



Apply Health and Safety to a Work Area

Handout 2

H&S Reps Section 17 OHS Act

Health & Safety Representatives: Section 17

- Every employer who has more than 20 employees in his employment at any workplace, shall ...
designate in writing for a specified period health and safety representatives ...



Health and Safety Representatives (Appointment Criteria)

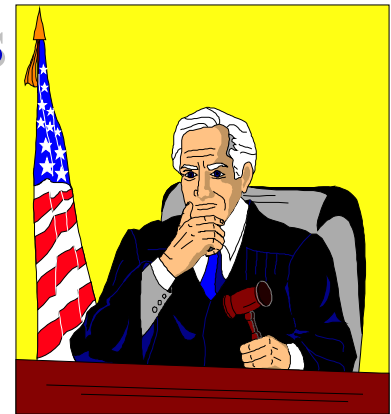
(2) An employer and the employee representatives or his employees shall consult in good faith regarding:

- **Arrangements/procedures for nomination or election**
- **Period of office, and**
- **Subsequent designation of health and safety representatives**



Health and Safety Representatives (Arbitration)

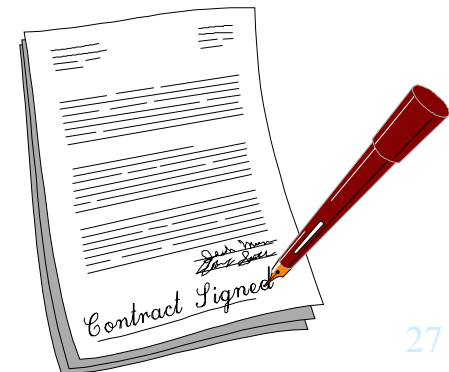
- (3) If such consultation fails,
- the matter shall be referred to arbitration
 - to a person mutually agreed upon, whose decision shall be final.
 - If the parties do not agree within 14 days on an arbitrator, the employer shall give written notice to the Labour Court ... whose decision shall be final.



Health and Safety Representatives (Designation)

(4) Only those employees

- employed in a full-time capacity at a specific workplace and
- who are acquainted with conditions and activities at that workplace ... shall be eligible for designation as health and safety representatives ...



APPOINTMENT: HEALTH AND SAFETY REPRESENTATIVE

Section 17 of the Occupational Health and Safety Act(Act 85 of 1993)

Attention of

**I,having been appointed under Section 16(2) of the OHS Act as
for hereby appoint you as a Health and Safety Representative.**

The following will be your duties and responsibilities:

- 1) To carry out monthly inspections of _____ (designated workplace)**
- 2) To serve on the _____ Health and Safety Committee**
- 3) Inspections are to carried out on the _____ (e.g. 1st Monday) of every month between the hours of _____ and _____.**
- 4) Other functions agreed upon are:**
 - i) _____**
 - ii) _____**
- 5) Meetings of the _____ Health and Safety Committee**
- 6) Will be held at (time) _____ on the _____ (e.g. Last Friday on every month)**

Position valid from Until

Area of responsibility

Person to report to

Signature of Manager

Date

Please confirm your acceptance of this appointment by completing the following:

ACCEPTANCE

I,

Understand the implications of this appointment as detailed above and confirm my acceptance.

.....

Signature

.....

Date

Health and Safety Representatives (Ratio of H/S Rep's to employees)

(5) The number of health and safety representatives for a workplace or section shall be:

- Shops and offices - At least one representative for every 100 employees or part thereof;
- All other workplaces - At least one representative for every 50 employees or part thereof



Health and Safety Representatives (H/S Reps required by Inspector)

(6) If, in the opinion of an inspector,

- the number of health and safety representatives is insufficient, including workplaces with fewer than 20 employees,
- the inspector may direct the employer in writing to designate as many health and safety representatives as he deems necessary.



Health and Safety Representatives (Duties during working hours)

(7) All activities in connection with the designation, functions, and training of health and safety representatives shall be performed during ordinary working hours, and any time reasonably spent by any employee in this regard shall be deemed time spent carrying out duties as an employee.

