
	12	1		1
Limpopo	8	7	1	8
	10	3	1	4
	12	1		1
Mpumalanga	8	7	3	10
	10	3	0	3
	12	1	0	1
North West	8	8	1	9
	10	2	0	2
	12	1	0	1
Northern Cape	SR12	1	0	1
	SR10	2	0	2
	SR8	4	0	4
Western Cape	SR 8	11	5	16
	SR 10	3	0	3
	SR 12	1	0	1

Scope

- Following sectors are not covered by the same Occupational Health and Safety Inspectors but are covered by inspections services of other Government Departments within the Republic:
 - Mining
 - Nuclear
 - Maritime
 - Civil Aviation
 - Road traffic

The work of the OHS includes but is not limited to:

- Develop and Amend regulations
- Develop guidelines for regulations
- Develop general policies
- Manage relevant national stakeholder relations
- Training of inspectors .
- Training to stakeholders and shop stewards .
- Conduct specialized inspection when required.
- Conduct incident investigation when requested

- The OHS inspector is expected to service the clients of the Department of Employment and Labour through the OHS Act and its 21 Regulations and numerous incorporated Standards.

Accords

- General
 - OHS Accord signed in 2002 – greater emphasis on tri-partite alliance and ensuring that workers are adequately protected
- Sectoral
 - Construction
 - Iron & Steel
 - Chemical

MoUs

- South African Qualification and Certification Committee (SAQCC)
 - The South African Qualification and Certification Committee (SAQCC) was established after the DoL regulated the fire extinguisher servicing industry in 1996 by incorporating some provisions into the OHS Act. This is a non-profit making company with the responsibility to regulate qualifications and competencies in the fire industry.

- South African Council for the Project and Construction Management Professions
 - The South African Council for the Project and Construction Management Professions (SACPCMP) is a juristic person established by Section 2 of the Project and Construction Management Act (Act No.48 of 2000). It has been established to advance project and construction management education, provide for statutory certification and regulation of the project and construction management professions to primarily protect the public interest.

CF and IES

- Memorandum of Understanding entered into between Inspection and Enforcement Services Branch and Compensation Fund

b) Memorandum of Understanding entered into between the Health and Welfare Sector Training and Education Authority and the Department of Labour

- The MoU was entered into in October, 2015. According to Paragraph 5 of the MoU, the parties have committed to cooperate by assisting and supporting one another in order to ensure effective promotion of human resources development in the health sector; and that parties will always take into consideration the impact of their decisions on the other.

- Furthermore, parties will consult each other on exchange of databases of accredited and registered service providers; on exchange of information on research programmes and mutual invitation of representatives; publishing of joint publications, guidelines and related documents; and on development, amendment, interpretation and application of General Safety Regulations and the Skills Development Act.

- Memorandum of Understanding entered into by and between the South African Society of Occupational Health Nurses (SAOHN) and the Department of Labour (DoL)

- Memorandum of Understanding entered into by and between the South African Society of Occupational Medicine (SASOM) and the Department of Labour (DoL)

- Memorandum of Understanding entered into by and between the Southern African Institute for Occupational Hygiene (SAIOH) and the Department of Labour (DoL)

- Memorandum of Understanding entered into by and between the Department of Minerals and Energy (DME) and the Department of Labour (DoL)

Approved Inspection Authorities and other professionals

- AIAs
 - Differently registered in the past
 - Greater control going forward – accreditation with SANAS not optional
 - Greater reliance on professionals in the field in future in formal sector
 - Professionals have taken over more tasks that were traditionally conducted by the Department of Labour – due to limited resources and greater turnaround time in terms of the frequency of visits to enterprises,
 - it was and is necessary for the Department to recognise OHS professionals who will provide the required support to industry especially to those employers who wish to comply and have the means to comply.

Special Projects include but not limited to:

- Global Elimination of Silicosis – to be achieved in 2030
- Reduction of Noise Induced Hearing Loss – across the board especially in iron & Steel sector

- An OHS inspector is required to perform functions in line with his or her model as prescribed by IES viz.
 - advocacy;
 - inspections and
 - enforcement.



What the organisation provides ...



What the organisation provides ...

It provides Tools of Trade to ensure a greater footprint and therefore, greater accessibility

Tools of Trade (includes but not limited to):

Cell Phones and Tablets

- All inspectors are issued with laptops and cellular phones

Legislations

- Inspectors must be issued with updated legislation by the provinces.

Case Management System


- The case management system must be fully utilised by the provinces by end September 2019.

Vehicles

- Access to vehicles for inspectors
 - Pool vehicles – these are shared resources with other branches
 - subsidised vehicles

Additional “tools” – still to be purchased

- Rambo kits
- Forensics investigation kit
- Drones – initially at least x4 – at a cost of more than R50 000 each.
 - Extensive training on drones
 - Photography
 - Videos
 - etc

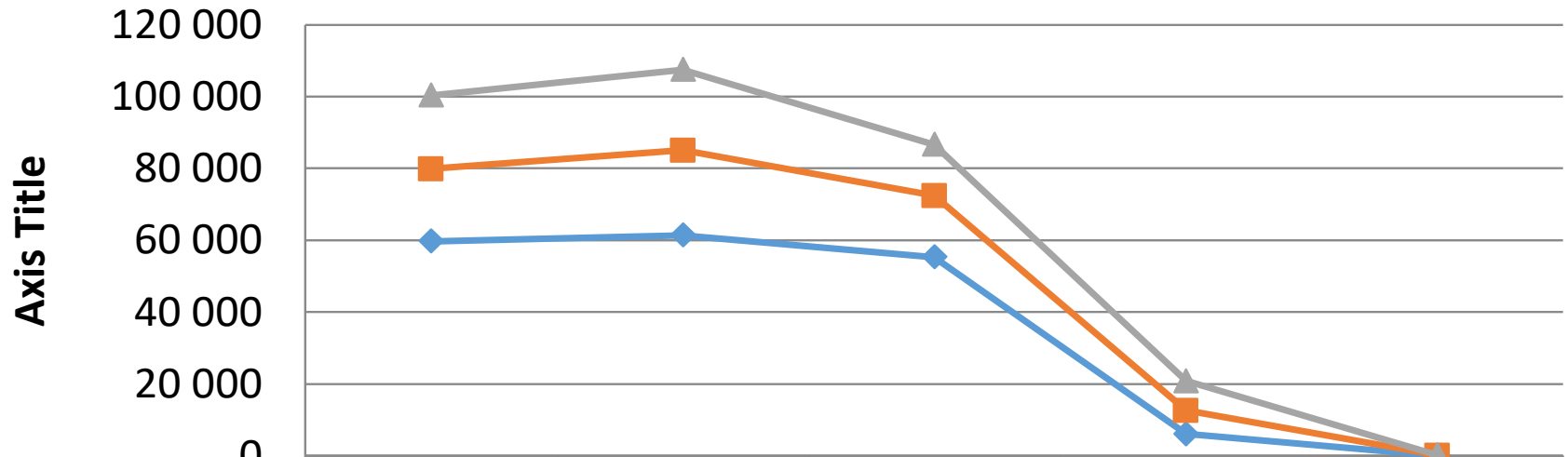


So what is it that the inspectors
have done?



Past and PRESENT

Chart Title



	IES Targets	Achieved	Complied	Non-compliant	Court Referrals
2015/16	20476	22469	14256	8213	34
2014/15	20147	23678	17108	6570	112
2013/14	59700	61355	55303	6052	22

Average Compliance was about 63% - 23027

SECTOR	Q1	Q2	Q3	Q4	TOTALS
WHOLESALE & RETAIL	296	201	384	705	1586
HOSPITALITY	65	165	145	255	630
AGRICULTURE & FORESTRY	409	892	177	216	1694
PRIVATE SECURITY	8	11	12	16	47
DOMESTIC	0	0	0	0	0
CONSTRUCTION	2326	2789	2404	2440	9959
TRANSPORT	48	20	22	29	119
COMMUNITY	142	230	288	266	926
MANUFACTURING	170	247	298	287	1002
FINANCE	6	0	15	4	25
GOVERNMENT	43	131	126	125	425
ELECTRICITY	33	61	71	59	224
CONTRACT CLEANING	10	0	20	0	30
FOOD & BEVERAGE	35	59	28	107	229
IRON & STEEL	786	498	609	609	2502
CHEMICAL	137	1211	199	230	1777
HBA	74	12	24	0	110
HEALTH	40	0	0	0	40
SILICA	6	0	1	0	7
OTHER	435	375	397	488	1695 ₄₅
TOTALS	5069	6902	5220	5836	

SECTOR	SECTIONS/CLAUSES CONTRAVENED
Agriculture	GSR 2(1), GSR 2(2), GSR 3(5), GSR 3(2), GAR 6(1)(a), GAR 6(1)(e), RHBA 4(1), RHBA 6(1), RHBA 8(1) & HCSR 9A, AR 4, GAR 6(1) & GAR 9(1), GSR 3(4), GSR 2(1) & GSR 2(3), HCS 9A(1), DMR 18(5) & DMR 18(11)
Chemical	GAR 9(2), EIR 7(1), HCSR 7(1), GSR 2(1), HCSR 9(A) & FR9, EIR 7(1) & EIR 5(1), FR 2(1), FR 5(1) & FR 9, GAR 4, GAR 6(1) & GAR 9(1), GSR 3(4), GSR 2(1) & GSR 2(3), HCS 9A(1), DMR 18(5) & DMR 18(11)
Construction	GSR4(8)(a)(1), ERW9(2), HCSR14(1)(c), CR23(1)(k), CR23(1)(d)(ii), AR 4, GAR 6(1) & GAR 9(1), GSR 3(4), GSR 2(1) & GSR 2(3),
Food and beverages	GAR 9(1), GSR 2(1), FR 2(3)(d), FR 2(4)(a), FR 2(5)(a), EIR 7(1) & EMR 7(4)
Government institution	,GSR 3(4), GSR 3(6), ERW 3(1), ERW 5(1), ERW 6(2)(e), ERW 9(2) & FR 2(3)(a), GAR 4, GSR 2(1), GSR 3(3), ERW 6(2)(a), ERW 5(1)(a), ERW 6(2)(e) , ERW 9(1)(g); ERW 9(2); FR 5(2); FR5(2)(c); FR 5(2)(d); FR 7, FR 8, FR 2(5), FR 2(3)(a)(b)(c)(d); EIR 7(1)
Retail	GAR 4, GAR 9(1), GSR 2(1), ERW 4(10), FR 2(3)(c), FR 2(4)(a), HCS 9A(2), DMR 18(5) & EIR 7(1)
Hospitality	EIR7,GSR3(4), PER17(3)
Iron and steel	GAR 9(2), GSR 2(1)& DMR 18(11)
Manufacturing	GAR 6(1), GAR 9(2), GSR 3(4), GSR 2(1), GSR 2(2), EIR 7(1), PER 11(d), PER 19, DMR 18(5)(a), DMR 18(11), ERW 6(1)(d) & HCSR 7(1)
Electricity	Sect 8(2)(d), ER 9(2), ER 14(1)(a)
Transport	GSR 2(1), GSR 2(3), GSR 3(3)(a) & EIR 7(1)
Other	GAR4, GAR7, RHBA6(1) & 9(1),EIR7,,ERW3(1), 6(2) & 6(2)(C), 9(2), FR2(4)(A), 3(1), 5(1) & 8(c)

Identifying areas for focus:

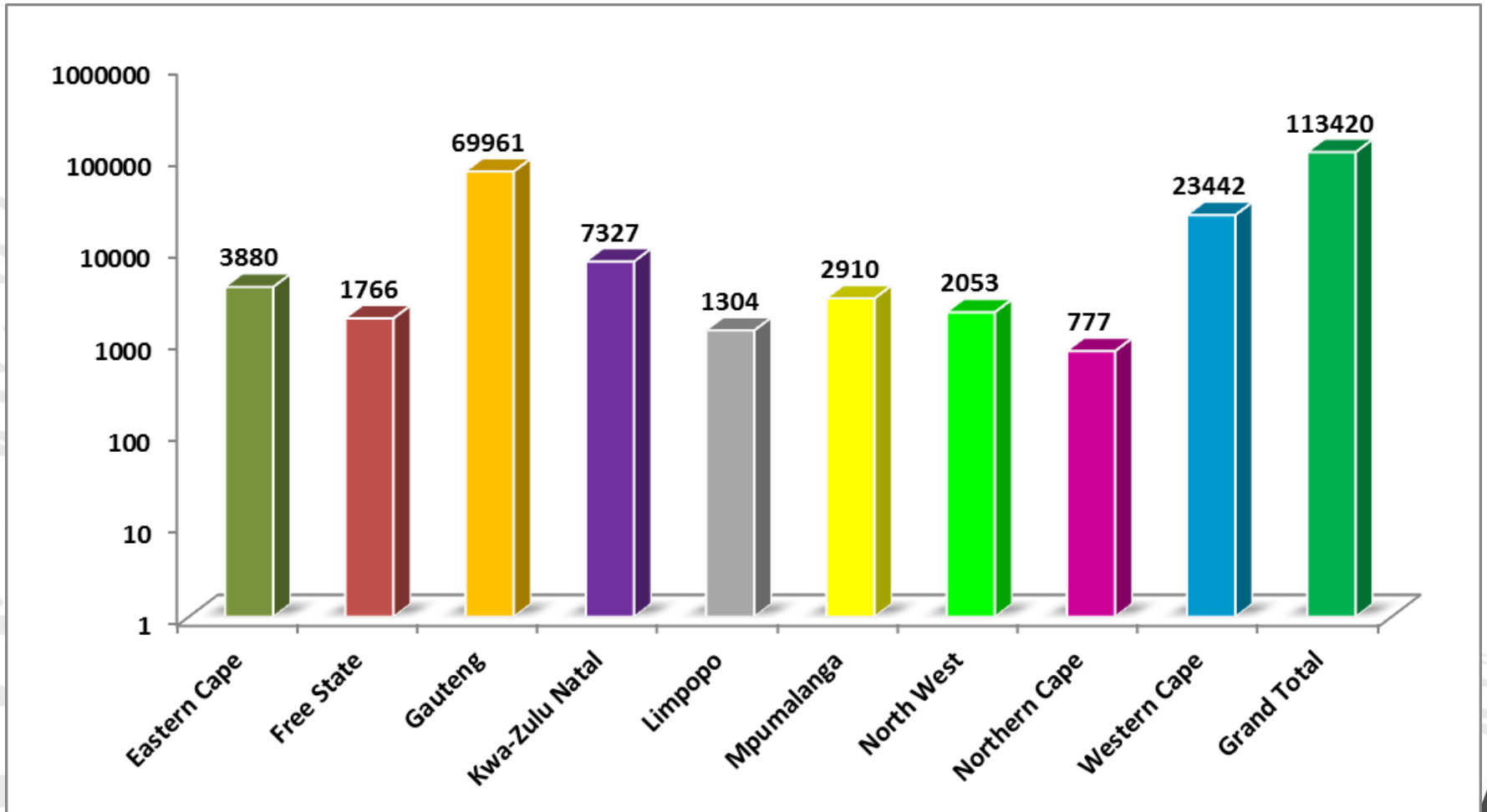
SECTORS	AREAS OF NON COMPLIANCE	
WHOLESALE and RETAIL	<ol style="list-style-type: none"> 1. Safety Reps 2. PPE 3. Stacking 	<ol style="list-style-type: none"> 4. Electrical Installations 5. Fire safety management
PRIVATE SECURITY	<ol style="list-style-type: none"> 1. Safety Rep 2. Facilities for safe keeping 3. Access to ablutions 4. Access to water 	
CONSTRUCTION	<ol style="list-style-type: none"> 1. PPE's 2. Risk Assessment 3. Health & Safety Plan 4. Fall Protection Plan 	
IRON AND STEEL	<ol style="list-style-type: none"> 1. PPE'S 2. Risk Assessment 3. Noise 	<ol style="list-style-type: none"> 4. Pressure equipment 5. Electrical installations 6. Machine guarding

- Risk assessments which includes health risk assessments
- Health and Safety reps and Committees
- Section 8 – put in place what must be in place - **obligatory**
- Section 14
- Section 16
- Electrical complaints
- Agriculture/Farm inspections
- Indoor air quality has become a key reason why inspectors are prohibiting the use of buildings
- Fires in buildings
- **Take note – administrative vs non administrative issues**

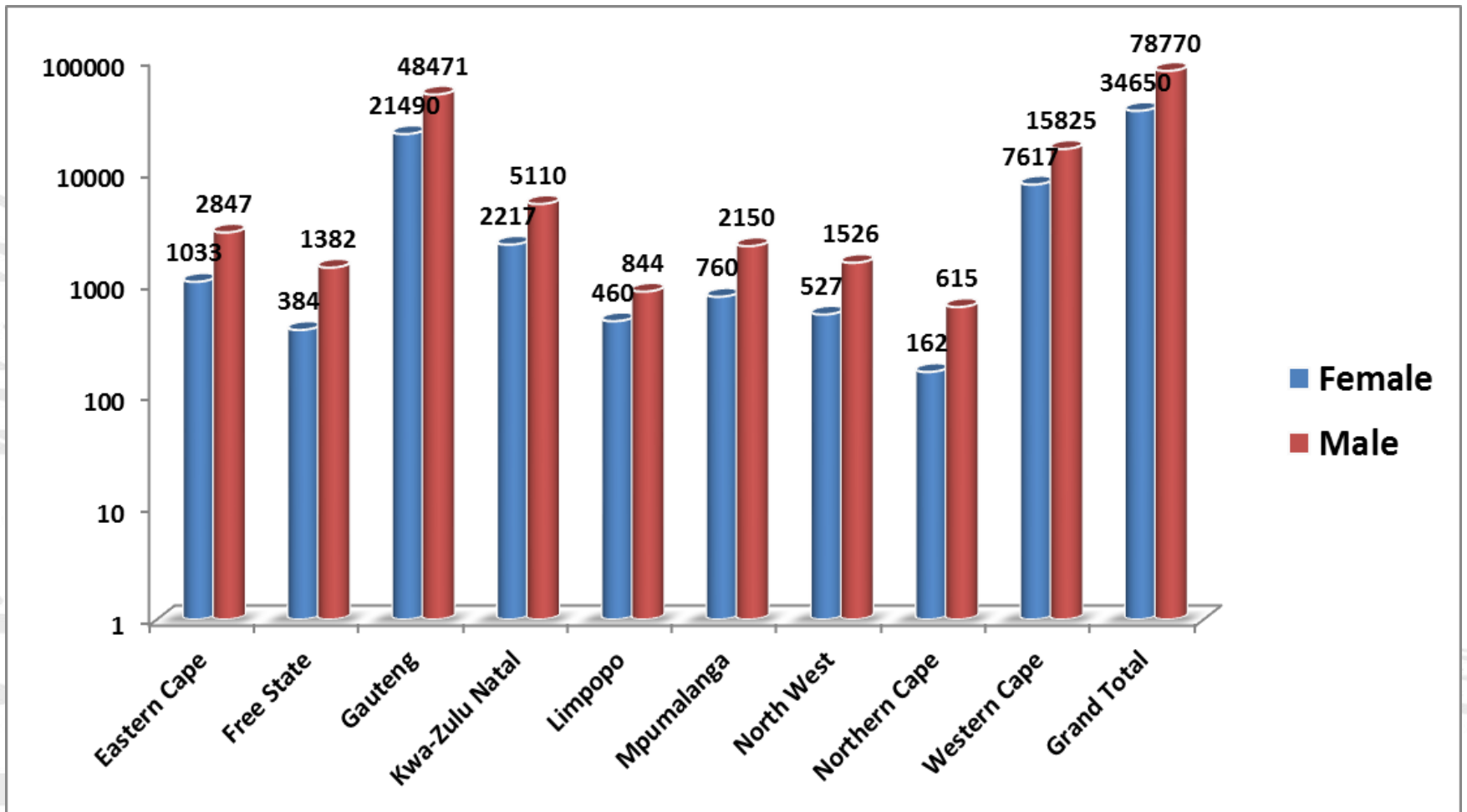
Incidents

Province	Q 1 Number of incidents reported	Q 1 Number inspected and or finalised within 90 calendar days	Q 2 Number of incidents reported	Q 2 Number inspected and or finalised within 90 calendar days	Q 3 Number reported	Q 3 Number inspected and or finalised within 90 calendar days	Q 4 Number reported	Q 4 Number inspected and or finalised within 90 calendar days
WC	57	57	68	52	53	35	45	36
NC	0	0	0	0	6	1	24	21
GP	63	42	62	62	92	62	100	67
EC	12	12	7	7	16	16	28	28
FS	4	4	8	8	8	8	9	9
LP	16	11	11	8	32	22	16	12
MPU	0	0	0	0	5	5	8	8
KZN	36	21	14	14	38	27	36	24
NW	33	24	18	18	6	6	6	5
Totals	188	147	188	169	256	182	272	210

CF - INJURIES PER PROVINCE



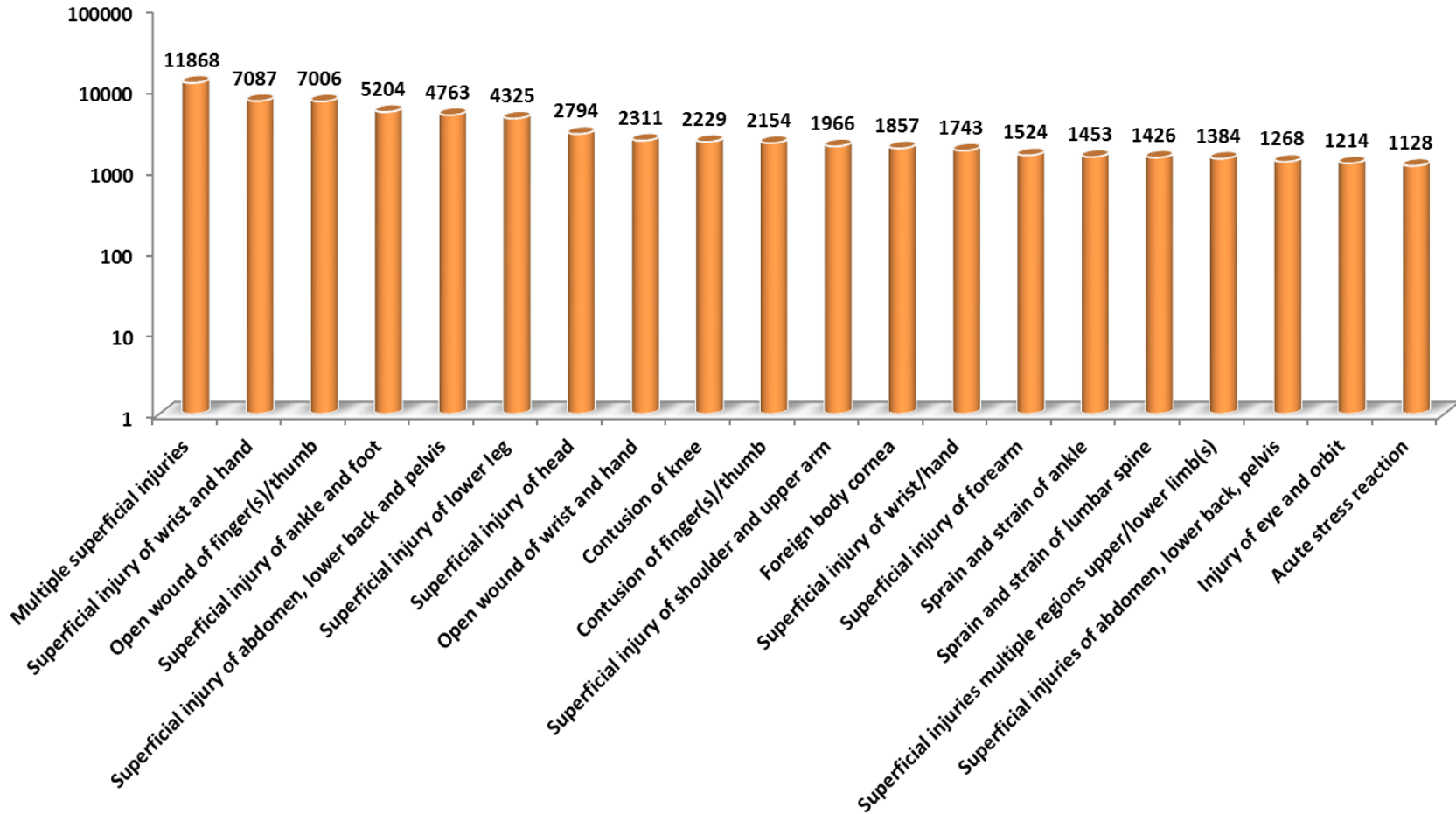
MALES AND FEMALES



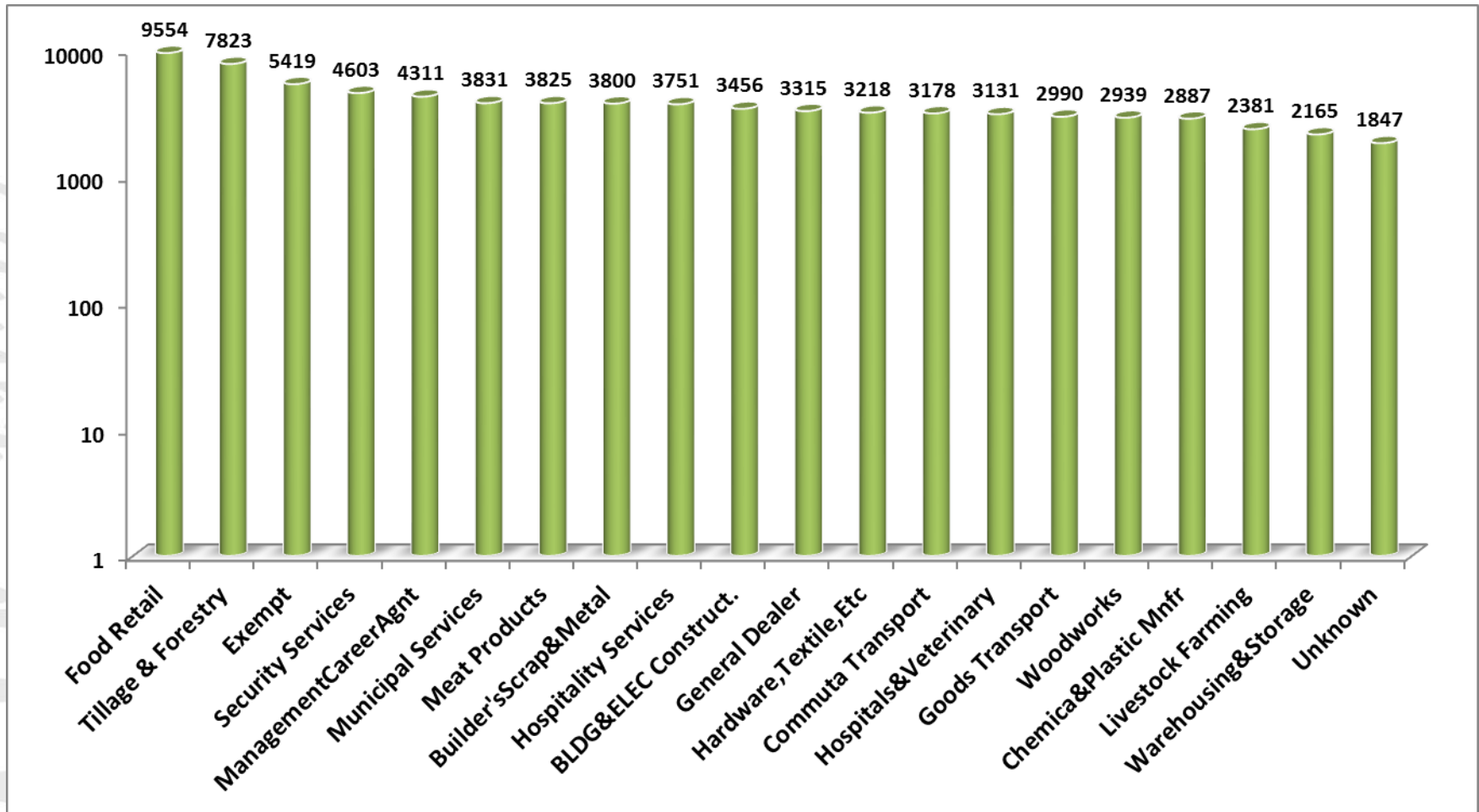
Top 20 Injuries, Industry Sector and Companies

- The report shows top 20 injuries and in which industry sector and company the injuries are mostly incurred.
- The report reflects Multiple Superficial Injuries as the most suffered injury by workers at workplace.
- The nature of injury contemplate that the working class of citizens are working at food and retail sector.
- The report will assist in reducing number of injuries suffered by workers by:
 - Visiting the companies with higher number of injuries.
 - Eliminating claims of registered with CF.
 - Reinforce compliance with OHS.

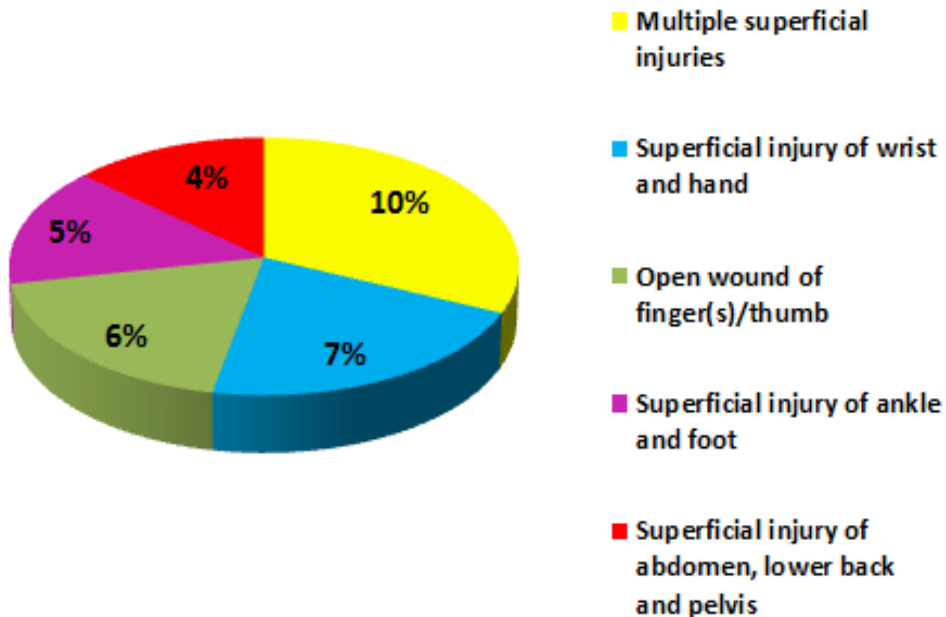
TOP 20 INJURIES



TOP 20 INDUSTRY SECTOR

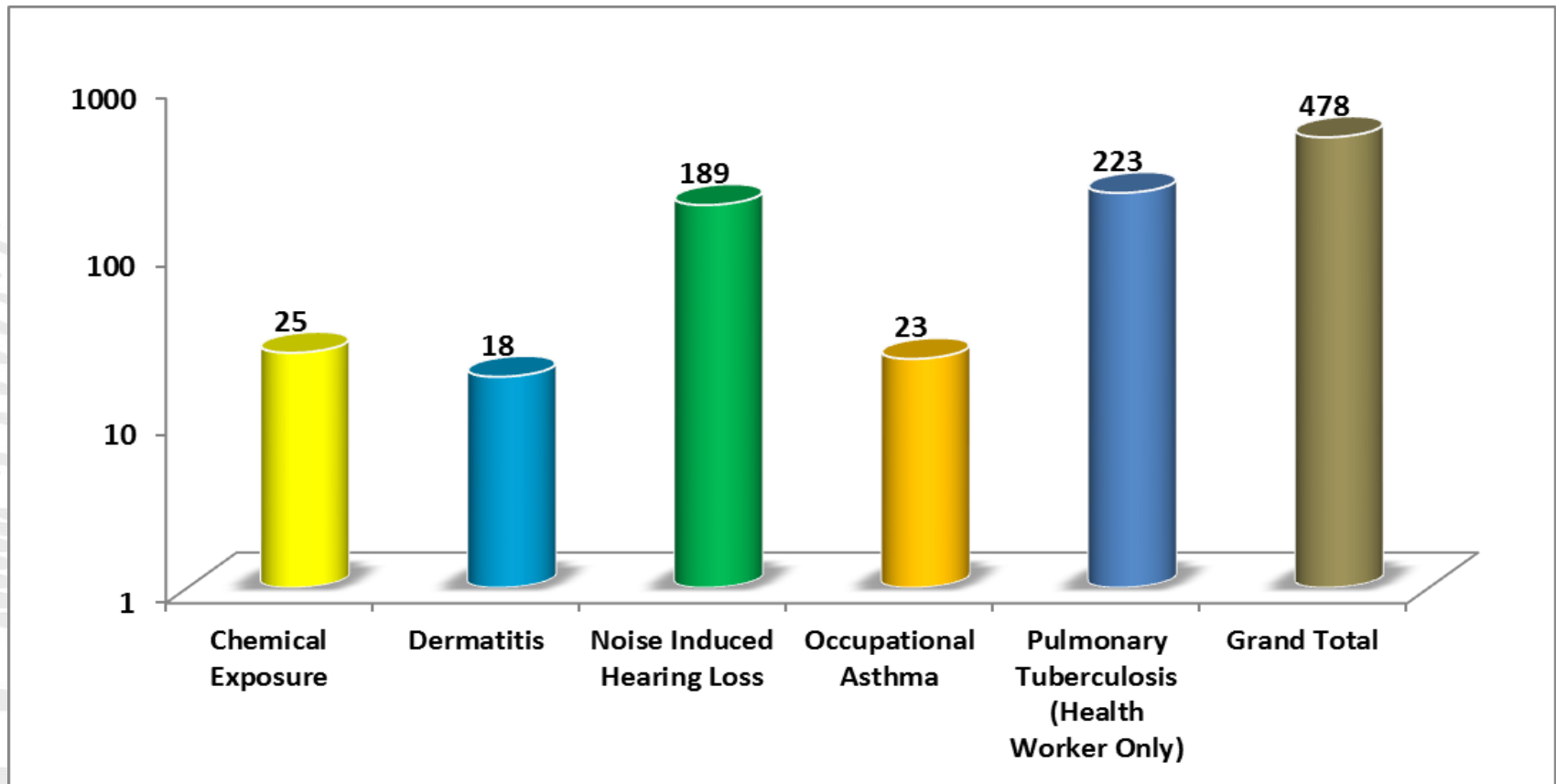


TOP 5 INJURIES



- The pie chart reflects contribution of injuries registered and incurred in industries and companies.
- The multiple superficial injuries contributes 11% and superficial injuries of wrist and hand constitutes 7% of the population of claims registered for financial year 2018/19.
- The population of workers in the working class suffer injuries mostly on their wrist and hand.

TYPES OF DISEASES



- The graph shows types of diseases registered with Compensation Fund



**THE FUTURE IS HEREand you
can't climb off!**



Extract

- The Fourth Industrial Revolution can be described as the advent of “cyber-physical systems” involving entirely new capabilities for people and machines.

Extract

- While these capabilities are reliant on the technologies and infrastructure of the **Third Industrial Revolution**, the ***Fourth Industrial Revolution*** represents entirely new ways in which technology becomes embedded within societies and even our human bodies.

- Examples include:
 - genome editing,
 - new forms of machine intelligence,
 - breakthrough materials

The Future

- This can be found in the changing nature of technology in the following areas:
 - Bio-technology
 - Nano-technology
 - Med-Tech
 - Chem-technology
 - Mech-technology
 - Electro-technology

- Aspects related to Green Technology (this may overlap)
 - Wind turbine farms
 - Photovoltaic farms (solar panels)
 - And others
 - Lighting - ERW – approval given by ACOHS for review
- Psycho-social aspects related to OHS (largely untouched and formalized within the Ergonomic Regulations for now at a foundational level
- 3D printing – houses, cars and anything possible with current technology and materials
- 5G – what is this “animal” called 5G?

- Focus on Occupational Health – Convention 161
- Registration of professional in OHS
- Section 11 and 12 – Listed Work
 - Construction
 - Health Care Sector

So what about the “5th Industrial Revolution” if all is moving so fast now and the rate of change with the advent of quantum computing promises to be even faster!

Cases Referred to court

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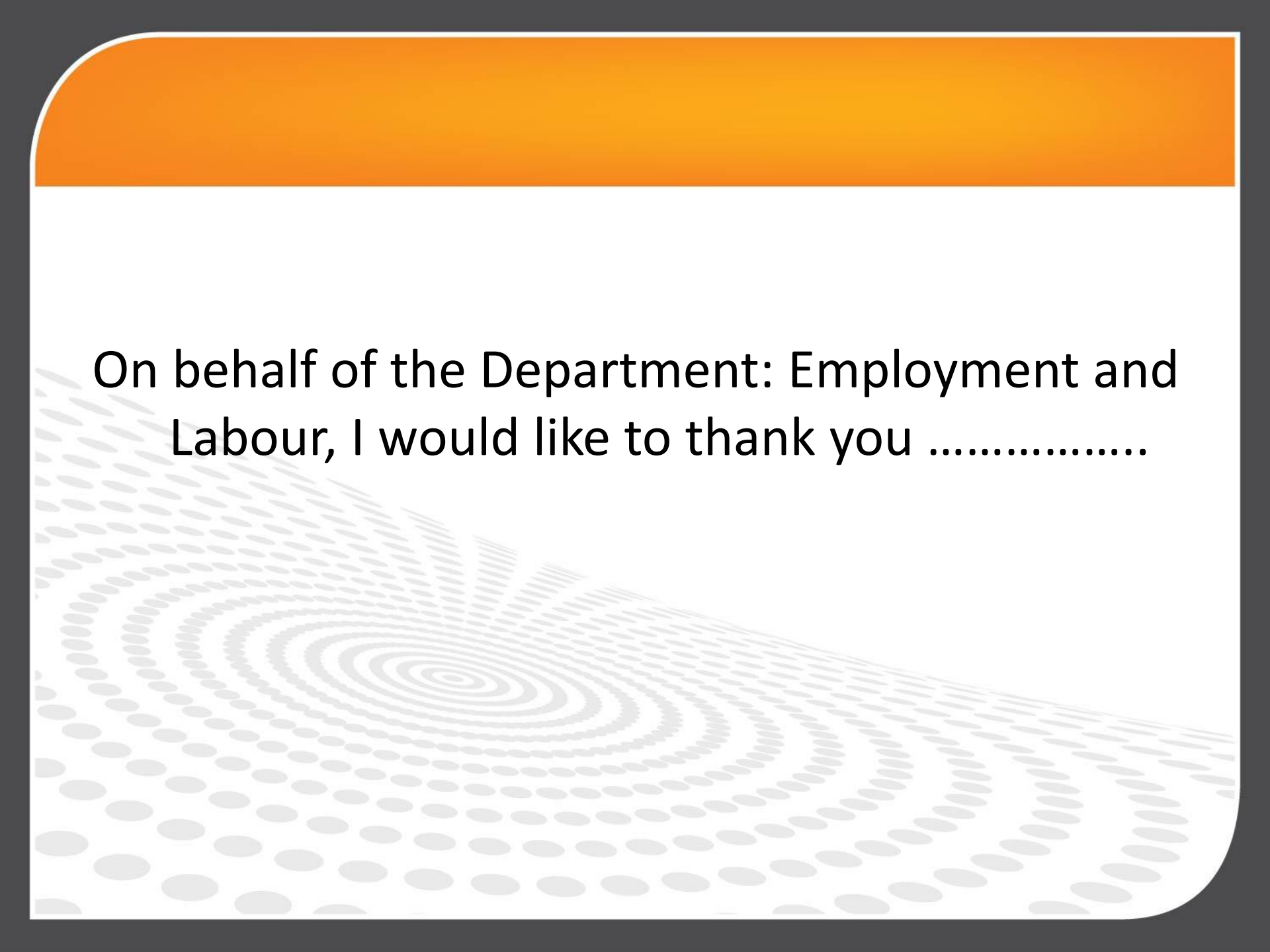
Our proverbial Achilles heal

New areas of focus

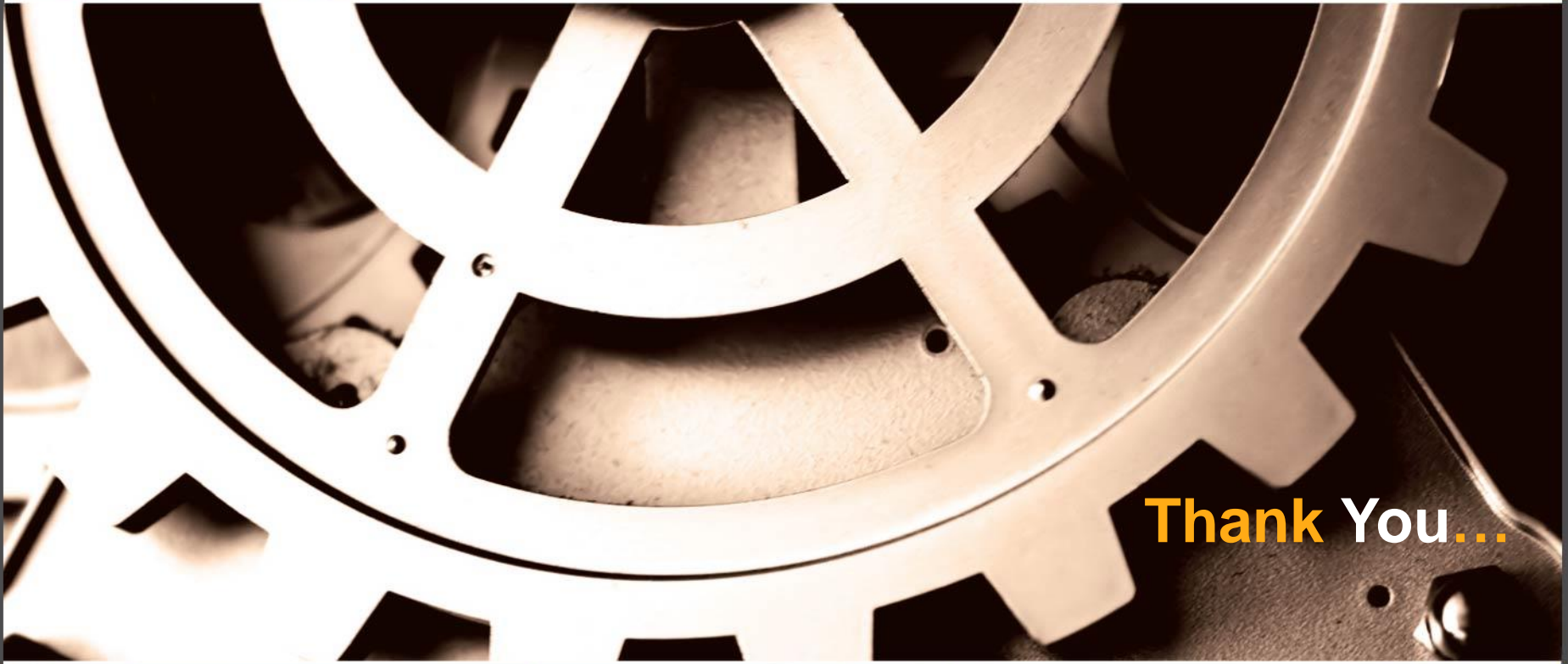
- If our primary focus is to address the vulnerabilities of workers it's important to understand where these vulnerabilities are with respect to their employment.

Conclusion

- The changes that we made both at an institutional, policy as well as administrative level is bearing fruits, however this needs continuous drive in order to cement the “culture” across the country
- Information from our IES case management system will be accessible to you at year end when we will be able to provide with more detailed information on what we are doing in OHS.



On behalf of the Department: Employment and
Labour, I would like to thank you



Thank You...