

RELEASE OF THE OHS AMENDMENT BILL (2018) IS IMMINENT - OHS TRAINING AND FUTURE LEGISLATION

On 9 May 2018, Cabinet approved the OHS Amendment Bill of 2018, which seeks to amend the current legislation, namely the Occupational Health and Safety Act, 85 of 1993.

2018 was the 100th year of OHS in South Africa and this milestone was celebrated by hosting an event with SA's most influential keynote speakers on the topic of OHS in the workplace.

Mr Tibor Szana, Chief Inspector for Inspection and Enforcement Services at the Department of Labour, was one of the keynote speakers at this event. He explained the need for these amendments.

Same Rules need apply for all businesses:

The biggest concern for the DoL were the need to address small, medium and micro enterprises, the informal sector and township businesses.

The purpose of the amended Act is to prevent people from getting injured. Compliance costs less than non-compliance ... in both money and time. Thus the reason why they will be deploying another 500 inspectors to monitor compliance.

Appointment of Health and Safety Reps:

Section 16(2): It is the responsibility of the CEO of an organization to delegate these duties in writing and be accountable for any duties that have been delegated.

Health and Safety Reps: Health and Safety Reps have been given greater responsibilities which they have to exercise. These duties are not optional. They have clear functions that has to be carried out. If an organization operates without them the DoL will recommend immediate prosecution.

Offences and penalties:

The enforcement provisions will be revised and strengthened. Offences and penalties have been greatly increased and the period of appeal has been aligned with other employment laws.

This is a major change and will greatly impact the future of businesses. The DoL implore companies to just do it right the first time.

FIRST AID TRAINING AMENDMENTS TO BE AWARE OF:

All organizations providing First Aid Training will have to be accredited by a SETA as well as the Department of Labour. It remains the employer's responsibility to ensure that training providers are accredited with these legislative bodies.

Related information: <https://www.sanews.gov.za/south-africa/labour-pushes-improved-occupational-safety-regulations>