OHS STRATEGY

OCCUPATIONAL HEALTH AND SAFETY STRATEGY

2024 – 2029











website: www.labour.gov.za | facebook: Department of Labour | twitter: @deptoflabour

OHS STRATEGY 2024 – 2029



Publisher
Department of Employment and Labour
Chief Directorate of Communication
Private Bag X17
Pretoria
0001

Editing, Layout and Design, Photography and Distribution
Subdirectorate of Media Production
Design Studio
Printer
Government Printer

FOREWORD

Occupational health and safety (OHS) has been integral to South Africa's development for over a century. Beginning in the late 19th century, following the monumental discoveries of diamonds in the 1860s and gold in the 1880s, our nation transitioned from a largely agrarian society to an industrialised economy under British colonial rule. This transformation necessitated the adoption and adaptation of health and safety systems from the United Kingdom, laying the foundation for our own OHS policies.

Initially, our focus was primarily on safety, as outlined in the Machinery and Occupational Safety Act No. 6 of 1983 (MOS Act). However, we soon recognised that health is equally critical in the workplace. The adage "a healthy workplace is a safe workplace" reflects this understanding, acknowledging that safety alone does not encompass all aspects of worker well-being. This realisation led to the development of the Occupational Health and Safety Act, expanding our commitment to include both health and safety.

Today, we stand on the threshold of a new era with the imminent introduction of the fifth OHS Act, currently in Bill form. This legislation promises to revolutionise health and safety practices in South Africa, offering enhanced protection for workers while safeguarding the interests of compliant employers. The Bill is the culmination of years of dedicated collaboration with stakeholders and partners through the National Economic Development and Labour Council (NEDLAC).

Our strong partnership with the International Labour Organisation (ILO) has been instrumental in shaping our OHS landscape. As a signatory to the Labour Inspection Convention of 1947 (No. 81), we uphold the rights and duties of labour inspectors in alignment with international standards. The landmark decision at the 110th Session of the International Labour Conference in 2022 to recognise the Occupational Safety and Health Convention of 1981 (No. 155) and the Promotional Framework for Occupational Safety and Health Convention of 2006 (No. 187) as fundamental conventions reinforces our commitment to these principles.

These international commitments align with our aspirations for "The Africa We Want," particularly Aspiration 1 of the African Union's vision: achieving a prosperous Africa based on inclusive growth and sustainable development.

The OHS strategy presented here is more than a document; it is a critical roadmap guiding our efforts to support workplaces across the nation. It outlines strategic result areas, ensuring that employers and workers are equipped to foster safer, healthier working environments. The implementation of this strategy will positively impact the lives of all South Africans.

As we move forward, I encourage all stakeholders to embrace this strategy and work collaboratively towards its successful implementation. Together, we can create workplaces that not only protect but also enhance the well-being of every worker in our country.



Mr. Viwe Mlenzana

Acting Director General: Department of Employment and Labour

Republic of South Africa

9 October 2024

PREFACE

We present to you, the Occupational Health and Safety (OHS) strategy which has been long in the making. The realisation that something needs to be done to support the realization of decent work has long been overdue. The task was daunting for the longest of time, but when we finally delved into it, we did not hold back.

The forthcoming pages are rich with potential and will guide us in the realization of decent work. Both local and international lawful building blocks were considered to a large extent. This includes laws, regulations, directions, conventions, recommendations and standards.

An observation should be made that at the centre of this OHS strategy are the intended beneficiaries. It should not be misconstrued that these are just limited to the human element. It can be argued that a sound national OHS strategy would bode well for the health of the economy as well. This is not meant to underplay the socio-economic impact of this but to simple state that our thinking should be opened to the convolution of economic and human health.

You will perceive that this strategy cannot be complete without a reflection on the operational environment, which is effectively made up of systems, processes and people. To give credence to meaningful implementation and application of safety and health related standards and practices, it is rather obvious that the operational environment cannot be underplayed.

This document is a first of its kind. There's little doubt that this is an exciting opportunity as it offers a leverage for future like initiatives.

Happy reading



Ms. Aggy Moiloa

Inspector General: Inspection and Enforcement Services

Republic of South Africa

9 October 2024

OVERVIEW BY THE CHIEF INSPECTOR

The South African Constitution states that: “Everyone has the right to an environment that is not harmful to their health or wellbeing.” The Constitution sets a clear demand to ensure a safe and healthy environment for everyone. The purpose of this demand is further clarified in the Occupational Health and Safety Act: “To provide for the health and safety of persons at work and for the health and safety of persons in connection with the use of plant and machinery;”

In order to fulfil this mandate, as the Chief Inspector duly designated by the Minister of Employment and Labour in terms of Section 27(1) of the Occupational Health and Safety Act, 1993, I have an obligation with the OHS inspectorate to proactively prevent occupational injuries and diseases. The successful implementation of this OHS strategy (2024-2029) is only possible if all the stakeholders, including all the social partners, collaborate to reduce and untimely prevent injuries and diseases in the workplace.

As the OHS inspectorate we look forward to working together with all stakeholders as we embark on this journey to zero injuries in diseases.



Ms M Ruiters

Chief inspector

9 October 2024



CONTENTS

Glossary of terms **9**

Executive summary **11**

1. Situational Analysis **13**

1.1 SWOT ANALYSIS 13

2. Vision **18**

2.1 Mission 18

3. Strategy Objectives **19**

3.2.1 Strategic Result Areas (SRA) 20

3.2.1.1 Strategy - implementation principles 20

4. Service delivery model **29**

5. Stakeholder analysis **30**

6. Strategy Communication **32**

7. Strategy financing **33**

8. Risks strategy execution **33**

9. Strategy implementation, monitoring and evaluation **34**

9.1 Monitoring and Evaluation Plan 30

9.2 Institutional set-up and monitoring 30

10. List of sources **35**

ACOHS	Advisory Council for Occupational Health and Safety
CT	Chief Directorate: Occupational Health and Safety
CF	Compensation Fund
CEM	Construction, Explosives and Major Hazard Installations Directorate
DEL	Department of Employment and Labour
E&M	Electrical & Mechanical Directorate
IES	Inspections and Enforcement Services
ILO	International Labour Organization
MOU	Memorandum of Understanding
OHS	Occupational Health and Safety
OHH	Occupational Health and Hygiene Directorate
SANAS	South African National Accreditation System
SLA	Service Level Agreement
SMME	Small, Medium and Micro Enterprises
SRA	Strategic Result Area
TC	Technical Committee
VPP	Voluntary Protection Programme

Executive summary

Executive summary

Occupational Health and Safety (OHS) is an important and vital part of the everyday lives of all South African employers, employees, organised business and organised labour, users as defined in the Act (OHS), every person and organisation that has a statutory role in the Act and the public in general.

Any OHS requirement, when properly implemented, not only provides a safer and healthier environment or place of work but has the added advantage when properly implemented with other strategies of improving worker morale, productivity and quality. By pursuing good OHS practices, businesses will face fewer injuries and occupational-related diseases and benefit from higher employee retention rates and an enhanced corporate image. This will lead to reduced costs associated with production delays, recruiting new staff and replacing equipment, and avoids the resulting uncertainty and workload pressure placed on other employees.

In addition to the aforementioned, the general public will be safe from harm and will not be exposed to workplace-related diseases resulting in unnecessary lawsuits as well as the latest in litigation which talks to class action lawsuits. This is in line with the Vision of the Department which seeks to enhance productivity and promotes employment while reducing and/or eliminating poverty and inequality in general.

Businesses that strive to continuously improve their OHS performance create safer and healthier workplaces that benefit not only employers and employees but also their families, their communities and the South African economy.

In considering the importance of OHS in promoting sustainable growth, in 2002 an OHS accord was signed between the government and its key social partners to promote good business practices concerning occupational health and safety. This was followed by sectoral accords in the Construction Sector (2012), Iron and Steel Sector (2013) and the Chemical Sector (2013).

Concerning the Iron and Steel Sector and the Health Care Sector, an instruction was issued in terms of Section 7 of the Occupational Health and Safety Act in 2005 and 2015 respectively. This in effect required these sectors to have an occupational health and safety policy which was to have the desired effect of strengthening systems in the said sectors. It required employers to emphasize those areas deemed to be the focus areas of concern that needed to be addressed to turn the weak position in OHS around.

All these efforts presupposed that the social partners were committed to promoting and ensuring the systems were in place, however, despite these initiatives, and the fact that we operate in an environment of self-regulation, where the Act, Regulations and incorporated Codes provide the necessary policy framework and structures (internally and externally), there would be limited value.

The **purpose of this strategy,** therefore, will be to ensure that there is sustainability through the development of and commitment to, better practices in OHS by focusing on performance outcomes, which can be reported and monitored over a period of time. The focus need to be on leading indicators, considering the challenges in defining the relevant leading indicators and reliable data collection. By measuring OHS performance, there is a demonstration of commitment to improving the health and safety of all employees and the general public/citizens.

The eight priority sectors targeted for improvement through this strategy over the next five years are:

Private Sector:

- Construction Sector
- Iron and Steel
- Chemical

- Agriculture,
- Wholesale and Retail Sector,
- Informal economy

Public Sector

- Health and Health Care Sector,
- Education

The inclusion of the construction sector and the iron and steel sector was informed by the rate of incidents and diseases reported to both FEMA and RMA. According to the statistics from 2015 to 2023, in both sectors, reporting of occupational diseases is less than the number of incidents reported. Furthermore, the cases reported in lieu of males is greater than the number of females. Also, the agricultural sector, wholesale and retail sector as well as the informal economy has vulnerable workers that need to have to benefit on implementation of OHS interventions. With respect to the public sector, especially the health care sector and the education sector, interventions are required as government is the single largest employer in South Africa as approximately about 1.3 M workers are employed. Although only the health care sector and the education sector have been included, this does not preclude development of interventions for the whole public sector as specific issues may warrant urgent attention e.g. structural integrity of buildings in the public sector. By working with these sectors, not only will lives be saved but these industries will set an example to be followed by other sectors.

In addition to the aforementioned, South Africa should consider ratifying Convention 161[1] that will place services concerning health issues right within the grasp of all workers in genera and this includes the informal economy.

1 C 161: Basic Occupational Health Services

1. Situational Analysis

The South African Constitution [2] notes that:

"Everyone has the right to an environment that is not harmful to their health or wellbeing;" and "The state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of each of these rights." The Constitution sets a clear demand to ensure a safe and healthy environment for everyone. The purpose of this demand is further clarified in the Occupational Health and Safety Act [3]:

"To provide for the health and safety of persons at work and for the health and safety of persons in connection with the use of plant and machinery;"

Although there have been initiatives to review legislation to ensure alignment with the Constitution of the Republic, to address emerging risks and to strengthen the preventative aspect and increase OHS coverage, the progress has been quite slow, as a consultative process has to be followed through the tripartite process. Current legislation is outdated and is in the process of being reviewed to include the informal workers. This is important in providing a response to the changing nature of work and the world of work.

With respect to OHS services at head office and at provincial level figures 7 and 8 indicates the structures through which OHS services are rendered.

The ILO has provided a benchmark for labour inspections (ILO Labour Report, 2006). One inspector per 10,000 workers in industrial market economies; one inspector per 20,000 workers in transition economies; and one inspector per 40,000 workers in less developed countries. The current DEL OHS inspector to employed population ratio is 1:21 000 and is not sufficient for the 14.9M workers in the non-mining sector (Quarterly Labour Force Survey Q4 2022). Considering this ratio and the importance of supporting the aspect of prevention at workplace level, different levels of appropriately registered OHS professionals is embedded in the legislation.

As the construction sector is one of the sectors that drives employment through infrastructure development, it is important to have OHS interventions that will support this sector. The statistics from 2015 to 2023 shows the relationship between the claims and the number of lives covered through FEM in the construction sector. As can be seen in Figure 1 below, there is a slight decline in the lives covered and a corresponding decline in the claims. The drop in claims in 2020/2021 is attributed to the COVID 19 pandemic.

2 The Constitution of the Republic of South Africa, Act 108 of 1996
3 Occupational Health and Safety Act, Act 85 of 1993

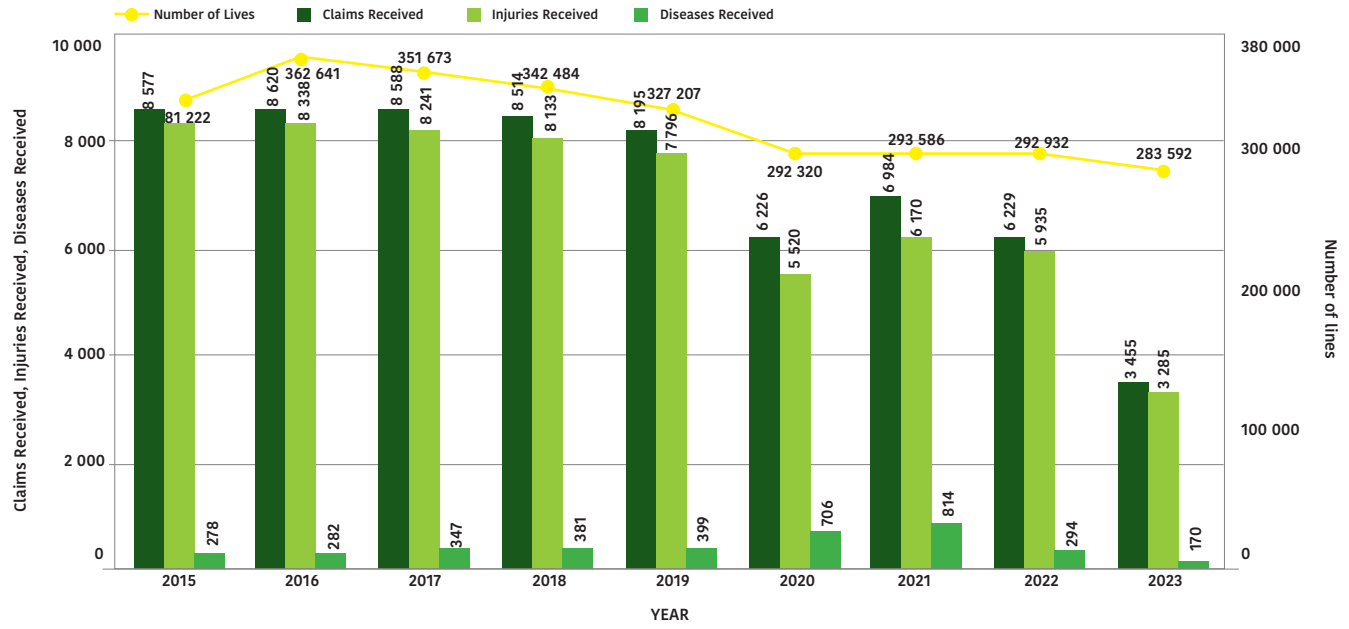


Figure1: CLAIMS vs NUMBER OF LIVES AS AT JULY 2023

Figure 1 also depicts injuries and occupational diseases reported per 1000 lives. Furthermore, it depicts a low rate of occupational diseases reported compared to injuries reported this sector and this is comparison also clearly shown in figure 2. This requires further interrogation as this maybe influenced by the short term employment that is prevalent in this sector resulting in workers not migrating with the occupational health data.

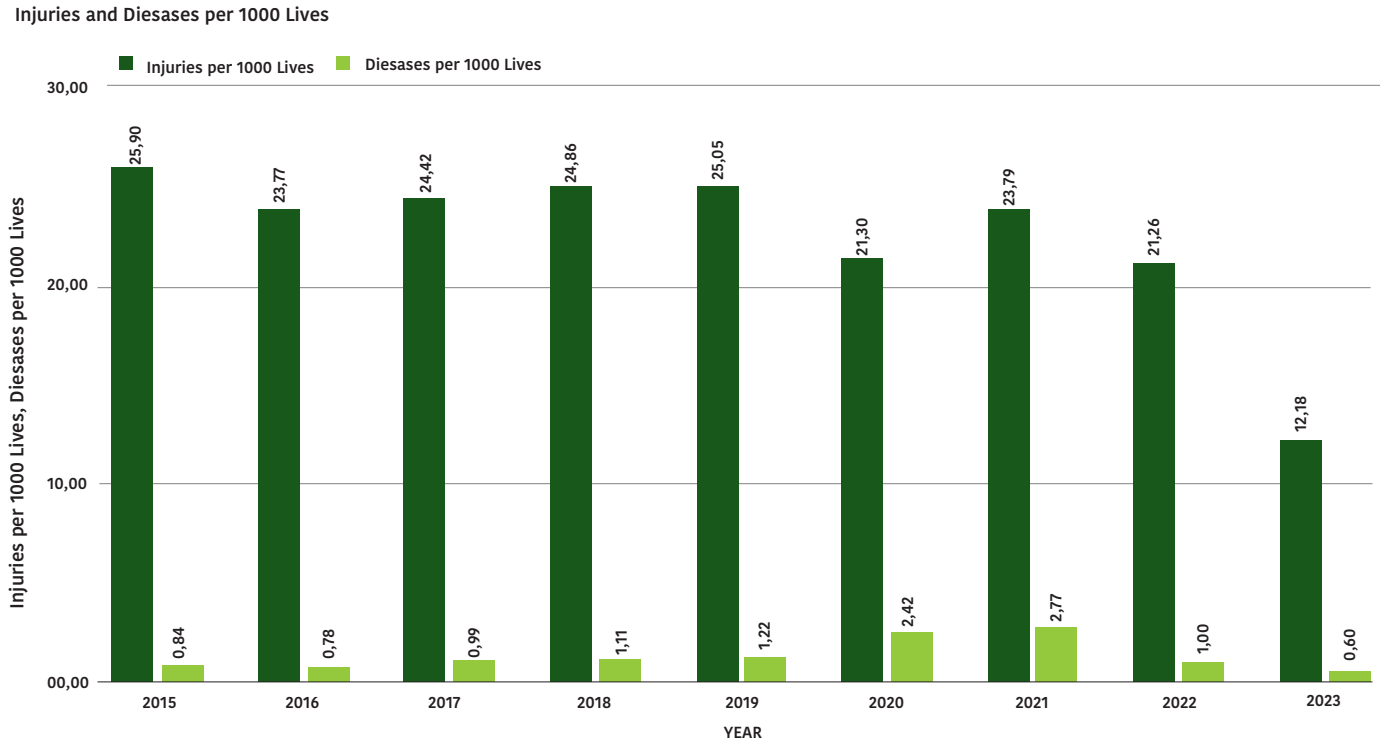


Figure 2: INJURIES vs DISEASES PER 1,000 LIVES AS AT JULY 2023

Figure 3 below depicts the gender split on claims submitted and it clearly demonstrates that the cases reported for females are fewer than males.

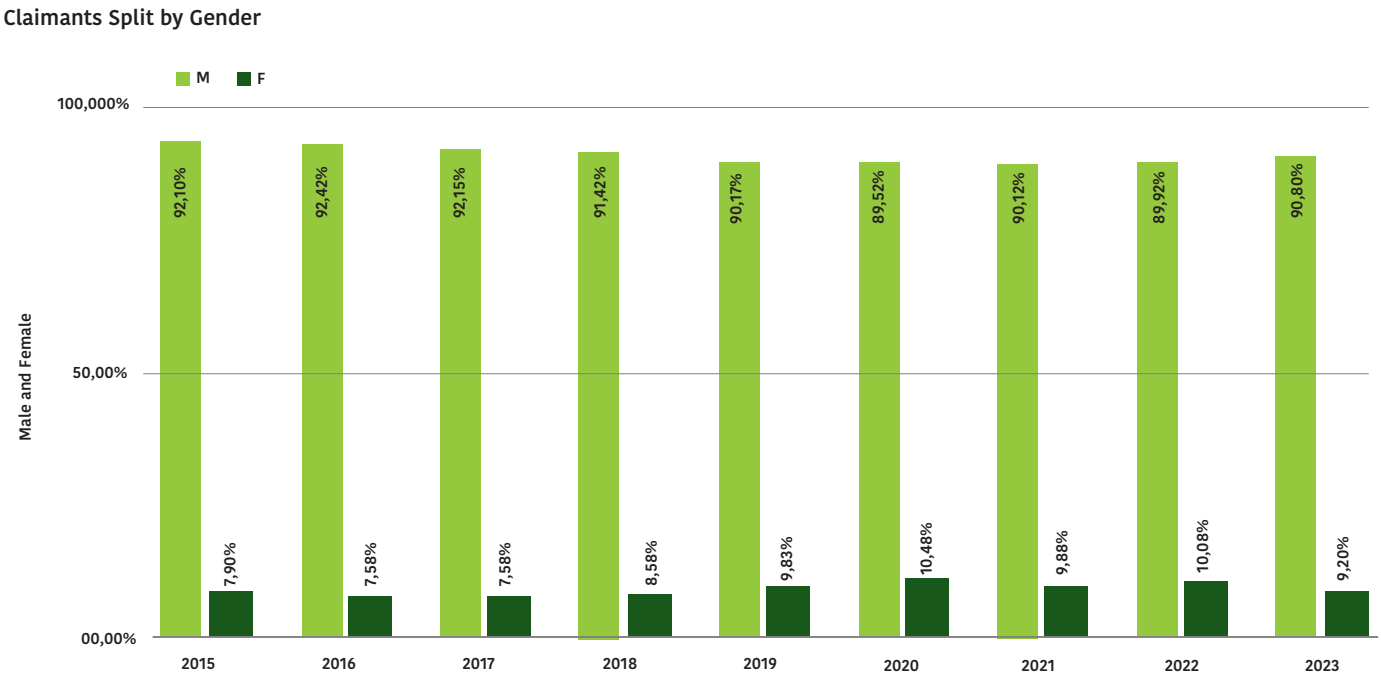


Figure 3: CLAIMANTS SPLIT by GENDER AS AT JULY 2023

The reporting injuries and occupational diseases in the iron and steel sector (class XIII) is through Rand Mutual Association and figure 4 depicts the claims and number of lives insured.

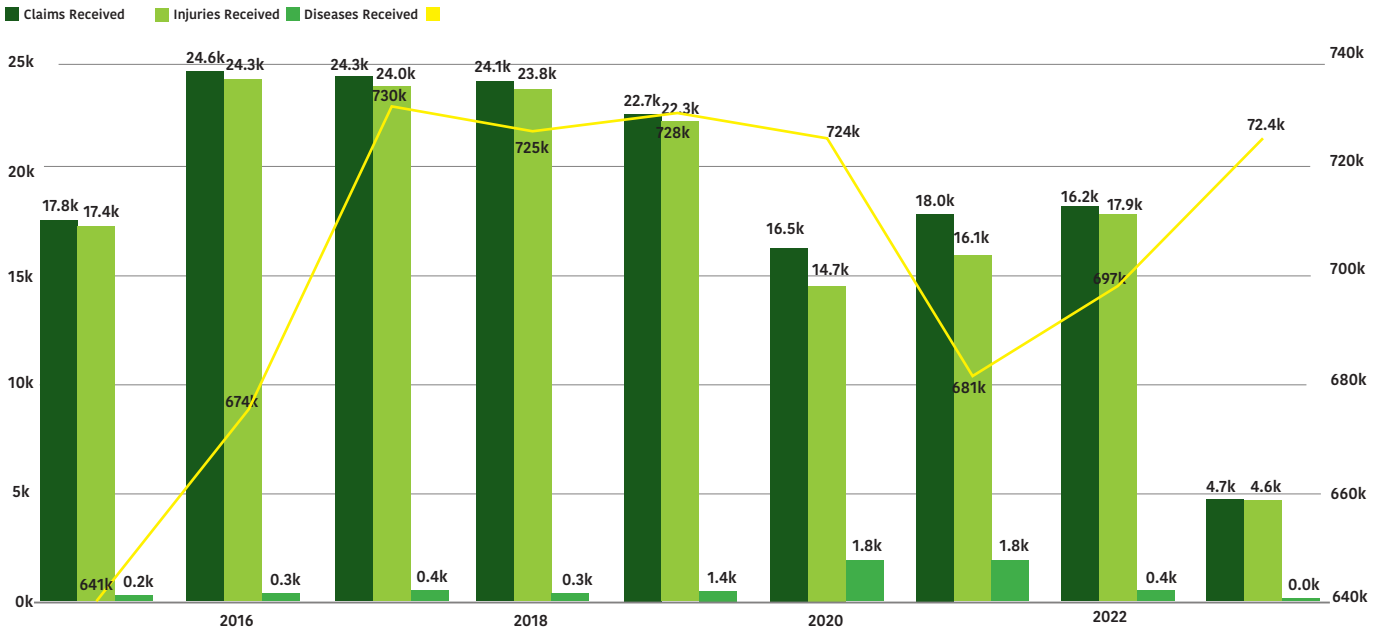


Figure 4: Claims vs Number of Lives insured

Whilst figure 5 depicts the injuries and diseases per 1000 lives. Similarly to the construction sector, the reporting of occupational diseases is lower than injuries reported.

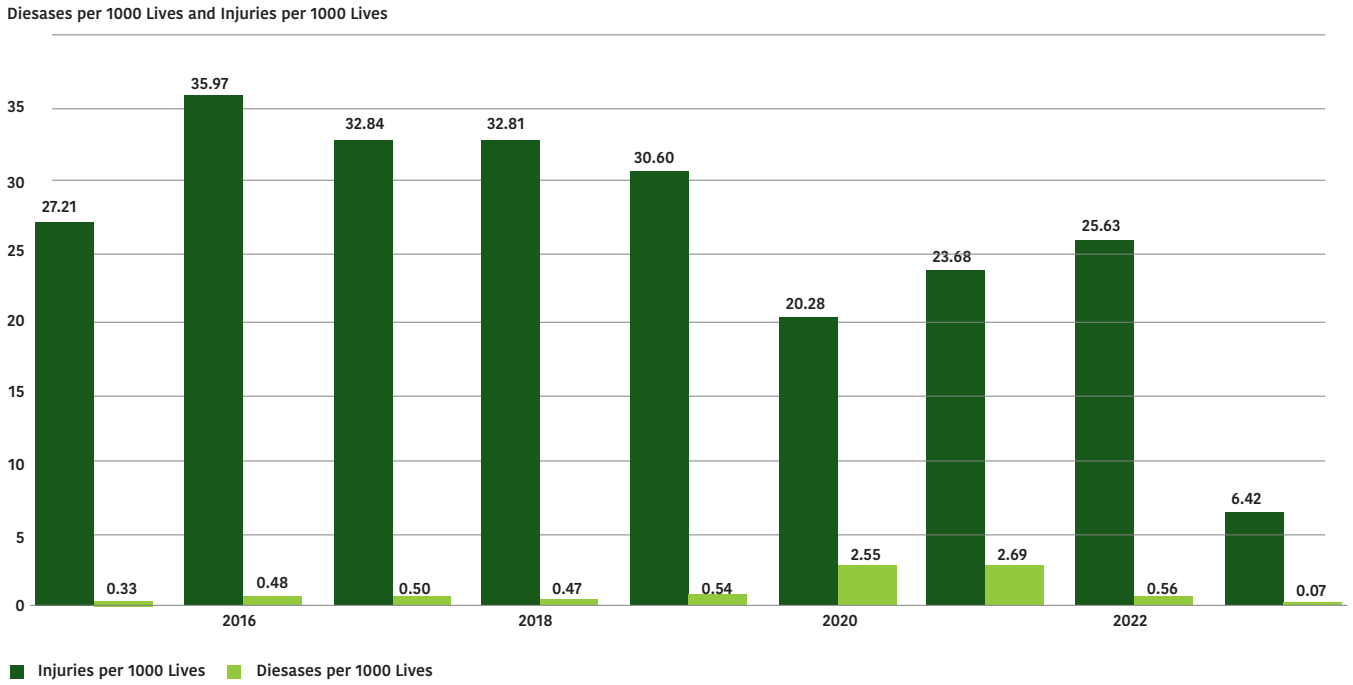
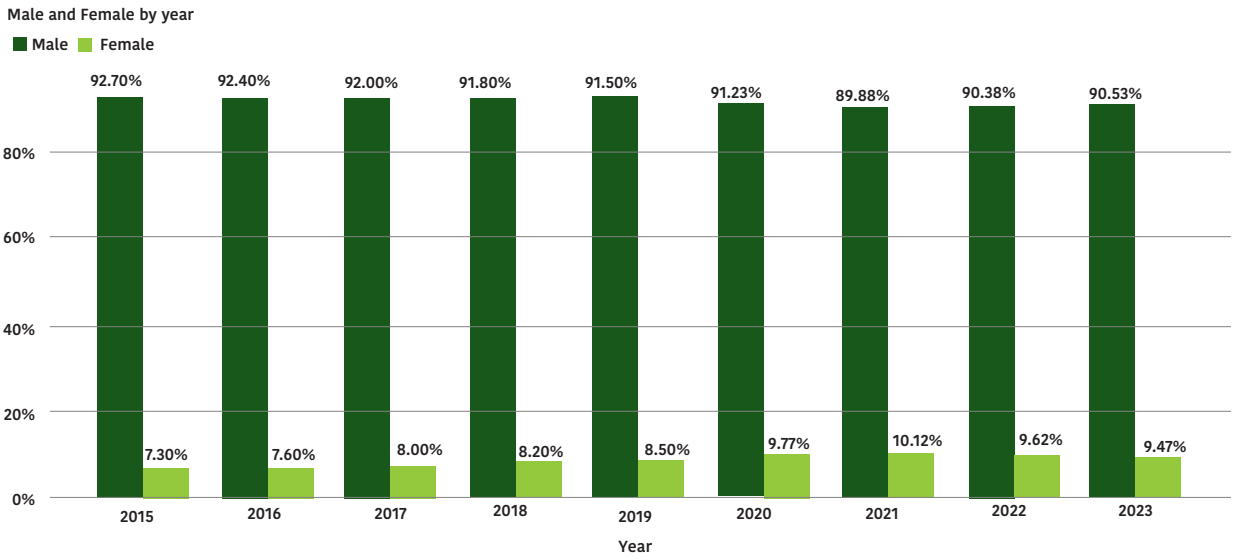


Figure 6 below shows a similar trend to the construction sector where the number of cases reported in lieu of females is lower than males.



Although there is no updated statistics detailing incidents and occupational diseases in the agricultural sector as well as the wholesale and retail sector, workers in these sectors are considered to be vulnerable. Such workers tend to work in precarious conditions and are often reluctant to report such matters to the Department, hence interventions are required.

South has ratified R204 and this requires DEL to have programmes in place to support the sector as OHS is now a fundamental right. Catering for labour rights as well as health and safe working conditions in informal sector workforce will require a new coherent approach, relevant resources and methodology from the Labour Inspection, as well as close cooperation with the stakeholders in the sector to effectively benefit from best OHS practices.

Although OHS legislation covers both the public and private sector, the public sector is perceived to be laid back as it appears to be a significant defaulter and noncompliant and non-compliant with OHS legislation. There is also low level of awareness on OHS in general as well as lack of reporting of work-related injuries and diseases. Considering that government is the single largest employer in South Africa as approximately about 1.3 M workers are employed, specific OHS interventions are required to ensure OHS improvements. Although only the health care sector and the education sector have been included, this does not preclude

this does not preclude development of interventions for the whole public sector as specific issues may warrant urgent attention e.g. structural integrity of buildings in the public sector.

DEL is committed to the decent work agenda and a decent future of work for its citizens. The implementation of the International Labour Organization (ILO) conventions is key to resolving the challenge of OHS in workplaces. As both Convention 155 [4] and Convention 187[5] are fundamental conventions in relation to OHS, DEL has to ensure that OHS coverage is extended to all persons in the non-mining sector and this is key for the informal economy.

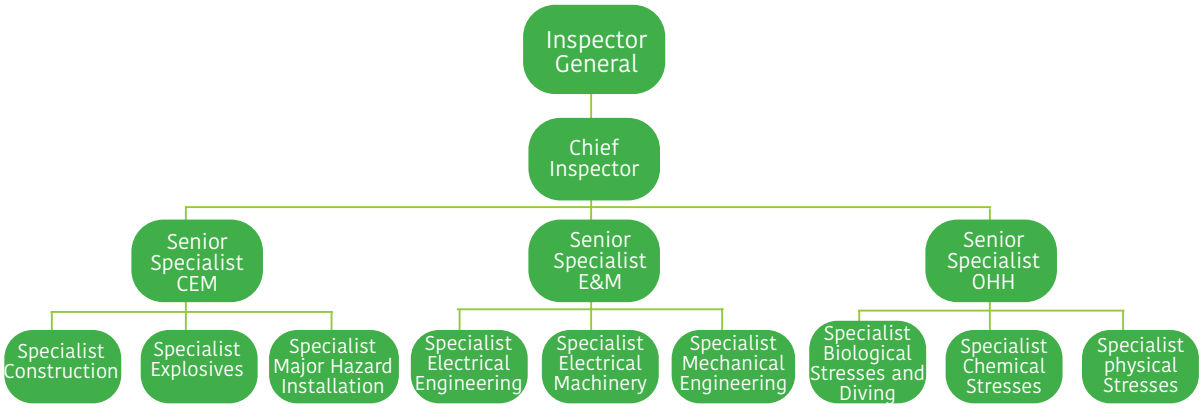


Figure 7: Head office organogram

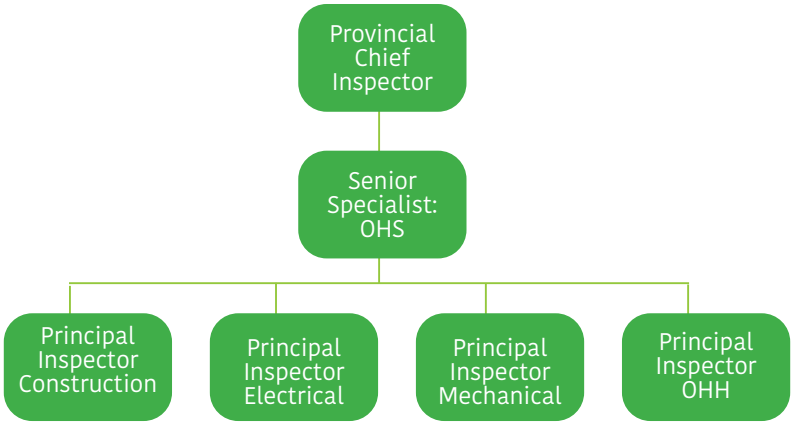


Figure 8: Typical organogram: Provincial office

4 C155: Occupational Safety and Health
5 C 187: Promotional Framework for Occupational Safety and Health

1.1 SWOT ANALYSIS

Figure 9 below depicts the strengths (S), weaknesses (W), opportunities (O) and threats (T) in relation to the work of OHS.

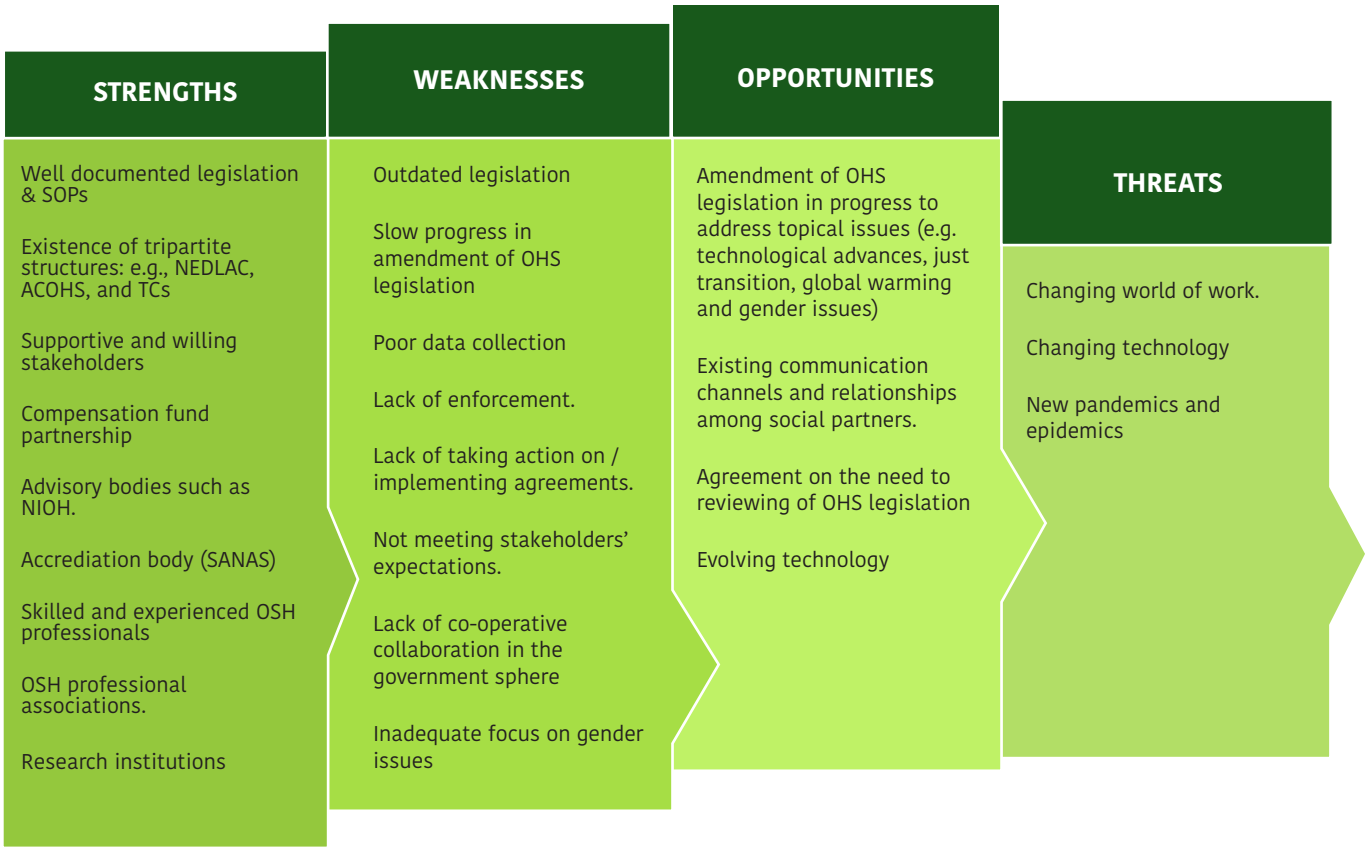


Figure 9: SWOT Analysis

2. Vision

To be the Leader in creating safe and healthy working environments for South Africa based on tripartism and promoting a preventative culture to ensure a sustainable and productive economy.

2.1 Mission

To promote healthy and safe workplaces through collaboration, advocacy, inspections and enforcement of Occupational health and safety legislation

3. Strategy Objectives

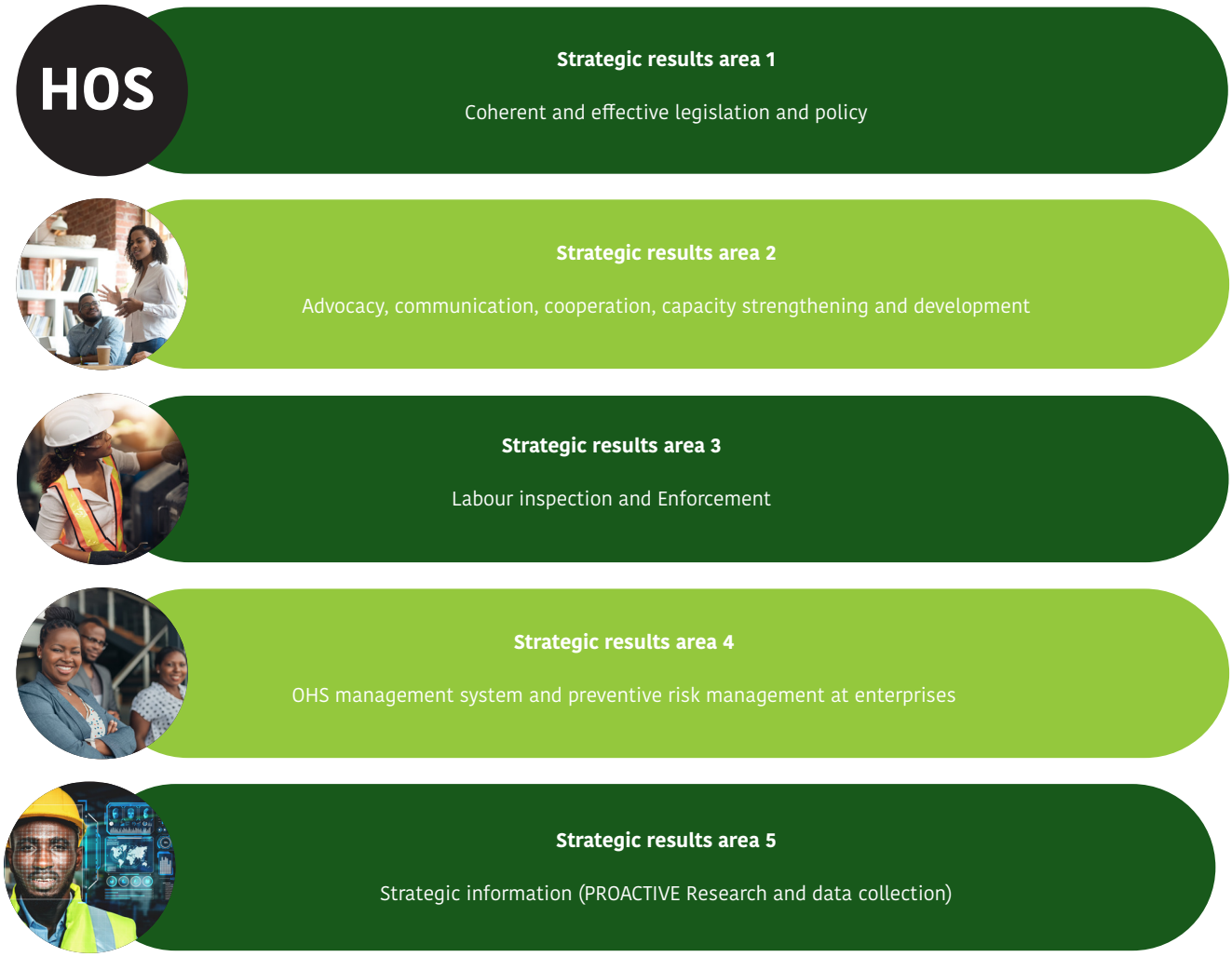


Figure 10: Strategy Objectives

This Strategy has a number of strategic and specific objectives outlined below. They have been developed based on a SWOT analysis made by the tripartite constituents and relevant stakeholders. Their formulation has been made in line with the policy formulation and implementation cycle and aims to improve them in order to achieve qualitative and quantitative results that contribute towards the achievement of the specific objectives.

In addition to the defined strategic objectives the analysis raises several crosscutting issues, which are crucial for the South African situation. The size of the informal economy leaves a sizeable part of the work force outside the official legislation. Based on the Constitution, the implementation and monitoring of this programme need to consider ways and means to effectively extend protection of informal workers to achieve equal protection of all workers without discrimination. Likewise, the gender dimension of the workforce (such as women workers being exposed to extensive working hours in the informal and formal sectors and more men to a large extent being the victims of fatal and serious occupational accidents) will require increased gender segregated data collection and research to better target preventive actions.

The outputs and indicators related to the objectives will be presented in the SMART Action Plan (to be developed separately).

development of interventions for the whole public sector as specific issues may warrant urgent attention e.g. structural integrity of buildings in the public sector.

3.2.1 Strategic Result Areas (SRA)

SRA-1: LEGISLATION, POLICY REVIEW AND DEVELOPMENT

The cornerstone of ensuring workplaces are safe and without health risk is through the OHS policy framework and effectively enforced clear and understandable OHS legislation. The ratified ILO Convention 155 stipulates that the policy aims to prevent accidents and injury to health, by minimising the causes and exposure of hazards at the workplace. The enforcement of laws and regulations shall be secured by an appropriate inspection.

The ever-changing situations regarding occupational safety and health in the workplace necessitates regular reviews of policies and legislation in a tri-partite context, which means the Minister's Advisory Council for Occupational Health and Safety (ACOHS).

Current challenges with Occupational Health and Safety Policy in South Africa:

Outdated legislation and policy pose a challenge to employers, government, organised business, organised labour and professionals in that, the legislation is not adapted to the changing factors and new and emerging hazards in the workplace.

The newly adopted ILO Recommendation 204 on the transition from informal to the formal economy will require an upgrading of the OHS legislation to add coverage of self-employed and workers in the informal economy. Inspectors will in the future be empowered to make an impact in the informal economy. One of the primary functions of a part of future inspectors will focus on SMMEs and the informal sector, after they have been employed and trained. The inspection (advisory) methodology will be adapted to the specifics of the informal economy and readily available ILO tools for the informal economy will be used.

Another aspect contributing to the outdated legislation is the timeous process of reviewing and updating legislation. While the consultation of the social partners and specialists in the area of interest is useful and necessary, the time used for updating can and must be shortened. The process is beneficial to the development of effective and quality legislation; it will, however, require increased competence and commitment to better working conditions among the participants of the consultations.

International studies have clearly indicated that safe and healthy working conditions (based on appropriate OHS legislation and enforcement) is good business and increases productivity and quality. However, all employers are not well aware of this positive economic link. In particular employers, mainly in small medium and micro enterprises (SMMEs) and informal economy often lacks the initial resources: financial, personnel and knowledge to organise safe and healthy working conditions, but not necessarily the will to do so.

3.2.1.1 Strategy - implementation principles

The following principles will be observed:

- The legislation shall be relevant, coherent, simple, understandable effective and aligned with international standards.
- The reviewing and updating of regulations will be based on quality research, both locally and internationally;
- The systematic OHS management system shall be focused on pro-active prevention and increased awareness and improved coverage, in particular in the informal economy:
    - Required actions shall be evidence-based, transparent and target risk groups;
    - Effective prevention will be implemented through social dialogue and open information; however, recalcitrant employers will need to face sanctions;

- Inter-sectoral collaboration between governmental organisations, social partners and other stakeholders will ensure effective use of resources.

- To facilitate compliance, not only by SMMEs and informal economy, the Department of Employment and Labour recognises that compliance can be better achieved through the availability of information and practical guidance.

The Department of Employment and Labour will continue working in existing forums and committees and participate in and establish new committees and forums in the field of occupational health and safety across the board.

SRA-1: Coherent and effective legislation and policy

Updated labour and OHS legislation in line with ILO and UN principles and best practices is a prerequisite for the work of the Ministries and Government agencies as well as the social partners. However, the legislation remains an empty letter unless implemented by the four partners in reality.

The core activities for achieving the implementation of this measure are shown below:

1. Improve the legislation on occupational health services, prevention of asbestos-related diseases, OHS in construction and labour inspections in agriculture.

2. Update the Law on OHS to harmonise with international OHS principles, clarify terminology, increase focus on prevention, rights and duties, OHS management systems at work, social dialogue at work, reporting of occupational accidents and diseases, violence and harassment in the workplace, roles of OHS professionals and implementation of OHS policy at a national level.

3. Review regional, national and sectoral policies to minimise and eliminate gaps and conflicts.

4. Update the Laws on Labour Inspection, including the {Law on Labour, Law on OHS and Law on Labour Inspection}, to ensure mandate and relevant competence and capacity for unannounced inspections, small, medium and mini enterprises, inspections in agriculture and promotion/supervision of OHS among informal sector and self-employed.

5. Undertake a gaps analysis in relation to ILO R 204 and review legislation covering small businesses, informal sector and self-employed to cover OHS issues with the aim to increase promotion, incentives and education.

6. Review and amend the Law to include a proactive preventive approach; promote reporting of occupational accidents and diseases.

7. Review of the OHS consultation process to ensure timely output while maintaining quality and inclusion.

8. Other specific objectives to be defined.

SRA-2: ADVOCACY, COMMUNICATION, COOPERATION, CAPACITY STRENGTHENING AND DEVELOPMENT

COMMUNICATION AND ADVOCACY

Communication and advocacy are key in building relationships with national, regional, local and enterprise-based (including informal economy) stakeholders at different levels. The message needs to be meaningful, relevant, accurate and understood by all parties concerned, thus resulting in positively influencing attitudes and behaviours in occupational health and safety. Clear and easy-to-understand knowledge will improve the overall effectiveness and efficiency of the implementation of the safety management system. In addition, it also contributes to effective information, training and instruction, thus fostering an environment of trust and confidence.

The Department of Employment and Labour has identified certain key challenges in communication and advocacy: participation from relevant stakeholders, source of the communication and type of advocacy, as well as societal demographics and characteristics.

The interaction with stakeholders is essential for effective communication to ensure that the topics are of interest and relevant to the listener. Further, the source of the information plays an important role as the perceived trustworthiness of the source has an impact on how reliable the information is. For communication and advocacy to be effective, the characteristics of the society need to be taken into account, especially in South Africa which is straddling between a vibrant formal economy and an equally vibrant informal economy.

A communication and advocacy plan will be developed to provide a framework for how updated OHS legislation and regulations will be promoted, encourage the practical improvement of working conditions by the employer and workers themselves, provide practical and low-cost solutions, especially for the informal economy.

The new communication technology, modes of communication, the channel and timing of the communication and advocacy, and the skills and resources of the OHS community are of essence for communication and advocacy to be most effective.

Considering the fast pace of globalization and the emergence of new risks, a full and smooth cooperation between structures (labour inspection and OHS institutions) is crucial. This contributes to maintaining a preventative approach that is sustainable and ensures that Occupational Health and Safety (OHS) legislation can be applied to employers and workers at all levels and all sectors including the informal economy. Further, a coherent set of harmonised legislation combined with efficient enforcement are crucial tools for the government in monitoring and managing the field of OHS.

A clear and transparent attitude from the Government side makes tri-partite cooperation useful and effective. The OHS capacity and commitment of the social partners (trade unions and employers' organisations, as well as other stakeholders requires OHS training and knowledge dissemination to ensure flexible and timely processing of OHS legislation, policies and OHS guidance. The practical improvement of working conditions at enterprises and in the informal economy, based on clear and easy-to-understand legislation, is dependent on the capacity and commitment of the social partners and stakeholders in the informal economy.

Preventive and proactive OHS programmes are offering a comprehensive solution to a wide variety of the problems that have arisen in response to globalization and the slow enforcement of OHS legislation. The need to strengthen inspections and all stakeholder's OHS management systems is apparent, but also the basic OHS knowledge among workers and the full understanding of the financial benefits of good working conditions among employers is a prerogative for safe and healthy working conditions.

Capacity development, therefore, has to be addressed at three levels including: individual, institutional and societal levels as all these aspects complement each other. Therefore, individuals within the organization should begin to improve themselves, increase knowledge and skills to develop their capacity. They should be pushed at a high level of linking to the improvement of the institution as a whole and society in general. There must be synergy at all levels regarding any development that is done at any level.

Challenges

The fragmented OHS legislation in South Africa adds to the challenge to develop uniform policies and practices in OHS. Regional practices tend to differ without a joint dialogue aiming towards unified approaches. Differing risk assessment and management, enforcement methodologies and promotional campaigns developed over the years need to be reviewed, critically assessed in view of the globalisation trend and a converging process that started to achieve a uniform approach to good OHS from the government side. Opening effective fora for dialogue between policy developing governmental actors and organisation, as well as between enforcement and advisory agencies at national, regional and sector levels is the first start towards converging approaches and methodologies.

Investment in capacity building and knowledge sharing with social partners and other stakeholders to increase the understanding of the benefits of safe and healthy working conditions is an essential step to increase interest and commitment to social dialogue in OHS. Social dialogue on OHS at the workplace is a prerogative for effective improvement of working conditions.

Organised Labour in South Africa seems to be more focused on other employment-related conditions and forget the occupational health and safety aspect when it comes to bargaining for better conditions. These issues always come as an afterthought after an incident or an occupational disease has occurred.

Strategy

When addressing capacity strengthening, the following will be considered:

- Training programs for the:
    - the SMMEs and
    - informal economy
    - Employers and their organisations
    - Employees and Organised Labour
- Workshops and conferences
- Risk assessment and management
- Occupational hygiene monitoring
- Special projects:
    - Implementation of the voluntary protection programme (VPP)
    - Silicosis programme
    - Implementation of SMME toolkits
    - Implementation of Health Wise and other ILO programmes
    - Implementation of OHS tools in the construction sector
    - Implementation of OHS tools in the iron and steel sector
    - Roving Safety Representative programme for SMMEs and Agriculture (other similar programmes may be considered that may work in a particular sector)
    - Introduction of Section 11 and 12 for certain very high risk and non-compliant sectors.
- Provision of technical support on workshops and conferences
- Establishment of an occupational hygiene laboratory

SRA-2: ADVOCACY, COMMUNICATION, COOPERATION, CAPACITY STRENGTHENING AND DEVELOPMENT

Several agencies have a role to play in the improvement of working conditions. Due to scarce resources it is necessary to ensure active cooperation without overlapping. All resources need to be targeted towards preventive actions.

The core activities for achieving the implementation of this measure are shown below:

1. Develop an OHS communication plan, covering updated legislation, promotion of proactive prevention and safety culture, the business case of safety and health and public awareness.

2. Develop and amend existing OHS reporting tools to increase the impact on communication and awareness-raising.

3. Develop the skills and competence of DEL to capture, analyse and monitor OHS gender segregated data for policy development and awareness-raising.

4. Identify effective modes of communication and advocacy, including the use of new technologies.

5. Develop a policy to prepare OHS professionals and OHS education and provide technical support to universities to improve training and research in OHS.

6. Review the role and practices of the DEL in OHS, ensure sufficient professional human resources, and increase their involvement in the implementation of national OHS policy at regional and local levels (see mandate).

7. Discuss and agree on the setting-up of consultation forum with policy development and enforcement governmental and regional organisations and agencies converge towards joint policies and methodologies.

8. Evaluate functions and capabilities of OHS professional organizations and improve capabilities of professional human and technical resources to increase the efficiency of their prevention function on OHS.

9. Regularly revise and continuously improve national OHS standards and technical regulation with collaborations of professional organizations and associations

10. Monitor risks as well as proactively prevent OADs at the enterprise level, and use its database for evaluation of implementation on OHS policy and prevention measures, research and inspection, and initially connect enterprises with high risk to the system.

11. Improve methodologies of diagnosis and early screening of OADs, and determination of disabilities caused by OADs, and increase the accessibility of preventive OH services rehabilitation and return-to-work for OAD disabilities nationwide.

12. Implement targeted OH campaigns during the implementation of this national strategy of occupational health and safety

13. Develop a long-term plan on OHS promotion campaigns, jointly with other governmental and regional stakeholders, social partners and informal economy players.

14. Establishment of an occupational hygiene laboratory

15. Other specific objectives to be determined

SRA-3: Enforcement and labour inspection

Even good OHS legislation can remain an empty letter, if the requirements are not implemented and enforced transparently and consistently. The effective implementation at the workplaces, formal or informal, requires OHS knowledge, will and dialogues between employers and workers, combined with a responsible resourceful enforcement from the labour inspection side. Thus, all these stakeholders need to work effectively together.

‘With the era of globalization this poses new challenges for OHS inspections due to the emergence of new technologies. For example, new hazardous agents produced lead to new hidden risks at workplaces while OHS inspectors may not have the experience to recognize and warn employers and employees

about such a threat. Other issues such as the increase of unemployment rate leading to more informal traders and instability of employment thereby causing employees to work in undesirable conditions and thus putting pressure on OHS inspectors. In addition, one of the most sensitive works of OHS inspectors today is dealing with issues involving the mental health of employees. It was stated that "Psychological and sexual harassment at work, or workplace violence, is another serious "new hazard" (Richthofen, 2002) and violence has become a threat to the South African health care sector. The aforementioned issues could become big challenges of OHS inspections in the coming years. Hence, OHS Inspectors need to be equipped with good specialized knowledge and practical skills as well as forecasting ability in their field to deal with emerging risks in future forms of work and other complicated challenges.

The Inspection and Enforcement Services Branch (IES) manages the inspections; how many inspection visits will be conducted in a year, time used and quality of the work. The Labour Inspection Convention No. 81 in Article 10 recommended that labour inspectors "shall be sufficient to secure the effective discharge of the duties of the inspectorate" (ILO, 1947). This matter has been addressed and the Department is expected to employ an additional 500 inspectors to be trained up in OHS in the near future. However, no government has enough inspectors to cover all workplaces, therefore OHS management systems structures (bi-partite safety committee, workers' safety representative and safety officer) at workplaces are needed for effective implementation of the OHS legislation. Thus, effective enforcement guided by a risk-based approach needs to be combined with inclusive OHS management system at workplaces. Hazard identification and risk assessment resulting in practical improvement will require sufficient training at workplaces.

Another challenge that is facing OHS inspectors is the growth of the informal economy as this is the most vulnerable segment of the population. There are many organizational forms in the informal economy: cooperatives, small traders, community groups, and social associations developing in the fast-changing world today. With the insufficient human resource in South Africa, OHS inspectors cannot reach the informal economy sector thus leaving them unprotected.

Therefore, employers and employees working in the informal sector have a real demand to be supported by inspectors through giving advice and technical consultation on OHS legislation. OHS inspectors can provide advisory service on OHS and how to conduct risk assessments and control workplace hazards. Crucial OHS knowledge to informal economy employers and employees are practical, low-cost solutions to improve working conditions and increased understanding of how better working conditions lead to higher productivity and quality. Such advice assists them in better compliance with the law, especially in small-scale enterprises.

In the future the inspector will be empowered to conduct monitoring for employers outside of the formal sector, that is, in the SMMEs and the informal economy. {Currently, the legislation outsources this requirement to approved inspection authorities, whose services fall outside the financial capability of SMMEs and the informal economy. This however needs to be addressed. The Department has already commenced with the strategic conversations with the relevant parties on the matter. The Department has employed 500 OHS inspectors in FY 2020/21, one of their primary functions will be in the SMME and Informal sector, after they have been employed and extensively trained.

Concerning epidemics and pandemics at the workplace, this poses a major threat if there are no programmes to address the OHS aspect. The workplace-related risks of exposure in addition to work-related diseases, can have an impact on the growth of the business and productivity and need to be addressed through OHS preventive programmes.

SRA-3: Enforcement and labour inspection

Labour Inspection and Enforcement (IES) is the neutral supervision arm of the Government, which advices on the correct implementation of the laws and regulations, supervises adherence to the legislation and enforces the legislation. The Inspection need to work with the OHS management structures at the enterprises and the social partners to ensure safe and healthy working conditions.

The core activities for achieving the implementation of this measure are shown below:

1. Apply the Strategic Compliance Planning for the Labour Inspectorate to assist elements of self-regulation and OHS management systems at workplaces

2. Introduce the provisions in the adopted ILO Recommendation No. 204 into the methodology of the Labour Inspectorate working with the informal sector, develop joint cooperation with informal sector stakeholders and promote best OHS practices in the sector.

3. Provide sufficient capacity and resources for the Labour Inspection to cover SMMEs enterprises, also in the regions, as well as agriculture and to provide OHS advice and promotion to the informal sector and self-employed people.

4. Provide effective induction training for newly recruited inspectors and enable working in pairs with experienced inspectors.

5. Undertake a needs analysis of labour inspector training, including emerging risks and promotion of OHS in the informal sector, and develop training curricula for rolling training schedules.

6. Improve the labour inspection on biological hazards and pandemics at the workplace, and provide technical advice on operating during pandemics to enterprises

7. Include promoting of safety culture, the business case of OHS, Vision Zero and OHS good practice, preventive risk assessment to the functions of labour inspections

8. Establish a sustainable training for specialized training for OHS inspectors in topics of occupational health and safety, OHS of agriculture, small, medium and micro business, informal sector and self-employment, biological hazards, risk of pandemics and preventive OHS risk assessment and assess professional competency of OHS inspectors.

9. Consider professional registration to ensure that inspectors are on par with the industry.

10. Enable sufficient exposure of labour inspectors to international experience, for example in conferences and workshops.

11. Other specific objectives to be defined.

SRA-4: OHS management system and preventive risk management at enterprises

The field of occupational safety and health is a very wide, multidisciplinary area concerning not only a safe working environment, but also healthy working conditions. The key for a successful and functioning occupational safety and health system is a common understanding of aims, targets and most of all the benefits of occupational health and occupation safety for each individual as well as for the society and its economy. To emphasize social dialogue, to bring the various key-players, each with one's own opinion and aims together is crucial for a holistic commitment.

To implement an effective OHS system, it is crucial to have practical and systematic plans to increase the competence of the social partners through a fully operational tripartite consultation process. The cooperation should be supported by building the capacity of the social partners concerning OHS knowledge, practical implementation of OHS legislation and preventive action. On the employers' side, effective communication and promotion of better understanding of the cost to employers and society of poor working conditions and the positive impact on higher productivity due to safe and healthy working conditions, is essential.

In addition to the national and regional level social dialogue, the effective and practical improvement of working conditions at enterprises requires employer-worker cooperation at the shop floor level. Workers generally have a clear understanding of the perceived hazards and risks at their own work site, and often they can generate practical solutions to eliminate or diminish the impact of these hazards. Open and frank social dialogue on these hazards on the bipartite safety committee can flexibly solve such challenges. Basic OHS training of the members of the safety committee, and in due course induction training for all

workers will serve to improve working conditions and thus the productivity of the enterprise. Progressive employers, who are aware of the positive impact of good working conditions on productivity, quality and workers satisfaction, are supportive of enterprise based dialogue on OHS. Good social dialogue at enterprises is assisting the labour inspection by lessening the numbers of poos standard enterprises. Effective enforcement, including sanctions for recalcitrant employers, by the labour inspection supports law-abiding employers to continue providing safe and healthy working conditions.

To enable the OHS system at enterprises, the authorities and institutions responsible for the implementation of the measures to carry out their tasks, further capacity building is needed. The members of the enterprises based OHS management system (safety committee, workers' safety representative and safety officer) need the competence of perform preventive risk management, investigation of accidents to avoid future accidents and provide information and promotion of safe and healthy work practices. Both proactive risk management and reactive learning from incidents and accidents are complementing each other to effectively prevent potential incidents. Furthermore, the development of procedures and processes for further specialization in risk assessment, preventive measures and health surveillance to be applied in all ongoing occupational safety and health implementation actions, is needed.

SRA-4: OHS management systems and preventive risk management at enterprises

The most effective and economically beneficial improvement of working conditions is done by the social partners, employers and workers, at the workplace. They are aware of the hazards and risks at their own worksite, they often understand how to best find the solutions to the risks and, in joint action supported by basic OHS training, are motivated for a change for the better. The OHS management system at enterprises (safety committee, workers safety representative and safety officer) can provide crucial help to the labour inspection enforcement.

The core activities for achieving the implementation of this measure are shown below:

1. Encourage enterprises to establish bi-partite OHS policies, action plans and risk management based on risk assessment.

2. Ensure functioning of the OHS management system at enterprises (safety committee, workers safety representation and safety officer) to increase social dialogue in OHS at enterprises to ensure efficient prevention and to support labour inspection

3. Develop accident and incident investigation methodology to identify multi-tier causes and formulate solutions to prevent similar incidents in the future.

4. Organise a systematic OHS training system for members of the safety committees, workers safety representatives and safety offices.

5. Publish practical training material for adapted for each category of persons to ensure good learning capability, including informal economy players.

6. Develop the methodology of proactive prevention-oriented OHS risk assessment and promote and continual improvement among enterprises. The preventive risk assessment will cover all workplace-related risks, including (but not limited to) psycho-social, ergonomic, biological, physical, chemical, emerging hazards, infectious diseases and emerging risks.

7. Develop, review and adopt risk management tools (including e-tools) for general and sector-specific purposes.

8. Encourage enterprises to introduce preventive occupational health services, including rehabilitation and back-to-work procedures.

9. Introduce guidance and incentives for enterprises to register data on hazards, occupational accidents and diseases, to be shared by workers and reported to the relevant authorities.

10. Develop and improve efficient ways for early detection of occupational and work-related diseases, for prevention of disability, and to improve recording, reporting and registration of occupational accidents and diseases.

11. Introduce OHS champion enterprises combined with business-based OHS drivers and interventions in value chains.

12. Promote the dissemination of national and international best practices in OHS management systems, the understanding of safety culture and the financial benefits of safe and healthy working conditions to improve productivity and quality.

13. Other specific objectives to be defined.

SRA-5: STRATEGIC INFORMATION (PROACTIVE RESEARCH AND DATA COLLECTION

DATA COLLECTION

The circumstance that sets the research agenda for Occupational Health and Safety is based on challenges emanating from the South African work environment and developments internationally. To fully understand and conceptualise these challenges, research is required, to provide strategic information and development. The information should be within the South African context, thus resulting in local solutions. For the last three decades this space has been largely unchartered. The information shall guide occupational health and safety policy, planning, resource allocation, programme management, service delivery and accountability and consider gender, youth and ageism issues. Any research agenda must be submitted to the Advisory Council for final approval. Sectors that already undertaking comprehensive research and have data already available should be identified made available.

Data is essential in forming policy and decision-making. However, in the South African context, poor or no access to data is a hindrance to decision making and there is also an additional challenge with data submitted, as it is often not sufficient or suitable for decision making. To collect quality data, it will be collected from the submission of reporting tools by clients, approved inspection authorities and employers, inspection and investigation reports from Inspectors and occupational disease and injury statistics from the Compensation Fund. To ensure that the data received is of a high standard and of the required information, continuous monitoring of the sources of data will be conducted internally and an evaluation of the outcomes undertaken.

Research and data collection from readily available resources (monitoring, reporting and evaluation of data collected through various OHS sources and partners) and research related to OHS with a primary focus on occupational health and hygiene-related matters need to be transformed into strategic information that can be used for policy development and action planning as well as communication and advocacy.

SRA-5: PROACTIVE RESEARCH, DATA COLLECTION TO TARGET ACTIONS AND INCREASE AWARENESS (STRATEGIC INFORMATION)

The field of occupational safety and health is a very wide, multidisciplinary area concerning not only safe working environment, but also healthy working conditions. The key for a successful and functioning occupational safety and health system is a common understanding, communication and advocacy of aims, targets and most of all the benefits of occupational health and occupation safety for each individual as well as for the society and its economy. To emphasize social dialogue, to bring the various key-players, each with one's own opinion and aims together is crucial for a holistic commitment.

The core activities for achieving the implementation of this measure are shown below:

1. Develop a road map to improve the recording, reporting and registration of occupational accidents and diseases including incentives and penalties and meanwhile make a tentative assessment of a realistic level of accident statistics.

2. Provide technical support to OHS training centres to ensure the quality of development curriculum,

prepare trainers and organise training, and increase access to the training and monitor the training quality, and establish OHS training centres.

3. Develop a methodology to evaluate the effectiveness of OHS policies and decisions, and establish evidence-based research, in cooperation with universities and research institutions.

4. Provide resources for increased research on multi-dimensional workplace risk factors, including psycho-social factors such as work-related stress and diseases, excessive working hours, etc. to introduce them into the OHS regulation and enhance research on novel and emerging occupational health and hygiene risks, such as those linked to biological hazards and evidenced by the global COVID-19 pandemic.

5. Increase research and education on gender-specific OHS risks and hazards to integrate gender considerations into policy frameworks and OHS management systems at both the national and workplace levels.

6. Other specific objectives to be defined.

4. Service delivery model

The overarching objective of the IES strategy is to advance the principles of decent work with the aim of reducing inequality, increasing resilience, and facilitating the transition towards a sustainable economy. The OHS strategy respond to the overarching objectives of IES thought five strategic results areas depicted in Figure 11.

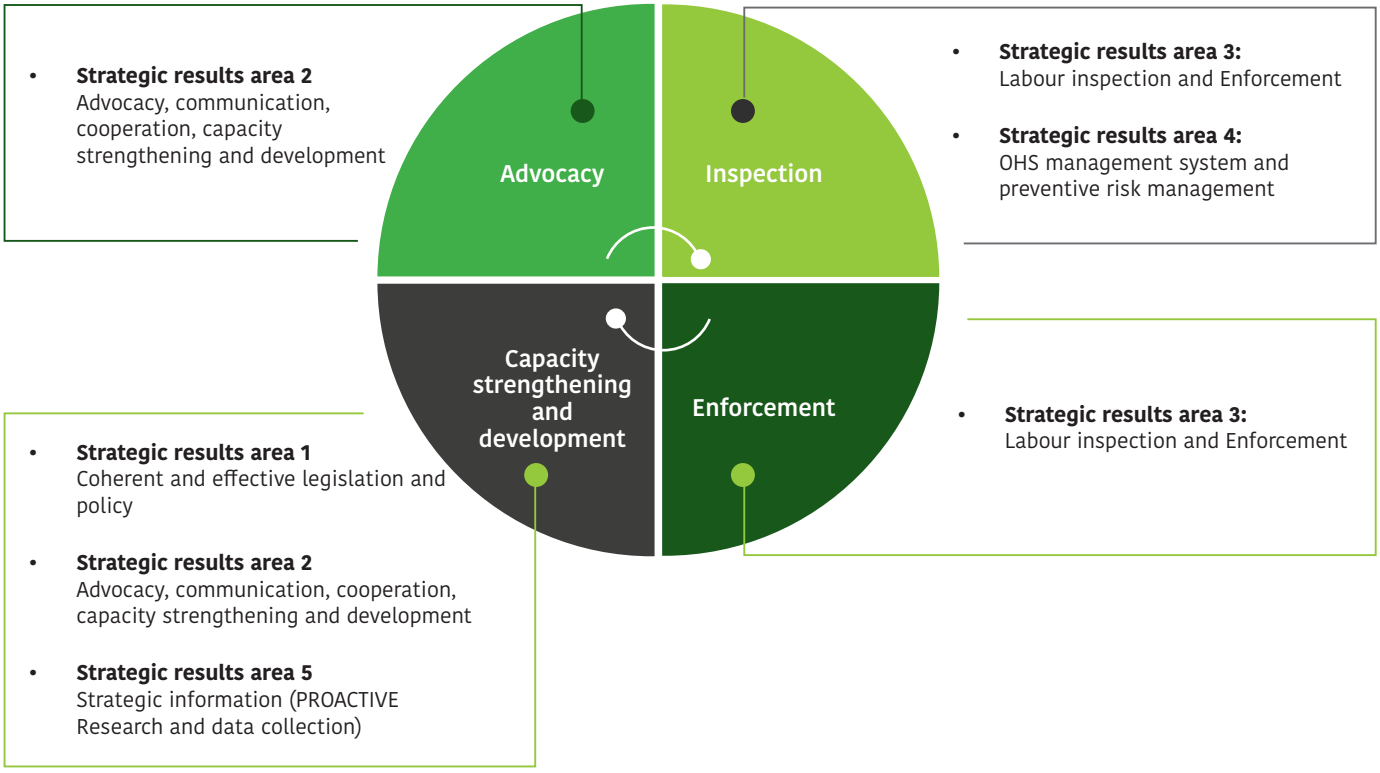


Figure 11: linkage to ies service delivery model

Figure 12 also depicts how the how the five strategic result areas directly link to the service delivery model in the IES strategy

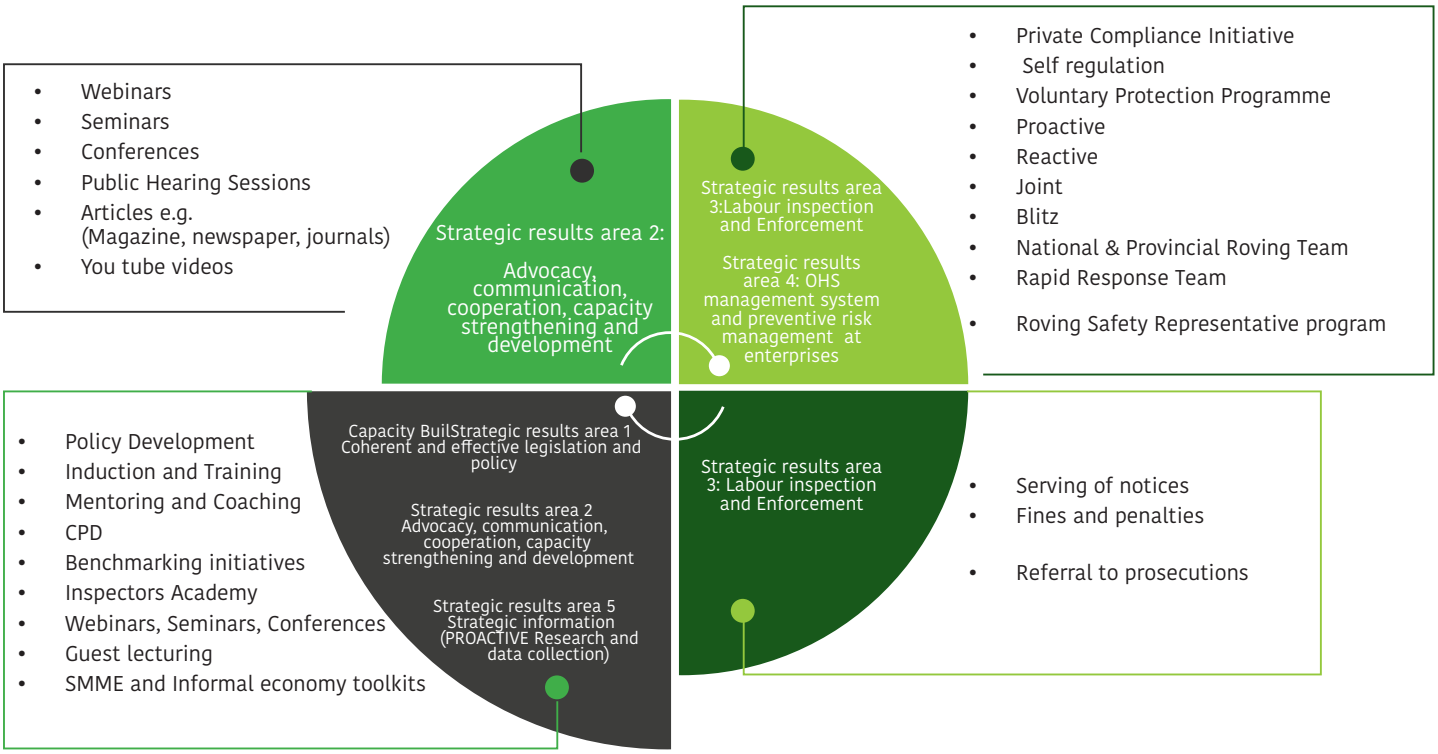


FIGURE 12: OHS SERVICE DELIVERY MODEL

5. Stakeholder analysis

The need for an interactive engagement platform with internal and external stakeholders is paramount in order to address OHS matters within DEL jurisdiction. The purpose of the said analysis is to influence and manage both internal and external stakeholders on OHS legislative compliance in order to that OHS as a fundamental right is entrenched in the preventive programmes that are being implemented in work-places. . Stakeholder identification and analysis, as depicted in Figure 13, is pivotal to the performance of any organization, hence IES has identified and analysed its stakeholders. When devising strategies per stakeholder, it is of utmost importance to focus on the stakeholders that have high power and high interest whilst managing relationships with all other stakeholders as depicted in the quadrants where they are located.

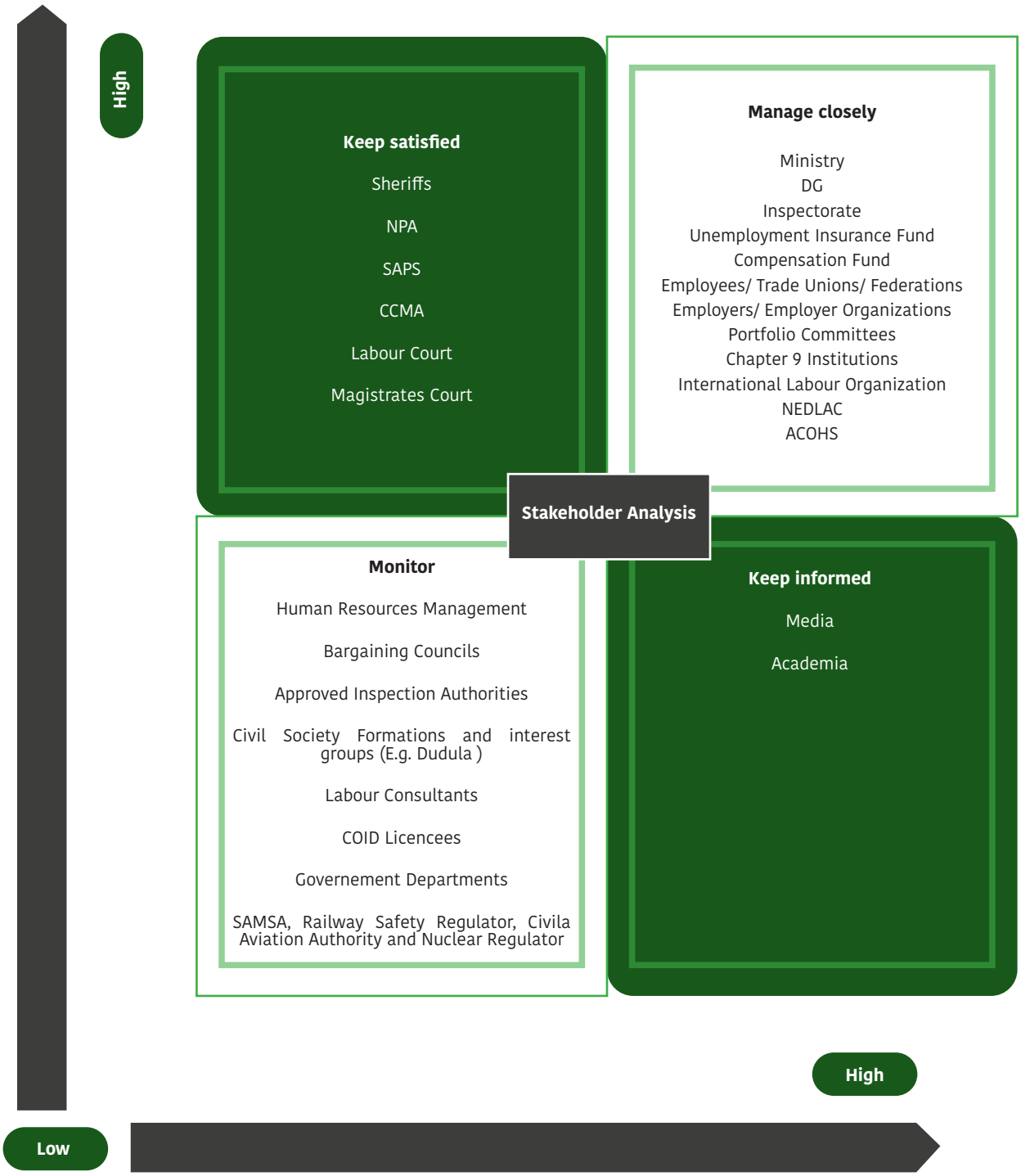


FIGURE 13: Stakeholder Analysis

Table 1 below outlines how each stakeholder as indicated in figure 12 will be managed in order to ensure that the objectives as indicated in this strategy are achieved.

Stakeholder	Area of interest/ influence	Level interest/ influence	Aspect of consulta-tion	Engage-ment approach	Engage-ment tools	Frequency	Responsi-ble person

Table 1: Stakeholder Management plan

6. Strategy Communication

The OHS strategy will be communicated to all critical stakeholders.

Audience	Deliverable	Timeline	Delivery method	Owner
Internal DEL Offi-cials	Buy in and aware-ness raising	August 2023-de-cember 2023	Advocacy sessions, Webinars, website, publications and Videos on social media. Blog posts Email Awareness cam-paigns	Chief inspector. Senior specialists
External Stake-holders	awareness raising	December 2023 – March 2024	Advocacy sessions, Webinars, website, publications and Videos on social media. Blog posts Email Awareness cam-paigns	Chief inspector. Senior specialists

Table 2: Strategy Communication

7. Strategy financing

The strategy will be financed through Medium Term Expenditure Framework and will further require collaboration with licences that administer compensation for the construction sector and the iron and steel sector

8. Risks strategy execution

Execution is a critical part of a successful strategy. The following risks can impact the execution of the strategy:

- Leadership and governance
- Performance culture
- Performance Analysis and reporting
- Operationalizing the strategy

The following risks have been identified:

Strategic Risks		
People	**Process**	**Technology**
• Leadership and governance • Performance culture • Partnerships • Insufficient labour market research conducted in OHS • Outdated SOP • Slow legal process to prosecute • Partnership still lag and deliver relatively little	• Very sketchy performance information • Advocacy very limited and no formal programmes	• Slow progress in the finalization of the ICT system

Figure 14: Strategic Risks

Operational Risks		
People	**Process**	**Technology**
• Number of Inspectors vs number of employers/companies	• Outdated SOP • No process flow	• Insufficient Systems • System down time • Delaying in system development • lack of system generated reports

Figure 15: Operational Risks

Compliance and regulatory Risks		
People	**Process**	**Technology**
• Non-compliance with labour legislation by employers • Non-compliance by inspectors with SOP	• Slow legal process to prosecute • Justice system allows for an admission of guilt fine which is not really a punitive outcome	• Case managemment system

Figure 16: Compliance and Regulatory Risks

9. Strategy implementation, monitoring and evaluation

The development of the National 5 year strategy was developed in consultation with stakeholders within the field of OHS. It covers all key issues and requirements under Occupational Health and Safety legislation as well as the ILO and the global community. Implementation of the strategic plan under each of the five (5) strategic result areas is a considerably significant process and therefore, requires access to both human and financial resources, a synergy between the various teams and effective collaboration among the relevant parties and role players.

The implementation plan is a living document, which provides more details for the first years, whereas actions in the later years will be regularly reviewed given the progress made.

9.1 Monitoring and Evaluation Plan

Monitoring and evaluation of each project or activity under the strategy shall be conducted every 6 months in each financial year as this will form part of the reporting. Results from the implementation of the strategy shall be presented to the Inspector General and ACOHS twice a year.

9.2 Institutional set-up and monitoring

The main institutions involved in monitoring and reporting of this strategic framework and its action plan (to be developed) are the following:

- Department of Employment and Labour (DEL: IES);
- Advisory Council on Safety and Health (ACOHS).

10. List of sources

1. Committee on Employment and Social Policy. November 2006. Strategies and practice for labour inspection. International Labour Office GB.297/ESP/3 297th Session.
2. Statistics South Africa. 28 February 2023. Quarterly Labour Force Survey, Q4 2022.
3. The Presidency: National Planning Commission. National Development Plan, 2030.
4. The Constitution of the Republic of South Africa, Act 108 of 1996
5. Occupational Health and Safety Act, Act 85 of 1993
6. C155: Occupational Safety and Health
7. C 187: Promotional Framework for Occupational Safety and Health

Notes



employment & labour

Department:
Employment and Labour
REPUBLIC OF SOUTH AFRICA