

CHIEF DIRECTORATE: OCCUPATIONAL  
HEALTH & SAFETY  
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HEALTH & HYGIENE

***Draft Ergonomics Regulations***

***Presenter: Bulelwa Huna***



labour

Department:  
Labour  
REPUBLIC OF SOUTH AFRICA



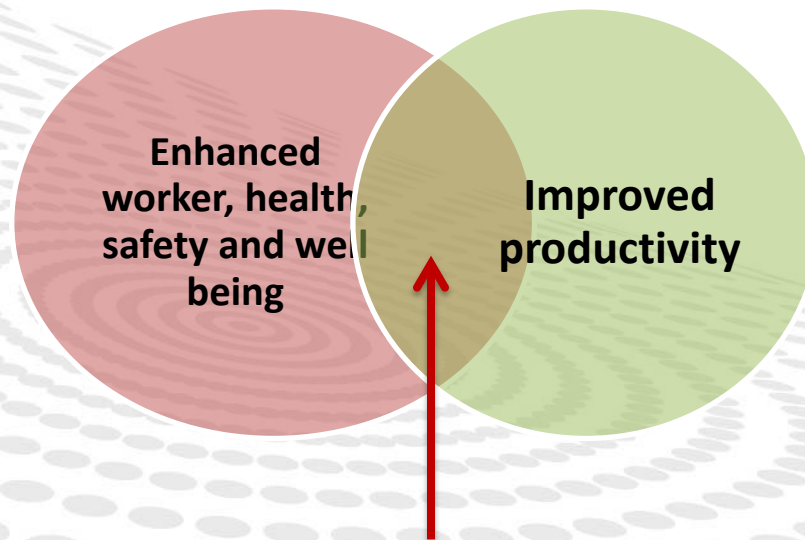
# Layout

## ➤ Draft Ergonomics Regulations

- ✓ Definitions
- ✓ Scope of application
- ✓ Information and training
- ✓ Duties of the exposed
- ✓ Duties of designers, manufacturers and suppliers
- ✓ Ergonomic Risk Assessment
- ✓ Risk Control
- ✓ Medical Surveillance
- ✓ Maintenance of controls
- ✓ Records
- ✓ Ergonomics' Health and Safety Technical Committee
- ✓ Offences and penalties

# Definitions (1)

- Ergonomics – scientific discipline concerned with:
  - ✓ the fundamental understanding of interactions among humans and other elements of a system, and the
  - ✓ profession that applies theory, principles, data and methods to design in order to optimise human well-being and overall system performance.



**Occupational Ergonomics**

# Definitions (2)

**Human  
Capabilities**

**Task/System  
Demands**



**MATCH**

Safety

Efficiency

↑ **Productivity &  
Worker well-being**

Comfort

Reliability

**MISMATCH**

Fatigue

Injuries

↓ **Productivity &  
Worker well-being**

Errors

Accidents



## Definitions (2)

- Competent Person in relation to ergonomics means a person who –
  - (a) has in respect of the work or task to be performed the required knowledge, training and experience in the field of ergonomics and
  - (b) is familiar with the Act and the applicable regulations made under the Act.

# Scope of application

- Programme approach to manage both physical and cognitive ergonomics in the workplace.
- Regulations shall apply to:
  - ✓ Employer or a self-employed person who carries out work at a workplace which may expose any person to physical or cognitive ergonomic risk factors in that workplace; and
  - ✓ A person, who designs, manufactures, erects, installs or supplies machinery, equipment or articles for use at work.

# Information and training

- Training programme to incorporate: –
  - ✓ Similar to other occupational hygiene regulations, specific focus on ergonomics

# **Duties of those who may be at risk of exposure to ergonomic risk factors**

- Obey any lawful instruction regarding-
  - ✓ the use of measures adopted to control ergonomic risk factors;
  - ✓ co-operation with the employer in his or her task of determining the employee's exposure to ergonomic risk factors;
  - ✓ the early reporting of potential discomfort or related symptoms to the health and safety representative or the employer;
  - ✓ the immediate reporting and procedure for reporting defects in plant or equipment that could lead to musculoskeletal injuries and disorders to the health and safety representative or employer;
  - ✓ the reporting for medical surveillance
  - ✓ information and training received



# Duties of designers, manufacturers and suppliers

- Designers, manufacturers and suppliers of machinery, equipment or articles for use at work must:
  - ✓ Eliminate ergonomic risk factors at the design stage or, where this is not reasonable practicable, minimise ergonomic risk factors that workers may be exposed during performance of their tasks;
  - ✓ Provide information about the ergonomic risk factors for consideration during manufacturing.
  - ✓ Provide information to the manufacturer (or supplier if the designer is also manufacturing the product) for potential users on residual ergonomic risk factors and the conditions required for safe use.
  - ✓ Communicate maintenance requirements needed to ensure safe use and operation.

# Ergonomic Risk Assessment (1)

- An employer shall,
  - ✓ before the commencement of any work which may expose employees to ergonomics risk factors, have an ergonomics risk assessment performed by a competent person in consultation with the relevant health and safety representative or relevant health and safety committee; and
  - ✓ the results of the ergonomic risk assessment shall be recorded and records kept as prescribed
- Risk assessment to include:
  - ✓ the identification of ergonomic hazards and ergonomic risk factors to which persons may be exposed to;
  - ✓ an analysis and evaluation of the ergonomic risk factors and hazards identified based on a documented method;

## Ergonomic Risk Assessment (2)

➤ *Risk assessment to include:*

- ✓ a documented plan and applicable safe work procedure to mitigate, reduce or control the ergonomic risk factors and hazards that have been identified;
- ✓ monitoring work plan; and
- ✓ a review plan

➤ All employees are to be informed, instructed and trained by a competent person regarding any hazard and related work procedures and or control measures before any work commences, and thereafter at the times determined in the risk assessment monitoring and review plan

# Ergonomic Risk Assessment (3)

- Ergonomic risk assessment to be reviewed if-
  - ✓ there is reason to believe that such assessment is no longer valid;
  - ✓ control measures are no longer efficient;
  - ✓ technological or scientific advances allow for more efficient control methods;
  - ✓ where changes are effected to the manner in which the work is done resulting in a change in the ergonomic risk factor profile; or
  - ✓ when an incident occurred.

# Risk control

- An employer or self-employed person shall ensure that the exposure of a person to ergonomics risk factors is either prevented or, where this is not reasonably practicable, adequately controlled.
- Employer or self-employed person shall, as far as is reasonable practicable, remove or reduce exposure to ergonomics risk factors by implementing control measures in the following order of priority:
  - ✓ Engineering control measures to eliminate or reduce risk factors;
  - ✓ Administrative control measures to limit the number of persons exposed and the duration of the exposure



# Medical Surveillance (1)

- An employer shall ensure that an employee is under medical surveillance if-
  - a) the results of the assessment indicate that an employee has been exposed to high ergonomics risk factors.
  - b) the exposure of employees to ergonomic risk factors is such that;
    - i. an identifiable disease or adverse health effect may be related to the exposure;
    - ii. there is a reasonable likelihood that the disease or health effect may occur under the particular conditions at the workplace and there are techniques to diagnose indications of the disease or health effect as far as reasonable practicable; or
    - iii. an occupational medicine practitioner recommends that relevant employees should be under medical surveillance, in which case the employer may call upon an occupational medicine practitioner to ratify the appropriateness of such recommendation.

## Medical Surveillance (2)

- An employer shall ensure that the medical surveillance consists of—
  - ✓ an initial health evaluation, in the case of new employees, before the employee commences employment or within 14 days after a person commences employment in a high risk job, or in the case of all other employees in the employment of the employer, within 24 months of date of promulgation of this regulation.
  - ✓ Period examination
  - ✓ Exit musculoskeletal examination
- All incidents in relation to work related musculoskeletal disorders shall be investigated and recorded as prescribed in GAR 8.
- An occupational health practitioner shall submit to the health and safety committee and employer a written protocol for procedures to be followed when dealing with abnormal results.
- An inspector may instruct an employer to conduct the periodic evaluations over a shorter period.

# Maintenance of controls

- Every employer or self-employed person shall ensure that anything that he or she provides for the benefit of employees in compliance with his or her duties under these regulations:
  - ✓ Fully and properly used; and
  - ✓ Maintained in an efficient state and in good working order.

# Records

- Requirements are similar to other occupational hygiene regulations

# Ergonomics' Health and Safety Technical Committee

- The chief inspector must establish an ergonomics' health and safety technical committee which must consist of-
  - a) a person who is to be the chairperson;
  - b) two persons designated by the chief inspector from the employees of the Department of Labour;
  - c) three persons designated by employer's organisations to represent employers who has a competency in ergonomics;
  - d) three persons designated by employees' organisations' representing the federation of unions who has a competency in ergonomics;
  - e) one person representing a professional body;
  - f) persons who are competent in respect of the matters to be dealt with by the ergonomics health and safety technical committee who have been co-opted by the committee with the authorisation of the chief inspector.
  - g) one person representing an educational institution; and
  - h) one person representing occupational medicine.



# Offensives and Penalties

- Any person who contravenes or fails to comply with any provision of sub-regulations 3, 4, 5, 6, 7, 8, 9 and 10 is guilty of an offense and liable upon conviction to a fine or to imprisonment for a maximum of 12 months and, in the case of a continuous offense, not exceeding an additional fine of R200 or additional imprisonment of one day on which the offense continues: Provided that the period of such additional imprisonment will not exceed 90 days.

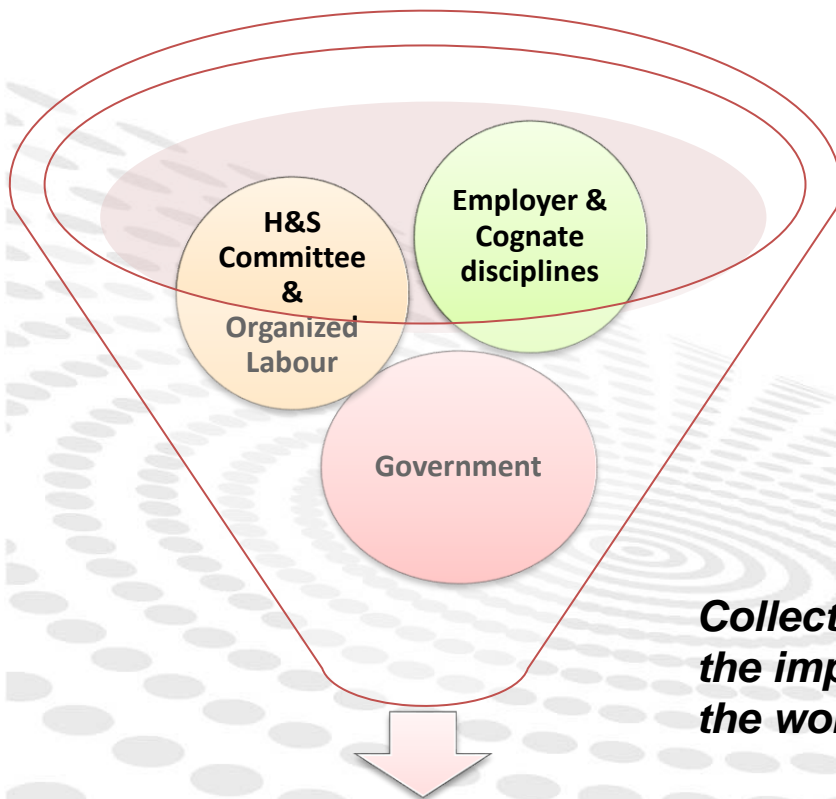


## Way forward

- Public comment phase – 3 months
- Comments to be submitted as indicated:
  - Bulelwa Huna
  - Clement Lekgetho
  - Warren Mallon
- [http://www.gpwonline.co.za/Gazettes/Gazettes/40578\\_27-1\\_NationalRegulation.pdf](http://www.gpwonline.co.za/Gazettes/Gazettes/40578_27-1_NationalRegulation.pdf)
- TC to scrutinise comments and rework the draft regulations based on inputs received.
- Draft regulations to be resubmitted to ACOHS

# Take home message(1)

Essence of the draft regulation is co-operative co-responsibility



***Collective ownership & interactive collaboration in the implementation of initiatives & interventions in the workplace.***

**Improved worker well being & productivity**

# Take home message (2)

A map of South Africa is shown in a light orange color, outlined in white. The map is centered on a white background. Overlaid on the map is the text "Good Ergonomics is Good Economics" in a green, italicized font. The text is arranged in three lines: "Good Ergonomics", "is", and "Good Economics".

*“Good Ergonomics  
is  
Good Economics”*



**Thank  
You!!**