



ROLES AND RESPONSIBILITIES OF HEALTH AND SAFETY REPRESENTATIVES (HSR) AND HEALTH AND SAFETY COMMITTEES (HSC)

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OCCUPATIONAL HEALTH AND SAFETY ACT 85 OF 1993



SECTION 17: HEALTH AND SAFETY REPRESENTATIVES (HSR)

Who should have HSR ?

Employers with more than 20 employees in their employment at any workplace



SECTION 17: HEALTH AND SAFETY REPRESENTATIVES

How must this appointment be made?

This appointment must be made in writing for a specified period.



SECTION 17: HEALTH AND SAFETY REPRESENTATIVES

Who is eligible to be a HSR?

- Full-time workers only
- Employees familiar with the workplace



SECTION 17 – HEALTH AND SAFETY REPRESENTATIVES

How many HSR should there be?

- Shops and offices – 1 HSR for every **100** employees
- All other workplaces – 1 HSR for every **50** employees



SECTION 17 – HEALTH AND SAFETY REPRESENTATIVES

When are activities conducted?

- Activities - designation, functions and training of HSR
- Performed during ordinary working hours
- Any time reasonably spent by an employee in carrying out his functions as a HSR - deemed time spent by him in the carrying out of his duties as an employee



SECTION 17 – HEALTH AND SAFETY REPRESENTATIVES

Nomination, election and appointment of HSR:

- Management must be involved
- Trade union representatives must be involved
- It must be a fair and transparent process
- All nominations, elections and appointments must be made in writing



SECTION 17 – HEALTH AND SAFETY REPRESENTATIVES

Nomination, election and appointment of HSR:

- Nomination, election and appointment forms must be completed
- Keep all completed and signed forms on site at each workplace for DEL inspections
- All HSRs must be appointed as members of the HSC they belong to



SECTION 18 – FUNCTIONS OF HSR

- a. Review the effectiveness of health and safety measures;
- b. Identify potential hazards and potential major incidents at the workplace



SECTION 18 – FUNCTIONS OF HSR

- c. In collaboration with his employer, examine the causes of incidents at the workplace (incident reporting and investigation)
- d. Investigate complaints by any employee relating to that employee's health or safety at work;



SECTION 18 – FUNCTIONS OF HSR

- e. Make representations to the employer or a HSC on matters arising.
- f. Make representations to the employer on general matters affecting the health or safety of the employees at the workplace;



SECTION 18 – FUNCTIONS OF HSR

- g. Inspect the workplace, including any article, substance, plant, machinery or health and safety equipment at such intervals as may be agreed with the employer;
- h. Attend all meetings of the HSC of which he / she is a member. If unable to attend, someone must be sent to represent you.



WHAT ARE THE HSR ENTITLED TO DO ?

- Visit the site of an incident at all reasonable times
- Attend any investigation or formal inquiry
- If necessary to perform his functions, inspect any document which the employer is required to keep in terms of the OHS Act
- Accompany an inspector on an inspection
- Participate in any internal health and safety audit
- A HSR shall not incur any civil liability

SECTION 19 – HEALTH AND SAFETY COMMITTEES (HSC)

An employer shall in respect of each workplace where two (2) or more HSR have been designated, establish one or more HSC.



SECTION 19 – HEALTH AND SAFETY COMMITTEES

Consult with the committee with a view to initiating, developing, promoting, maintaining and reviewing measures to ensure the health and safety of his employees at work.



SECTION 19 – HEALTH AND SAFETY COMMITTEES

A HSC shall consist of such number of members as the employer may from time to time determine, provided that if one HSC has been established, all the HSR for that workplace shall be members of that committee.



SECTION 19 – HEALTH AND SAFETY COMMITTEES

The number of persons nominated by an employer on any HSC shall not exceed the number of HSR on that committee. The persons nominated by an employer on a HSC shall be designated in writing.



SECTION 19 – HEALTH AND SAFETY COMMITTEES

A HSC shall hold meetings as often as deemed necessary, but at least once every three months. The procedure at meetings of a HSC shall be determined by the committee.



SECTION 19 – HEALTH AND SAFETY COMMITTEES

A HSC may co-opt one or more persons by reason of their particular knowledge of health or safety matters as an advisory member. An advisory member shall not be entitled to vote on any matter before the committee.



SECTION 19 – HEALTH AND SAFETY COMMITTEES

An employee in management must be nominated by the employer as a member of every HSC. This person must make recommendations to the employer. The HSC members must appoint a chairperson in writing. HSC meetings must take place as often as necessary but at least once every three months.



SECTION 20 - FUNCTIONS OF HSC

Make recommendations to the employer or, where the recommendations fail to resolve the matter, to an inspector regarding any matter affecting the health or safety of persons at the workplace.



SECTION 20 - FUNCTIONS OF HSC

Discuss any incident at the workplace or section thereof in which or in consequence of which any person was injured, became ill or died;



SECTION 20 - FUNCTIONS OF HSC

A HSC shall keep record of each recommendation made to an employer and of any report made to an inspector



SECTION 20 - FUNCTIONS OF HSC

A HSC or a member thereof shall not incur any civil liability by reason of the fact only that it or he failed to do anything which it or he may or is required to do in terms of this Act.





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