

# PSA LINK

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PSA SHOP STEWARD NEWSLETTER

## Occupational Health and Safety

### A partnership

**The *Occupational Health and Safety Act, 1993*, requires an employer to bring about and uphold, as far as practical, a work environment that is safe and without risk to the health of workers. The employer must thus, for example, ensure that the workplace is free of hazardous substances (e.g. chemicals and micro-organisms) that may cause injury, damage, or disease. However, where this is not possible, the employer must inform workers of these dangers, how these may be prevented, and how to work safely, and provide other protective measures for a safe workplace. Shop stewards are encouraged to notify the employer of any health and safety concerns.**

The employer is, however, not the only responsible party for health and safety. The *Act* is founded on the principle that dangers in the workplace must be addressed by cooperation and communication between workers and the employer. Both parties must proactively identify dangers and develop control measures to make the workplace safe. In this way, the employer and workers are involved in a system where health and safety representatives may check the workplace frequently and report to a health and safety committee, which - in turn - may submit recommendations to the employer. To ensure that this system works, every worker must know his/her rights and duties as included in the *Act*.

Moreover, employees have a right to report any unsafe working conditions. These include elevators that are not working, interrupted water supply, or unsafe buildings. Such concerns must be reported to shop stewards who will report to the Health and Safety Committee. Should management fail to take steps to address concerns, shop stewards must report this to the union for the matter to be reported to the Department of Labour as non-compliance with Health and Safety Regulations.

#### What must the employer do to ensure that the work environment is safe and without risk to the health of workers?

The employer must offer and maintain equipment that is essential to do work, and all systems according to which work must be done, in a condition that will not affect the health and safety of workers. Before personal protective equipment may be used, the employer must first try to remove or decrease any danger to the health and safety of workers. However, if this is not possible, personal protective equipment should be used. The employer must take actions to protect workers' health and safety against dangers that may result from the production, processing or transportation of substances, in other words, anything that workers may encounter at work.

#### To ensure that these duties are complied with, the employer must:

1. Take steps to safeguard that every person under his/her control complies with the requirements of the Act. Moreover, provide the information, instructions, training, and supervision while keeping the workers' competence in mind. In other words, what they may do and may not do.
2. Not allow anyone to carry on with any task, unless the necessary precautionary measures have been taken.
3. Start precautionary measures that are necessary to protect workers against recognised hazards and provide the means to implement these safety measures. It is essential for the employer to know possible hazards that may be present while work is being done, for example, when something is being produced, processed or transported and should always apply the necessary control measures in the interest of health and safety.
4. See to it that the work being done, and the equipment used, are under general supervision of a worker who has been trained to understand the hazards associated with the work and such a worker must ensure that precautionary measures are applied and maintained.

