

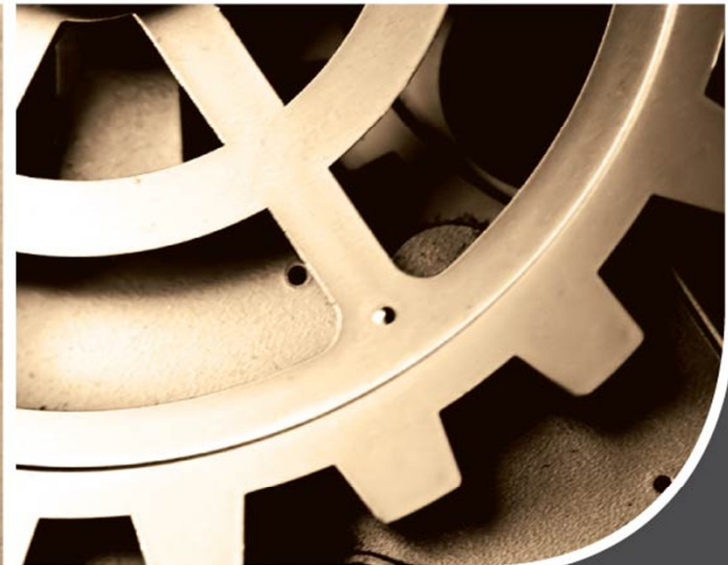
# DEPARTMENT OF LABOUR

Ergonomics workshop

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**labour**

Department:  
Labour  
REPUBLIC OF SOUTH AFRICA

# Layout

- IES and OHS
- Current Legislation pertaining to Ergonomics
- New Ergonomics regulations
- Current obligation to comply
- Benefits
- Way forward

# IES

- Aim for the regulation of the labour market, reduction of unemployment, poverty and inequality through a set of policies and programs developed in **consultation with our social partners**

# OHS Programme

- Regulation of the labour market through a set of policies and programs developed in consultation with our social partners.
- These policies and programs are aimed at enhancing occupational health and safety awareness to improve compliance in the workplace that will ensure a safe and healthy worker and working environment

# IES Programme Overview

- These policies and programs are aimed at: Improving economic efficiency and productivity, employment creation, sound labour relations, eliminating inequality and discrimination in the workplace, alleviating poverty in employment, **enhancing occupational health and safety awareness** and improve compliance in the workplace, as well nurturing the culture of acceptance that “worker’s rights are human rights”.

# OCCUPATIONAL HEALTH AND SAFETY ACT 85 OF 1993

- 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; the protection of person other than persons at work against hazards to health and safety arising out of or in connection with the activities of persons at work; to establish an advisory council for occupational health and safety and to provide for matters connected therewith.

# Occupational Health and Safety Act

- The Occupational Health and Safety Act (OHSA) 1993 sets out a legal framework for workplace H&S.
- Specific sections of the Act Apply to the development of policies and procedures.
- And employers' general duty of care, which states that:  
"... provide and maintain so far as is practicable for employees a working environment that is safe and without risks to health"

# Ergonomics Risk Factor



# Ergonomics

- Ergonomics within our work environment is characterized by a large number of work-related injuries and diseases like for instance musculoskeletal disorders, injuries related to lifting of loads



# Ergonomics

- Risks comes from :
  - Design
  - Safety of Machinery
  - Physical environment
  - Physical workload
  - Mental workload
- Therefore there was a need to legislate ergonomics risk factors



## **Current Legislation pertaining to Ergonomics**

# Legislation pertaining to Ergonomics

- The Occupational Health and Safety Act 85 of 1993 places the common law duty of reasonable care on the employer

## ✓ Section 8

- General duties of employers to their employees;
- Where is the starting point?
- Section 8(2)(d) – starting point of a H & S Management System:  
(Establish hazards & control measures (risk assessment) to any performed work.



## .....Legislation pertaining to Ergonomics

Section 8(2): specific provisions ....

✓ Section 8(2)(f): implementation of effective control measures.

- ***Identified control measures for ergonomics risk factors***

# .....Legislation pertaining to Ergonomics

## Similarly, Section 14 requires employees to:

- ✓ Take reasonable care of their own H&S and of others who may be affected by their acts or omissions;
- ✓ Co-operate with the employer to enable him/her to comply with the Act;
- ✓ Carry out any lawful order, and obey the H&S rules;
- ✓ Report any unsafe situation to the employer or to the H&S rep;
- ✓ Employees need to be trained and informed about their legal obligations in terms of the Act.

# .....Legislation pertaining to Ergonomics

Occupational Health and Safety Act 85 of 1993

## Section 10

✓ General duties of manufacturers and others regarding articles and substances for use at work (ergonomics)

## ➤ Facilities Regulations 2004

✓ Regulation 8 – Seats that consider ergonomic requirements

## .....Legislation pertaining to Ergonomics

### Construction Regulations 2014:

**Regulation 9:** Hazard Identification and Risk assessment for construction work:

**9(2)** A constructor *must ensure that as far as is reasonably practicable ergonomic related hazards are analyzed, evaluated and addressed in a risk assessment process.*

## .....Legislation pertaining to Ergonomics

COIDA (Compensation of Occupational Injuries and Diseases Act):

### **Circular Instruction 180:**

Regarding the compensation of work related upper limb disorders;

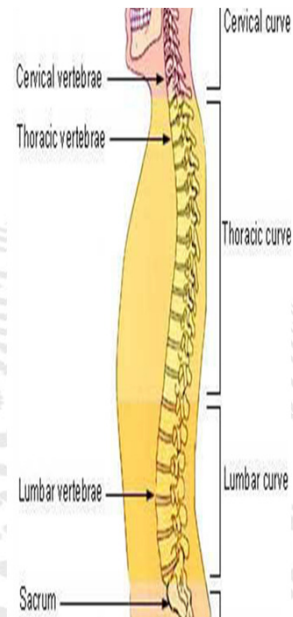
### **Guidelines for Occupational Health Practitioners:**

Compensation Commissioner's Guidelines for health practitioners and employers on how to manage work related upper limb disorders.

# Need Specific Ergonomics regulation

- There is no clear regulation that deals with the prevention of injuries and diseases caused by exposure to Ergonomic stressors.
- IES decided to develop Ergonomics regulations

# Developed Ergonomics regulations



## **Draft regulations**

**Requested TC  
2012/2013**

**TC Established 2013**

**Regulation  
Developed  
2013/2014**

**Draft  
Regulations  
March 2015**

**January 2016 ACOHS**

**Approval to develop guidelines**

**Approval by Organised Labour Public commend**

**Awaiting Approval Organised Business (February 2016)**

# Draft Ergonomics Regulations

## 1. Current Status:

- Draft regulations were finalised by the TC and submitted to the office of the Chief Inspector for ACOHS discussion
- Approval to develop guidelines granted
- Approval by Organised Labour Public commend
- Awaiting Approval Organised Business Public commend (February 2016)

# Draft Ergonomics Regulations

## **2) Way Forward:**

- Language editing
- State law advisors
- Public comment
- Incorporation of public comments by the TC
- ACOHS

# Draft Ergonomics Regulations

## 3) Focus of regulations:

- The draft regulations have considered a **program approach** which will encompass both **physical and cognitive ergonomics** as per the companies identified needs (To ensure that the regulations are not tailored made for specific sectors but cover all sectors of economic activity)

# Draft Ergonomics Regulations

## 4) Implementation:

- In preparation for implementation 15 OHH officials (9 from provinces and 6 from HQ) are undergoing a 6 module course on ergonomics at Rhodes University (NQF level 7). On completion of the course the officials will have to submit a portfolio of evidence to the Ergonomics Society of South Africa to register as Certified Ergonomics Associates and work at a professional level.
- Second group of 15 inspectors scheduled to start training April 2016. Rhodes has 15 slots available for OHH professionals to attend with inspectors. Interested can contact Rhodes

# Draft Ergonomics Regulations.....

## **5) Implementation:**

- Advocacy sessions /Road shows will be conducted for industry prior to implementation of the regulation.
- Time frame for compliance

# Duty to comply.

- Without the new ergonomics regulations
- Employers still have a duty to comply with
  - Section 8
  - Section 10
  - Facilities regulations
  - Construction regulations

# To do currently ?

Much like overall occupational health and safety programs, effective ergonomic programs use a systems approach involving the following:

- **Management Commitment and Employee Involvement**  
Successful and Effective ergonomic programs have involvement of everyone moving in the same direction focused on achieving common set of goals.
- Total support of management essentially for allocation of adequate resources and time for resolving identified issues.
- Employees perform properly assigned job tasks and are often best to contribute in the solution of problems.

## ..... To do currently ?

- Establish an **ergonomic team** **comprised** of **management** and **employees** to devote time to ergonomic issues.
- Conduct assessments of assigned job tasks to **identify** hazards and risky factors.
- **Identify jobs** that **show onset of early signs** of, or are actually causing MSDs.
  - Pursue purchases of equipment,
  - Design of work stations,
  - **Modification of work practices,**

## .....What can the employer do?

- Provide training on ergonomics for affected employees and management on identification and recognition of the primary ergonomic risk factors of force, repetition, and posture.
- Educate personnel on the early symptoms of WMSDs and the proper procedures for reporting and/or recording them. Encourage early reporting of symptoms.

## .....What can the employer do?

Much like overall occupational health and safety programs, effective ergonomic programs use a systems approach involving the following:

### Medical Management

- Implement a medical surveillance and management program.
- Refer all employees with suspected workplace WMSDs to Occupational Medical Practitioner for appropriate early diagnosis and treatment.

# CONCLUSION

Benefits in including ergonomics in the overall improving health and safety programs can help to realize a wide range of benefits:

- ✓ Fewer injuries and illnesses.
- ✓ Reduced costs for workers' compensation claims.
- ✓ Reduced disruption of operations.
- ✓ Higher return-to-work rates following injury or illness.
- ✓ Improved work practices, leading to increased efficiency, productivity and competitiveness.
- ✓ Improved job satisfaction, morale, and employee retention.
- ✓ Reduced absenteeism.
- ✓ **Better collaboration** amongst professionals.

# Benefits

Working as a collective, we can achieve more and this requires:

- ✓ Government
- ✓ Business
- ✓ Trade Unions
- ✓ Professionals



**Thank You**