



TOP COMPLIANCE (Pty) Ltd

Your Business' Safety Is Our Concern

QSE B-BBEE - Level Four

www.topcompliance.co.za

September 2021 *NEWSLETTER*

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Why health and safety compliance is important.

All companies doing business in South Africa needs to legally comply with the Occupational Health and Safety Act 85 of 1993 (OHSA), which regulates and outlines what is needed to acquire health and safety compliance. The main function of health and safety compliance is to ensure a safe working environment for everyone that may be affected by an organisation's activities. The OHSA should not be seen as just another obstacle that is there to prevent you from conducting business, but as a tool to ensure that no one is harmed in the organisation.

Reasons to address health and safety compliance

1. Less turnover and absenteeism: If OHS compliance is an issue, managers can expect to see less turnover and increased absenteeism from their employees. These issues add to operational costs and can affect productivity if not addressed accordingly.
2. Employees have improved morale: When employee morale is improved, they can better cope with stress and change. Improved morale also leads to more productivity and a more functional work environment overall.
3. Increased productivity and job satisfaction: Increased productivity is an obvious advantage because having a more productive workplace is more profitable. Better job satisfaction results in increased productivity and improved employee morale.
4. Fewer injuries, less compensation: When workers get injured, they are usually unable to work for a period of time. On top of that, companies are obliged to continue paying their salaries while they recover for the first three months.
5. Reduced fines, and litigation: The risk of having to pay fines and litigation fees is also reduced.
6. Improved corporate image and culture: A company that is "OHS-friendly" generally has an improved image and culture. Not only is this good public relations, but it also increases a company's ability to attract and retain skilled and talented staff and customers.

Reasons why you should strive for health and safety compliance in your business:

1. *Protects persons from injury, illness, disability or death.* The OHSA requires both employers and employees work together to ensure the health and safety of themselves and others. By identifying and observing hazards and risks in the workplace to reduce the numbers of injuries and accidents resulting in a safer and happier working environment.

2. *Prevents damage to assets and the environment.* When implementing health and safety compliance you become aware of your responsibilities, both as employer and employee, which in turn will decrease risk. This in turn will prevent unnecessary damage to property and the environment. Fire prevention measures are an important part of maintaining your health and safety compliance.
3. *Develop structures to implement and enforce occupational health and safety in the workplace.* Throughout the OHSA, these structures are referred to and depending on the size of your business, how you would need to implement them e.g. Health & Safety Representatives, Health and Safety Committees, 16.2 appointees, etc. These staff members assist the organisation to achieve your health and safety compliance.
4. *Develop and upskill employees through training and supervision.* Employers have a responsibility to train and develop their employees to ensure that they are competent in their functions and can complete work related tasks without exposing themselves to unnecessary risk.
5. *Prevents unnecessary financial loss.* When a company maintains its health and safety compliance and implements its OHS initiatives in an uplifting manner, an organisation would end up with a positive Health and Safety culture which would mean less injuries, damages to assets, absenteeism and product waste!
6. *Learning from your mistakes.* Whilst it is of vital importance to eliminate risk as much as possible, incidents or near misses will inevitably occur from time to time. However, these should act as a learning tool for all to gain from, so that similar situation is avoided in the future. This can be achieved through good communication up and downstream from employees and employers to ensure that all are informed about how to avoid any accidents.

How does a company gain health and safety compliance?

Some of the basic requirements often overlooked to gain health and safety compliance would include the following:

1. Develop a Health and Safety Policy as stipulate in the OHSA #7, outlining the company's OHS initiatives and how they will be implemented. This document needs to be signed by the CEO and visibly displayed in the workplace.
2. Ensure that there is a copy of the Occupational Health and Safety Act and relevant regulations available at the workplace if you have more than 5 employees. General Administrative Regulation #4.
3. Training all employees regarding the applicable sections of the OHSA will promote best practice and improve by in from all staff in maintaining health and safety at work
4. If you have more than 5 people employed a first aid kit must be available as stipulated in the General Safety Regulation Annexure – Government Gazette R2245.
5. If more than 10 people are employed first aiders have to be trained at a ratio of 1 first aider for every 50 employees or part, thereof. In shops or office type environments the ratio is 1:100 employees. First aiders need to be trained in US 119567 as of the 1 April 2021.
6. Where 20 or more people are employed, health & safety representatives have to be trained at a ratio of 1:50 people (1:100 in shops or office type environments).
7. Where there are more than 50 employees (2 or more Health & Safety Representatives) then a health & safety committee has to be established with each member being appointed in writing.
8. Train an adequate number of firefighters and evacuation marshals and appoint them in writing.
9. Ensure all indoor emergency signage is in line with SANS 1186-1.
10. Develop emergency evacuation floorplans for the entire building.
11. Conduct annual evacuation drill and lock down procedure as specified by the relevant by-laws. No less than once a year and keep a report of the finding for the Inspector of Employment and Labour should they request it.
12. Conduct a hazard identification and risk assessments for all tasks that may cause injury or damage.

13. Conduct Incident Investigations for incidents, accidents and report them to the Inspector where required.
14. First aiders, firefighters and health & safety representatives to complete regular or monthly check sheets.
15. Emergency firefighting equipment must be serviced every 12 months by an Approved Inspection Authority (AIA) company.

How is health and safety compliance maintained?

Health and safety compliance is not a once off achievement and organisations must strive to continuously update and renew their occupational health and safety initiatives to maintain a satisfactory level of compliance. When training certificates expire, key staff resign, new equipment is purchased, building maintenance is done, or when financial pressure forces the shift of attention from safety initiatives to sales targets, organisations will slowly slide back into health and safety non-compliance. Ultimately it is easier and cheaper to maintain your health and safety compliance.

What are the consequences of non-compliance?

When an organisation does not comply with the Occupational Health and Safety Act, their operations could ultimately be closed temporarily or permanently by the Department of Employment and Labour Inspector. Companies also open themselves up to legal liability claims for injuries and occupational illnesses due to poor / hazardous working environments. When the general public finds out about dangerous working conditions, they tend to avoid doing business with such organisations, which can lead to negative financial impacts. Injuries on duty lead to down time and low morale amongst employees, which also has a direct effect with regards to a decrease in production / sales.

Section 38 of the Occupational Health and Safety Act states that when employers fail to comply with the OHS Act they could be liable to fines of up to R100 000.00 or imprisonment of up to 2 years or both! This does not mean that employees cannot be held accountable! In fact, the OHS Act states that employees who fail to comply with the Act can be liable for fines of up to R50 000.00 or imprisonment sentences of up to 1 year or both!

The price of maintaining health compliance is clearly much less than the cost of health and safety non-compliance.

Being health and safety compliant reduces the risk of prosecution, fines, and reputational damage, and so improves the chance of positive business performance. Which all make good business sense.

Occupational Health and Safety Audit

For occupational health and safety risks to be reduced and managed in your workplace, safety audits are imperative. If a workplace is to be a safe place to work, a proactive approach is critical, and health and safety audits provide a way to identify short comings that you may not be aware of. Contact us for your workplace baseline Occupational Health and Safety Audit - info@topcompliance.co.za

Some of our training courses can be done through our virtual classroom.

Certain types of Risk Assessments and audits will be done by means of virtual site visits using various means of technology to virtually visit the site.

For more information please contact – info@topcompliance.co.za

<https://www.topcompliance.co.za/index.php/products>



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Courses offered by Top Compliance (Pty) Ltd

<https://www.topcompliance.co.za/index.php/skills-development-head/training-calendar>

ONSITE TRAINING			
First Aid Courses:			Accreditation
NEW level 1 – US 119567 - Perform basic life support and first aid procedures	2 days		DEL
NEW level 2 – US 120496 - Provide risk-based primary emergency care/first aid in the workplace	3 days		DEL
NEW level 3 – US 376480 - Provide first aid as an advanced first responder	3 days		DEL
First aid: Level 1	2 days		No longer recognised
First aid: Level 2	3 days		No longer recognised
First aid: Level 3	3 days		No longer recognised
First aid: Level 1 & 2	3 days		No longer recognised
First aid: Level 2 & 3	3 days		No longer recognised
First aid: Level 1, 2 & 3	5 days		No longer recognised
Child and infant CPR & choking	6 hours		
Adult CPR & choking	6 hours		
Adult CPR & choking and AED	1 day		
Occupational Health and Safety Courses			
OHS Act & SHERQ representative – Legal Liability	1 day		

The Occupational Health and Safety Act & responsibilities of management – Legal Liability	1 day	
Hazard Identification and Risk Assessment	1 day	
Safety representative course specific for COVID-19 in terms of the OHS Act and Regulation for Hazardous Biological Agents	6 hours	
Food facility health & safety course in terms of R364	6 hours	
Fire Fighting and Prevention Courses		
Basic firefighting (Fire marshal)	6 hours	
Basic firefighting with emergency action planning (Fire & Evacuation marshal)	1 day	

ONLINE VIRTUAL CLASSROOM		
Occupational Health and Safety Courses		
Safety representative course specific for COVID-19 in terms of the OHS Act and Regulation for Hazardous Biological Agents		07h45 – 11h00
OHS Act & SHERQ representative – Legal Liability		07h45 – 16h00
The Occupational Health and Safety Act & responsibilities of management – Legal Liability		07h45 – 16h00
Hazard Identification and Risk Assessment		07h45 – 15h00
Food facility health & safety course in terms of R364		07h45 – 14h00
Fire Fighting and Prevention Courses		
Basic firefighting (Fire Marshal)		07h45 – 13h00
Basic firefighting with emergency action planning (Fire and Evacuation marshal)		07h45 – 15h00

SKILLS PROGRAMS - ONSITE TRAINING – HEALTH AND WELFARE SETA		Credits	Class days
First Responder - HW/SP/1508113 (First aid level 1 and 2)			
US 119567	Perform basic life support and first aid procedures	5	4 days
US 120496	Provide risk-based primary emergency care/first aid in the workplace.	5	
First Aid Level 1,2 & 3 - HW/SP/1601190 (First aid level 1, 2 and 3)			
US 119567	Perform basic life support and first aid procedures	5	5 days
US 120496	Provide risk-based primary emergency care/first aid in the workplace.	5	
US 376480	Provide first aid as an advanced first responder	8	
First Aid Responder and HIV Awareness - HW/SP/150475			
US 120496	Provide risk-based primary emergency care/first aid in the workplace.	5	4 days
US 14656	Demonstrate an understanding of sexuality & sexually transmitted infections including HIV/AIDS	5	
First Aid (Basic) - HW/SP/150795.			
US 119567	Perform basic life support and first aid procedures	5	4 days
US 9964	Apply health and safety to a work area	3	
Emergency First Aider - HW/SP/1605377.			
US 119567	Perform basic life support and first aid procedures	5	5 days
US 120496	Provide risk-based primary emergency care/first aid in the workplace.	5	
Workplace SHE Rep - HW/SP/1510182.			
US 9964	Apply health and safety to a work area	3	3 days
US 259639	Explain basic health and safety principles in and around the workplace	4	
First Aid and Safety Representative - HW/SP/1510183.			
US 9964	Apply health and safety to a work area	3	4 days

US 119567	Perform basic life support and first aid procedures	5	
First Aid and Firefighting - HW/SP/1511239.			
US 120496	Provide risk-based primary emergency care/first aid in the workplace.	5	4 days
US 13961	Demonstrate knowledge and use of hand operated firefighting equipment	4	
Fire and Rescue Skills Programme - HW/SP/1604338.			
US 252250	Apply firefighting techniques	3	4 days
US 119567	Perform basic life support and first aid procedures	5	