

**NATIONAL DEPARTMENT:
EMPLOYMENT & LABOUR
INSPECTION AND ENFORCEMENT SERVICES
Mr Tibor Szana – Chief Inspector: OHS**



labour

Department:
Labour
REPUBLIC OF SOUTH AFRICA

2019



Content

1. The Vision and the Mandate of the Department
2. The OSH management system required in every organization

Conference Theme

Strategic co-operation to promote decent work and achieve **vision zero** in occupational injuries and diseases.

Sub-theme:

Importance of worker's health to advance **Agenda 2030**

The Mandate of the Department: Employment & Labour

is to regulate the labour market through policies and programmes developed in consultation with social partners aimed at:

- sound labour relations,
- eliminating inequality and discrimination in the workplace,
- **enhancing occupational health and safety awareness and compliance in the workplace,**
- Giving value to social dialogue in the formulation of sound and responsive legislation and policies to attain labour market flexibility for competitiveness of enterprises which is balanced with the promotion of decent employment.



Professional competency
development in South Africa since
1993

What is Professionalism?

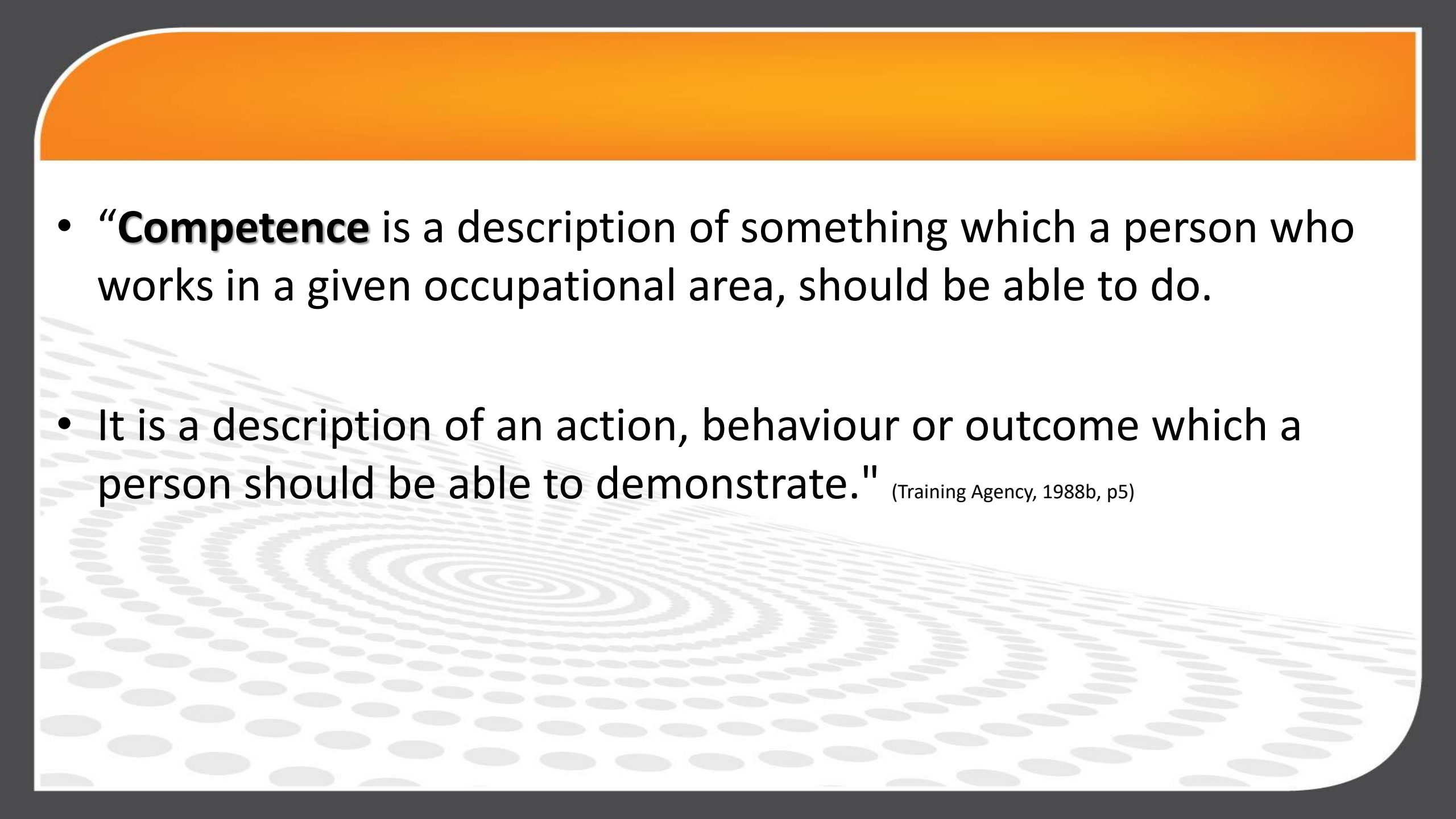
- Client focus
- Ethics and trust
- Integrated approach
- Problem solving
- Professional development

(Constant Professional self-evaluation)

e.g. Knows when and how to refer to other professionals in the field

What is a competency?

- A competency statement defines a behaviour whereby a professional applies
 - knowledge,
 - skills and/or
 - professional values in a work environment.

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- “**Competence** is a description of something which a person who works in a given occupational area, should be able to do.
 - It is a description of an action, behaviour or outcome which a person should be able to demonstrate." (Training Agency, 1988b, p5)

Competence vs occupational competence vs professional competence

- "While an individual may be deemed 'competent', **'occupational competence'** relates to the **functions associated with an occupation.**
- **Standards of competence** are used to describe **characteristics of the *function(s)*** and so are *independent* of the individual."
(Stuart, 1989, p.11, emphasis added)

- **Competence is to be attributed to an individual** on the basis of assessment evidence.
- And **assessment** is to be concerned primarily with whether an individual can **undertake what is required** by the element of competence, **to the standard specified** by the **performance criteria**.
- So performance evidence take precedence over any other form of assessment.

- "As **competence** is the **ability to perform to the standards expected** in employment, performance evidence must be the prime candidate for consideration, with assessment in the ongoing course of work the one that is most likely to offer highest validity." (Mitchell, 1989)
- "If an element states that a candidate should be able to do something, then the evidence needed is a demonstration." (Training Agency, 1989b, p5)

- So 'competence' is not related solely to the work activities deemed to be required to meet unequivocal 'organisational goals', but is emergent in the complex of personal, social and technical factors in a dynamic context in which differences and disagreement are liable to arise. **EXAMPLE**

- However, for those in more powerful positions, there will be greater scope for influencing the definition of desired performance.
- The job of the **professional specialist** will be, to a large extent, what the **specialist** wishes it to be.
- There will be constraints and core demands, but the area of choice will be of significant size. Both the requirements for what is done, and the criteria for judging how it is done will be open to negotiation.
- Sometimes this will be explicit but very often it will be tacit, particularly as these provide levers of influence.

- Moreover, **professional competence** is intimately related to 'personal style'. That is, the particular person will always bring to their **professional practice** their own personal characteristics, which arise from and relate to their biography, past, current, and hoped-for-future, in a unique way. **EXAMPLE AGT**

So what is 'competence'

- The concept of 'competence' is best understood as what Ryle refers to as an 'inference-ticket' (Ryle, 1949, p.135).
- A season ticket enables someone to travel from one place to another a number of times without having to go buy a ticket for each journey.
- When A says that B is a competent manager, A is making an inference from information s/he has about B's performance, currently or in the past, to an expectation of future performance.

- That inference relates to a range of possible future situations. Thus, when A says that B is competent, A is stating a judgement s/he had made.
- The judgement is future oriented: that, under certain conditions, B will perform in particular ways.
- The judgement is based on past circumstances: that B has performed in particular ways.
- **The statement involves an inference:** that there are good grounds for expecting future performance to be of a particular type.

- The statement implicitly (or sometimes explicitly) places a boundary on such an interpretation: expectation about future performance is limited to a specific sphere of activity, usually a specific job, role or occupation, or sometimes a specific type of activity or task.
- Thus, if a stranger says to us 'C is competent', we would probably ask 'what is C competent at?' (or 'competent in?').
- Of course, under normal circumstances, such information would be implicit and understood by the parties involved.

Social construction of competence

- Two further problems arise. Firstly, since the concept of competence involves some reference to desired or required performance, the question may now be put of who desires or requires that performance and what is the desired outcome.
- This must not be left to guess work under any circumstances!

- We might see some tacit recognition of Schön's approach i.e. to introduce the requirement for **continuous professional development** (CPD).
- Of course, for **some professional bodies** this merely means 'updating', ie further accumulation of technical-rational knowledge.

- The **professional** has to work in contexts where **values conflicts are unavoidable**, and where constraints and demands arise from outside the immediate 'job'.
- Because the nature of the arena of practice is one of
 - uncertainty,
 - complexity, and
 - turbulence,the **competent professional** reflects-in-action, so in large measure **creating the body of knowledge and technique which informs practice.**

The background features a grid of light gray dots that curves away from the viewer, creating a sense of depth. In the center of this grid, there is a spiral pattern of concentric circles, also made of dots, which draws the eye towards the center. The overall effect is a dynamic, three-dimensional perspective.

The professional in practice ...

Setting the scene ...

- South Africa is still at the developmental phase in terms of ensuring that
... Professional competencies exist in industries and across sectors as well as amongst its inspectorate to a greater or lesser degree and in various forms

- 1993 –

- New OHS legislation – from MOSACT to OHSACT incorporating occupational health and hygiene
- The Department of Labour then set about changing several of its Regulations while also developing new Regulations.
- Greater focus on co/self regulation from 1993
- OHS Accord signed in 2002 – greater emphasis on tri-partite alliance and ensuring that workers are adequately protected

- We are on the verge of another change, one that will see the Department's inspectorate aligning itself with the NDP and will add an additional 500 inspectors. Our focus will be on the SMMEs and the informal sector while addressing health and hygiene aspects over the next 10 years.
- We will seek to align our systems to the 4th IR era for the formal sector and take full advantage.



– Professionalisation of inspectorate

- Inspectors to meet new challenges

- Technological

- Changing profile of businesses (4th IR/IoT)

- Inspectors to operate independently for longer periods from the office with appropriate resources in order to meet new challenges

- Resources provided to meet the challenges

Approved Inspection Authorities and other professionals

– AIAs

- Differently registered in the past – no clear guidelines
- Greater control going forward – accreditation with SANAS – recognised internationally due to SANAS registration
- Greater reliance on professionals in the field

Approved Inspection Authorities and other professionals

- Professionals have taken over more tasks that were traditionally conducted by the Department – 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.
 - registered OHS Professionals should and will be recognised – the current professional entities/organisations have been slow and skewed in getting recognition for their organisations.

- Changes have been effected that impact directly on us in relation to the training field (QCTO), Professional Bodies and the National Prosecuting Authority (NPA), amongst others.

- In amending old Regulations and developing new Regulations the Department was giving effect to a new Order in Occupational Health and Safety.

THE TURNING POINT – UK; GERMANY; FRANCE; USA, etc.

- This Order was to provide the industry with professionals who would service the industry, professionals who understood the industry and how it operated – this new professional – while given different names would in essence be known as the Approved Inspection Authority (AIA).

- The Approved Inspection Authority is a specialist in his or her field.
- The Approved Inspection Authority however was called by different names and had different routes of entry as noted in the different legislation.
- This route is not open to all sectors and is guided by legislation.

Future professionals

- The rising occupational health and safety professional and the professional of the future remains largely ignored and comes from the ranks of industry currently – the challenge remains that this group is not recognised in the same way that the AIAs are in legislation and therefore they have no legal clout.
- These are purely safety professionals/experts who are currently being recognised in some way by some limited number of industries – they are however gaining momentum and major changes should take place in the next 3 to 5 years!

The future professional

- According to an old Hindu proverb,

"there's nothing noble in being superior to another person.

The true nobility is in being superior to your previous self."

- That's what **professional development** is all about-
 - honing your mind,
 - improving your skills and
 - **increasing your value** to your employer or your clients.

- Continual improvement is a concept that works for both corporations and individuals.
- If you want a "star-spangled future," you'll need to continue to
 - develop new capabilities,
 - increase your proficiency at current skills and
 - master ever-changing technology.

Safety professionals ...

- Being a [safety professional](#) won't be sufficient by itself.
- You'll need a range or suite of specialization areas in which you are found to be competent. Not merely show that you have “an interest in”.
- That's likely to include cross-training in industrial hygiene and safety engineering amongst others. Employers will want an all-purpose safety and health professionals.
- So, if you want to serve your clients well and advance professionally, you will be expanding your repertoire.

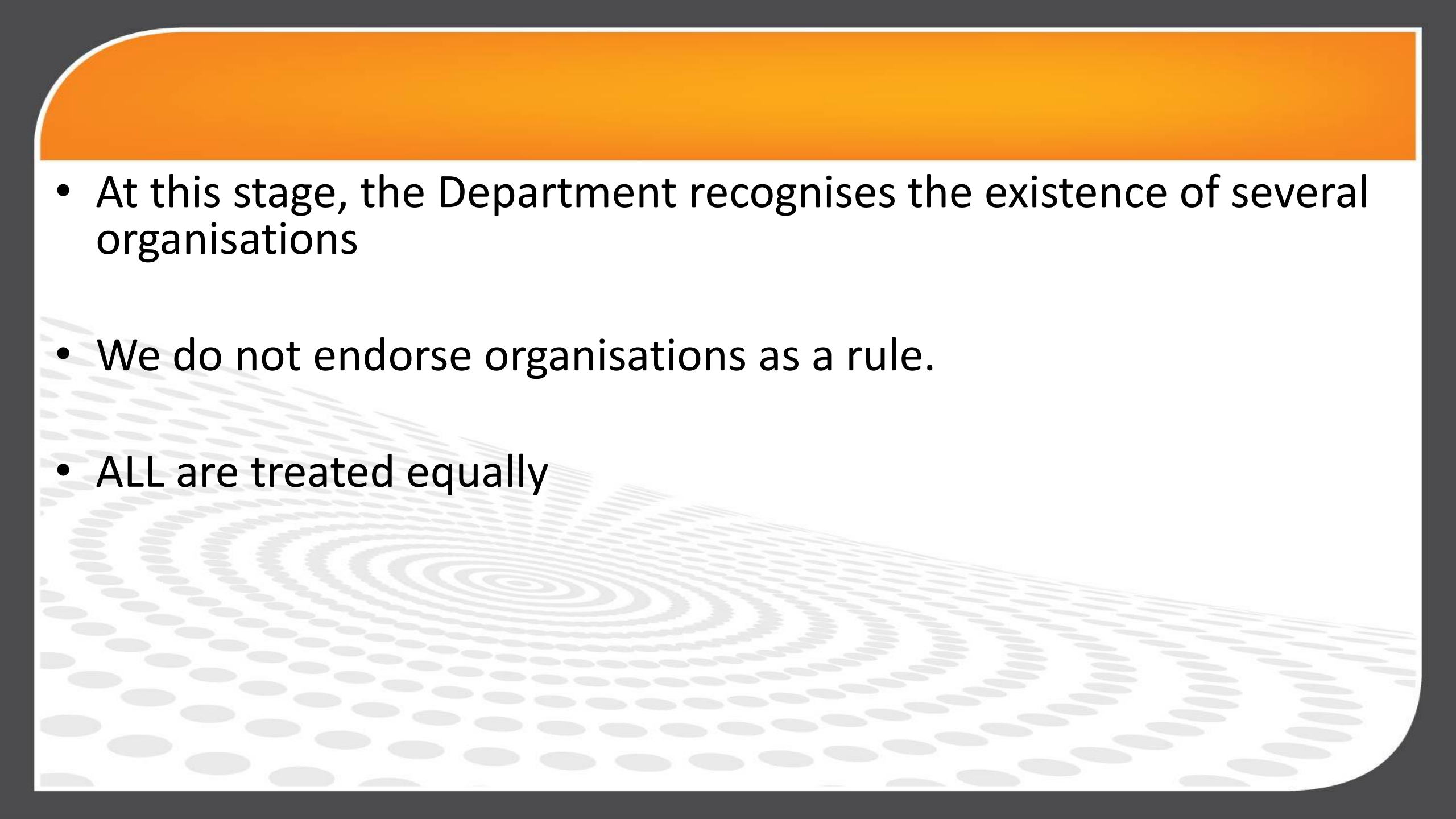
OHS Professionals and specialists

- ***OHS Professionals, specialists and Occupational Health Nurses as well as Occupational Medical Practitioners*** are an important group of stakeholders, providing assistance to employers in monitoring and improving health and safety management in their respective areas and at workplace.
- **They can drive capability building efforts, by identifying OHS gaps within the various organizations they serve.**



Professional organisations providing
a service in Occupational Health and
Safety

- It is my belief that any professional organisation serving any industry in OHS should provide
 - information and
 - advice on occupational health and safety and related areas
- Organisations on this list are non-profit-making and provide any of the following:
 - health and safety information,
 - advice,
 - training and
 - Other useful services.
- The Department welcomes any organisation that takes the initiative to play an active role in OHS in South Africa.

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- At this stage, the Department recognises the existence of several organisations
 - We do not endorse organisations as a rule.
 - ALL are treated equally

- World wide there is a move by industry at large to recognise bodies that are engaged in co-managing occupational health and safety either generally or sector specific.
- In South Africa this climb for recognition has been a long road and has not seen much in the form of recognition in relation to Occupational Health and Safety Professionals except for the Approved Inspection Authorities – whose role incidently, differs from that of the true OHS professional

- The challenge with industry at large at this stage is that these bodies remain largely fragmented and largely controlled by a few with very little additional role players.
- The advantage for regulatory bodies in dealing with professional bodies, especially sector related bodies such as those we have in South Africa, is that they are closer to their stakeholders than any of the regulatory bodies are, anywhere in the world, a big plus when considering the limited resources of these regulatory bodies.
- On the other hand, the DoL is able to move closer to its stakeholders through such bodies

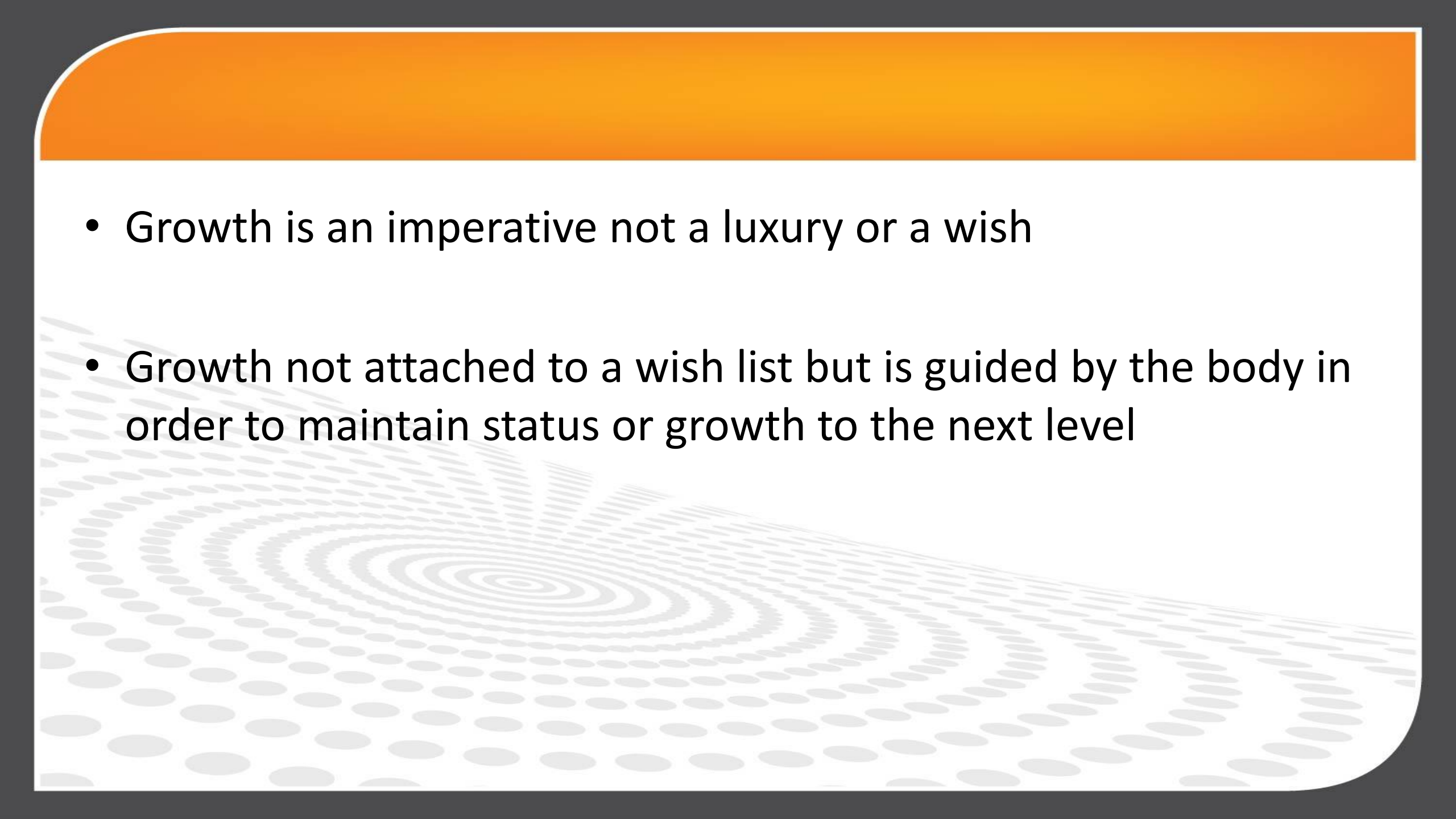
- These bodies are relatively well funded and have access to professional resources across the spectrum in any sector(s).
- These bodies have access to media that is either general or sector specific and reaches specific employers who share a common interest.
- These bodies communicate on a regular basis with their members.
- The Bodies may also conduct regular or periodic audits on their members while also providing amongst other things an advisory service to assist the employer in ensuring compliance in his business.

Assistance to the emerging market ...

- The aforementioned has proved crucial in the emerging market environment where skills are not always readily available.
- Not so in South Africa though.
- Such bodies can play a vital role in assisting emerging market players into the open market a lot faster than has been the case up to now.

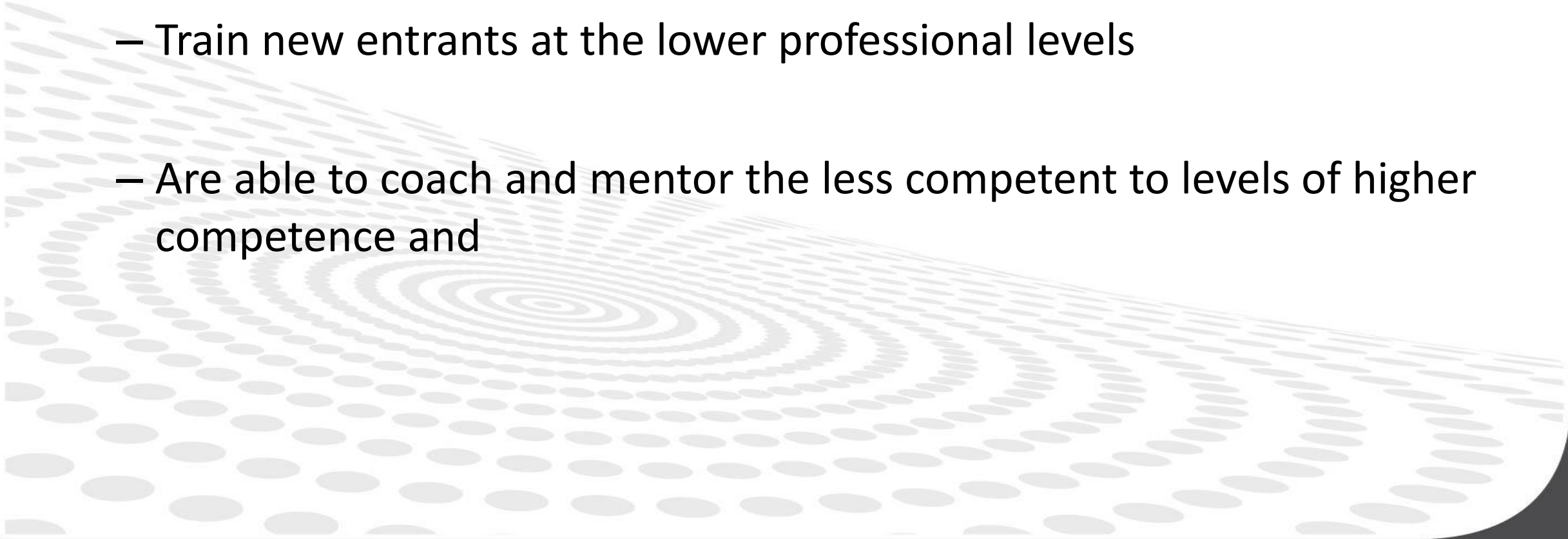
Pros/Advantages

- Members are registered
- Members are professional
- Levels of competence exist – with each subsequent level indicating more or greater competence
- Career growth
- Recognition by employers of registration
- Recognition by peers
- Can be head hunted if in possession of recognised professional status

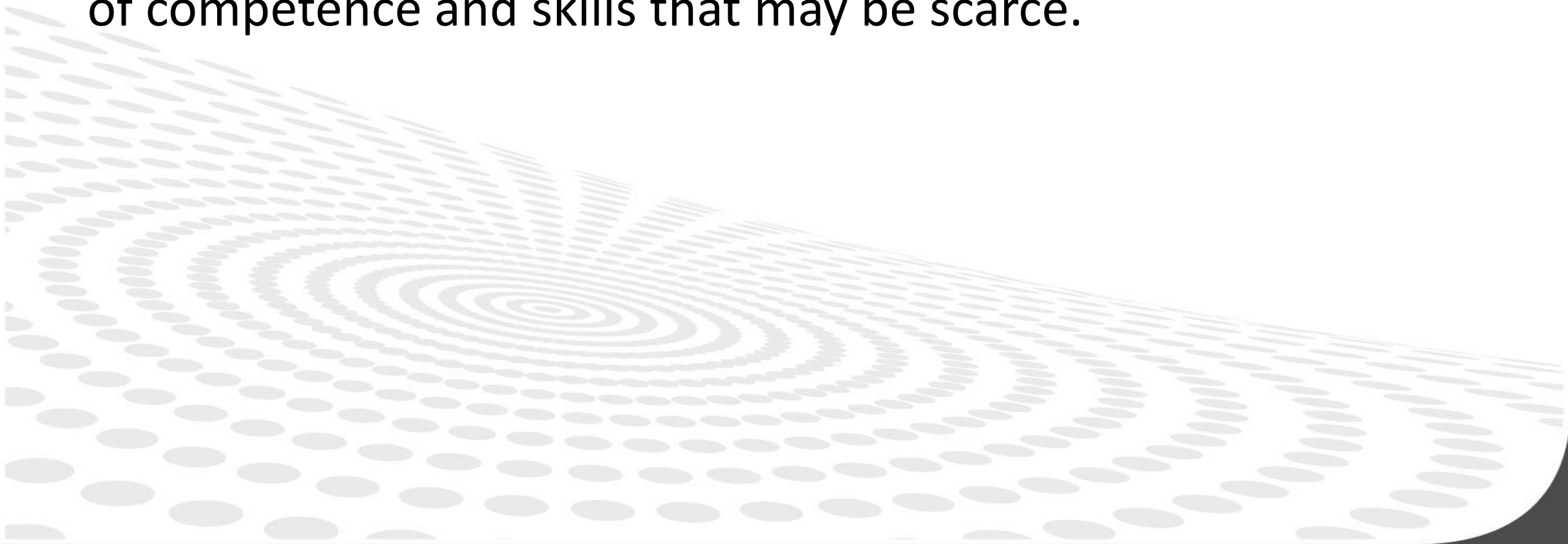
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- Growth is an imperative not a luxury or a wish
 - Growth not attached to a wish list but is guided by the body in order to maintain status or growth to the next level

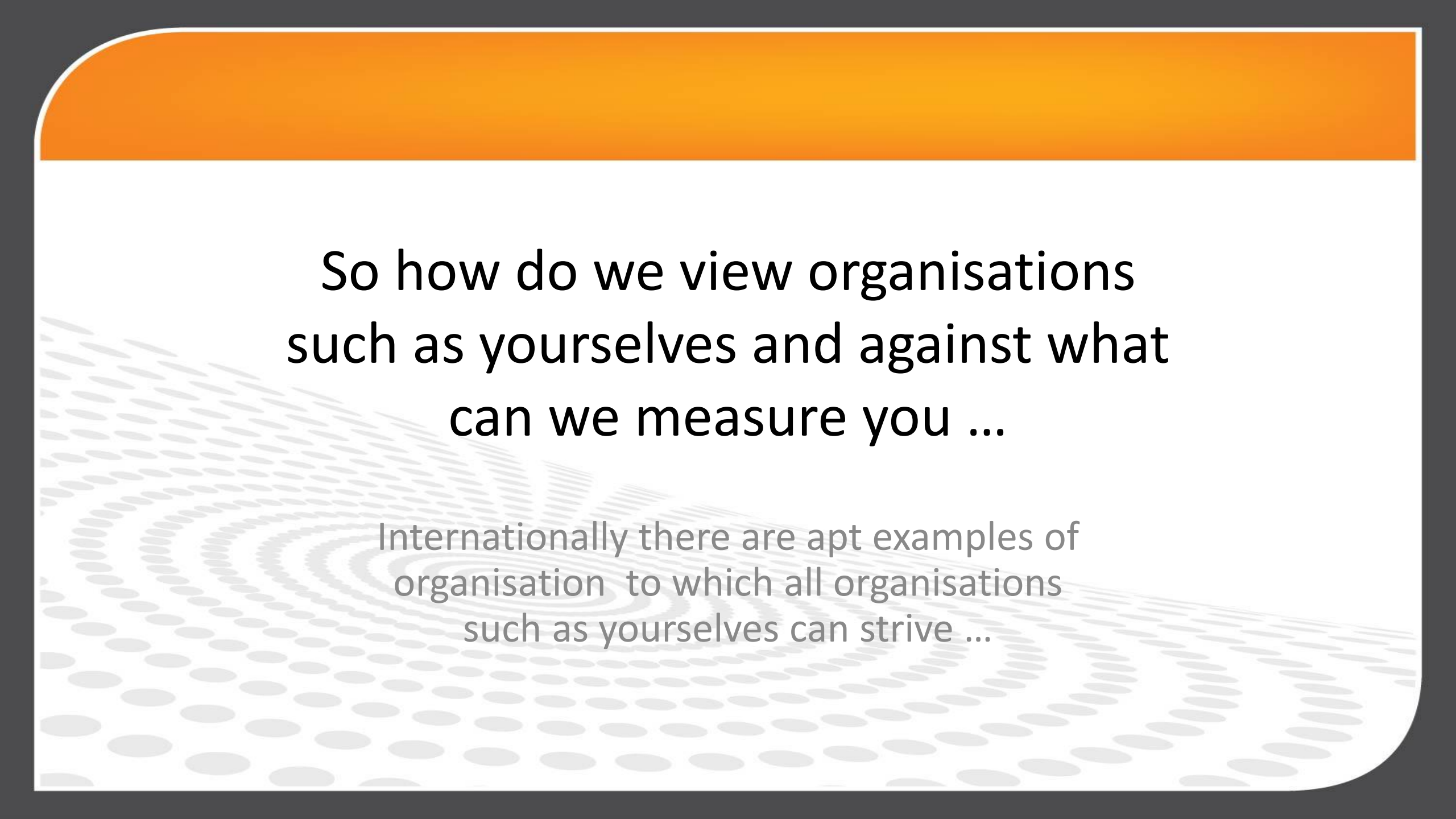
Cons/disadvantages

- Old boys clubs
- Exclusive to few
- Cultural barriers may exist to entry
- Entry is restrictive
- Closed environment for new entries i.e. bodies that feel they can add more value – members of different bodies become embroiled in politics

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- A further advantage for the industry at large is that they have access to professionals who can:
 - Train new entrants at the lower professional levels
 - Are able to coach and mentor the less competent to levels of higher competence and

- In relation to the competent and highly skilled professionals – these resources can fulfill an important role in raising the levels of competence and skills that may be scarce.



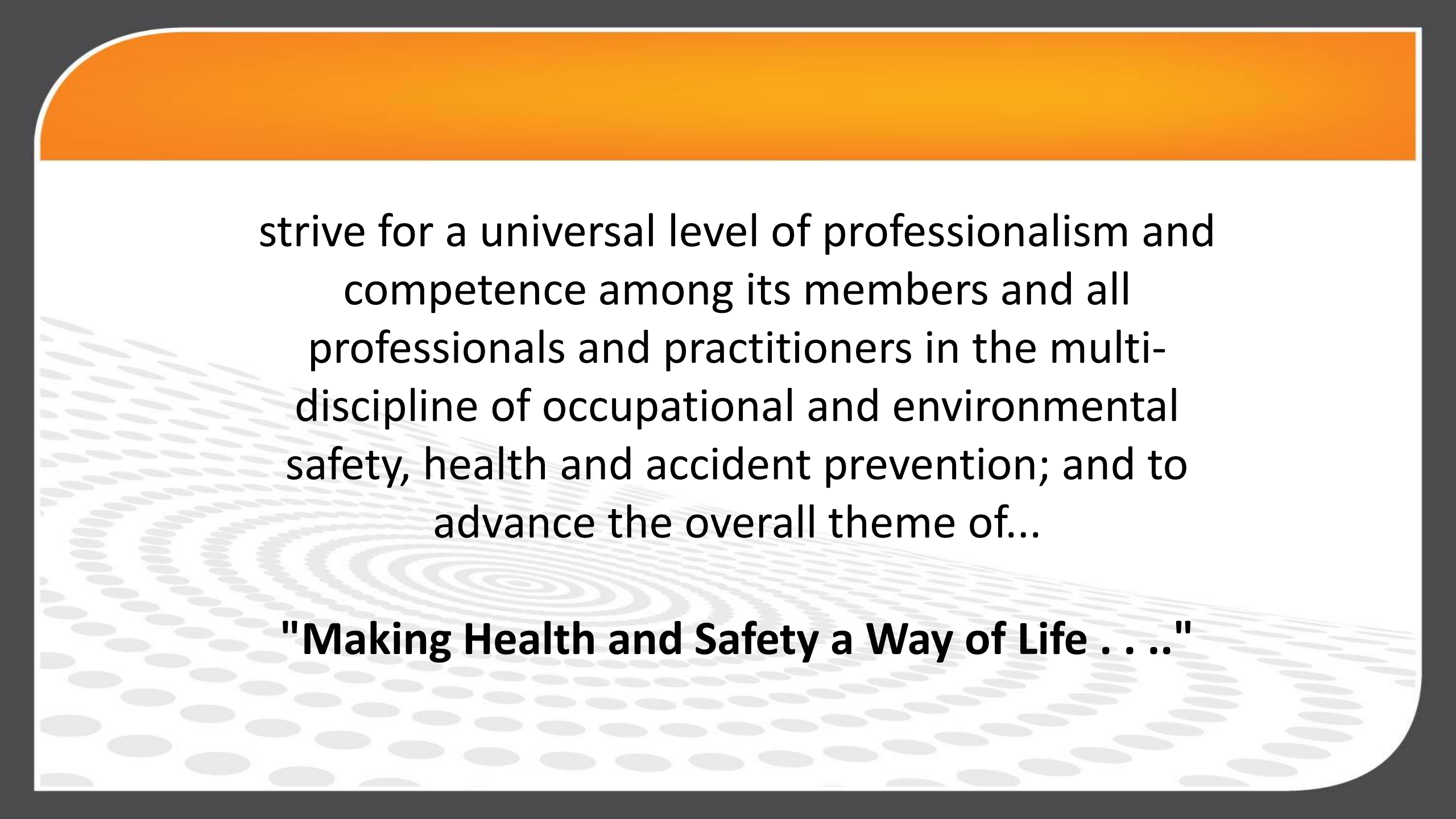


So how do we view organisations
such as yourselves and against what
can we measure you ...

Internationally there are apt examples of
organisation to which all organisations
such as yourselves can strive ...

Specific Objectives

To encourage the effective exchange of information and experiences between members;
collaborate with other international organizations in areas of mutual concern;
promote the continuous advancement of safety and accident prevention technology;




strive for a universal level of professionalism and competence among its members and all professionals and practitioners in the multi-discipline of occupational and environmental safety, health and accident prevention; and to advance the overall theme of...

"Making Health and Safety a Way of Life"

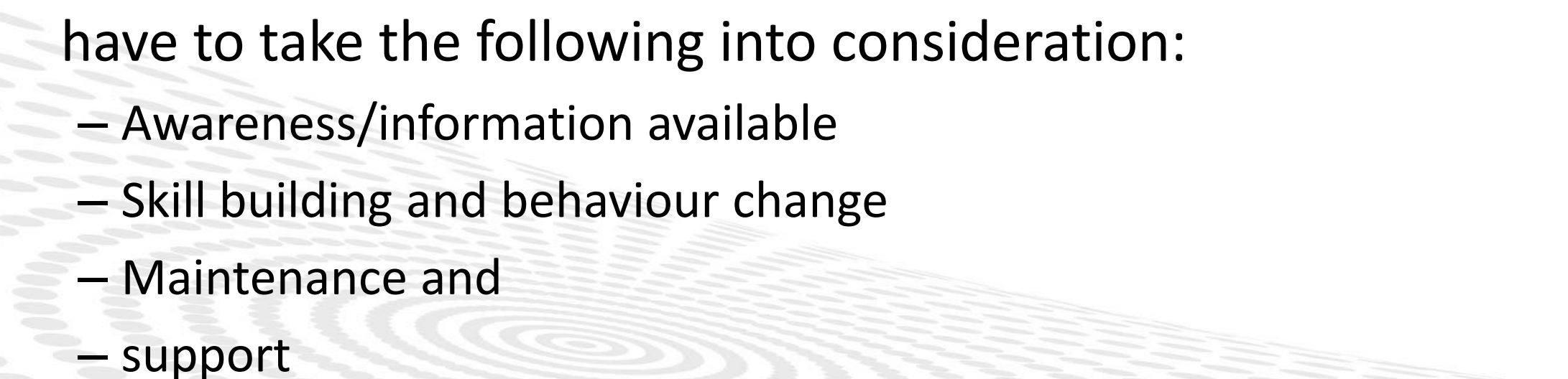
Making Health and Safety A Way Of Life . . . Worldwide

- The purpose of these organisations is to internationalize all safety fields including occupational and environmental safety & health, accident prevention movement, etc., and to disseminate throughout the world the practices, skills, arts and technologies of safety and accident prevention profession.

- 
- Provides facilities to pool technological and methodological knowledge in the health, safety, environmental and accident prevention profession worldwide, in order to share this wealth of information.
 - Membership is open to all individuals and entities involved in the multi-discipline field of safety and accident prevention, regardless of race, color, creed, ideology, religion, social status, sex or political beliefs.

- Certification Board, an independent Board, that strives for universal level of professionalism and competency among the Certified Members.
- The certified members are professionals in the multi-discipline of safety and accident prevention, recognized for their practical experience, education and other learning programs, obtained through academic institutions and continuing education programs.
- certified members are involved in all areas of governments (National, local, province, etc.).
- Members are corporate directors, university faculty, private consultants, medical doctors, researchers, generalists or specialists, etc., in their field of expertise.

In my vision for occupational health and safety in the future – I see a time when all bodies such as those that you may belong to, will play a significant role in OHS in South Africa and where all bodies will work together to attain our common goals in South Africa and across its borders – in SADC and beyond.

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- Any contribution made by any professional in relation developing Healthy, Safe and Decent Workplaces will always have to take the following into consideration:
 - Awareness/information available
 - Skill building and behaviour change
 - Maintenance and
 - support

In conclusion . . .

- Professional bodies have a place, provided
 - They play a constructive role in **reversing the current high levels of incidents and levels of non compliance**
 - That these organisations fulfil the role mentioned earlier on in relation to:
 - Raising the professionalism of the professional in industry in general and in sectors
 - a solid platform with which to engage the Department meaningfully
 - Assisting the Department in effectively dealing with wayward employers

- Assist the Department in developing programs through its professional resources
- Assisting the Department in gaining meaningful insight into what is happening in industry through participation in surveys and the like
- Contribute to the development and review of new and old legislation respectively.



What is the “Singapore Accord”

Singapore Accord - What it is

- ▶ Title:
“**Singapore Accord on the standards of OHS Professionals**”
 (“Singapore Accord”)
- ▶ An agreement
by major OHS Practitioner Organisations and partners
around the globe
to aspire towards
the standard of OHS Professional behaviour and practice;

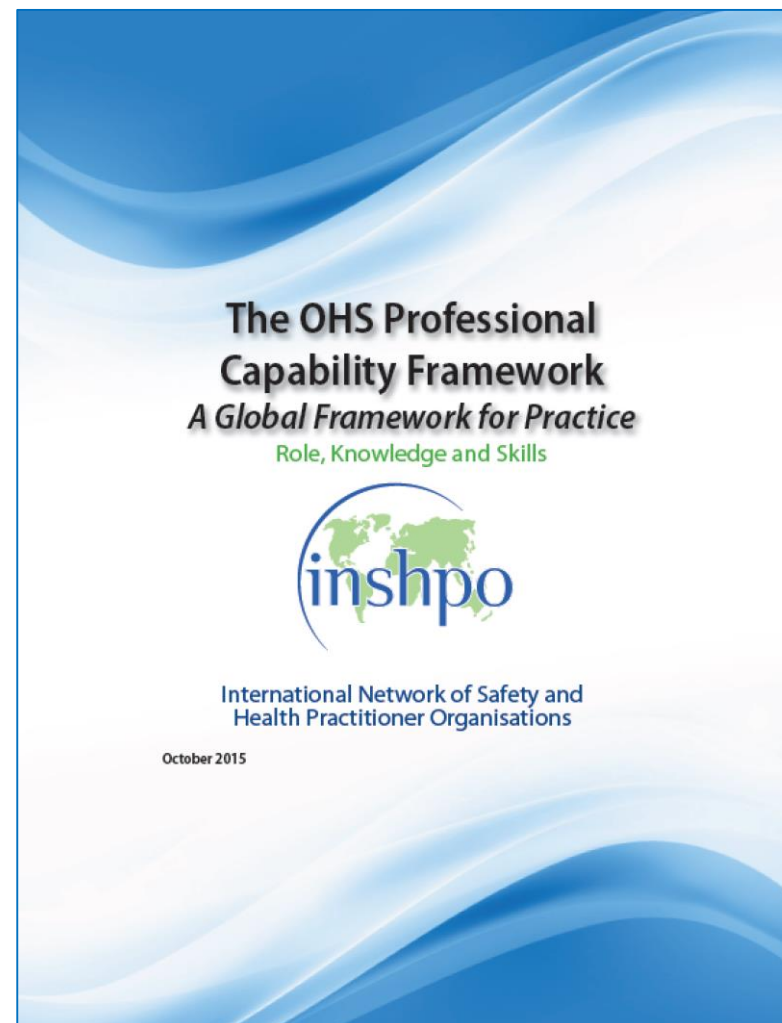


Required of the OHS
Professional

Activities

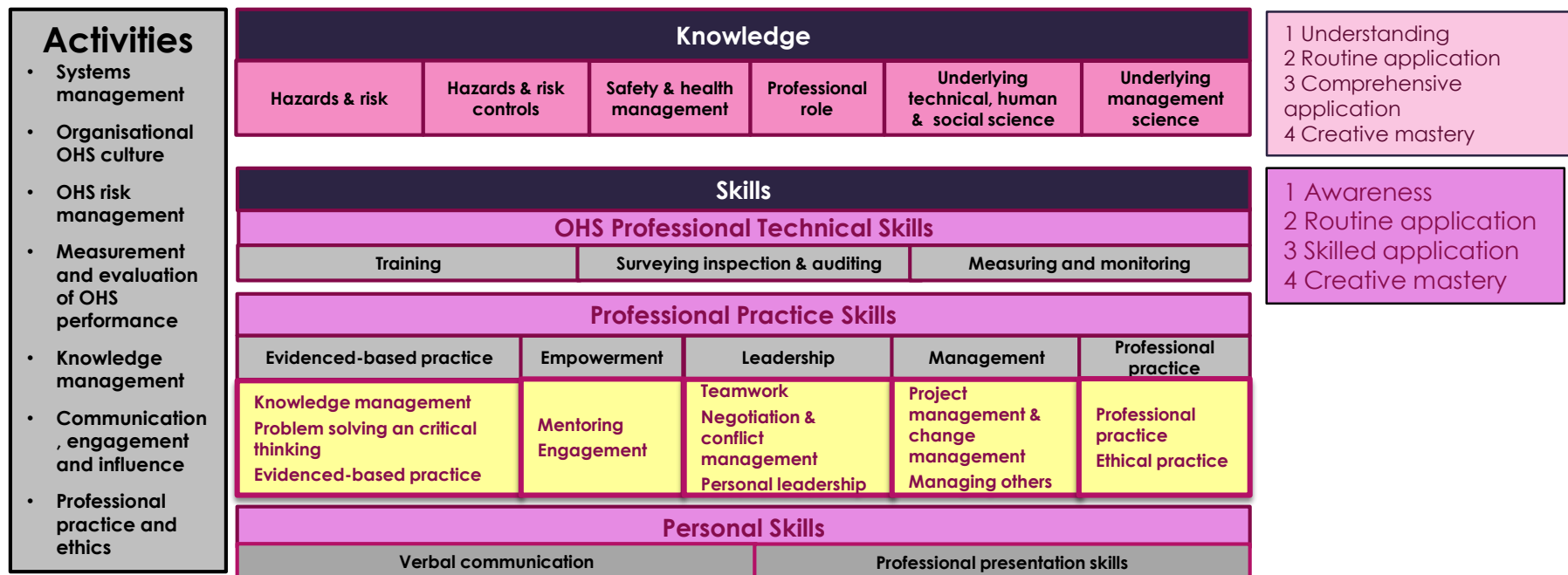
Knowledge

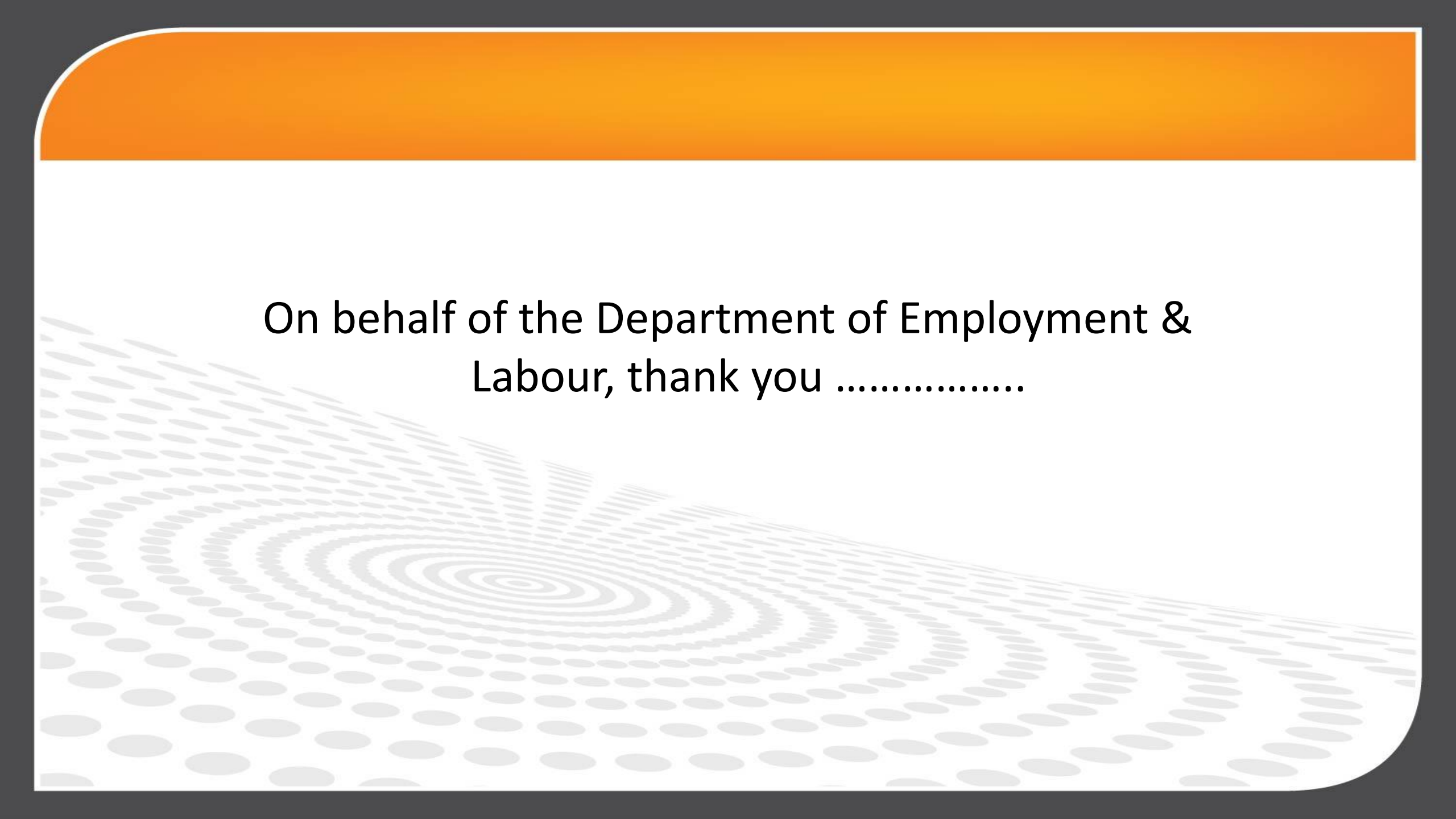
Skills



INSHPO Framework

- Activities, knowledge and skills





On behalf of the Department of Employment &
Labour, thank you

THANK YOU.



labour

Department:
Labour
REPUBLIC OF SOUTH AFRICA

- **Charles N. Jeffress**
American Society of Safety Engineers
Professional Development Conference
South Baltimore, Maryland
June 14, 1999
- **UNDERSTANDING PROFESSIONAL COMPETENCE : BEYOND THE LIMITS OF FUNCTIONAL ANALYSIS**
Len Holmes
prepared for Course Tutors' Conference, Institute of Personnel Management at UMIST, 6-8 July 1992
- **Building Workplace Safety and Health Competencies in Singapore**
- **Other sources quoted in the text**