

2nd NMMU CONFERENCE

Department of Labour

26 NOVEMBER 2012

CONSTRUCTION ACCORD IMPLEMENTATION

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Director: Construction; Major Hazard Installations
and Explosives

Presentation will cover ...

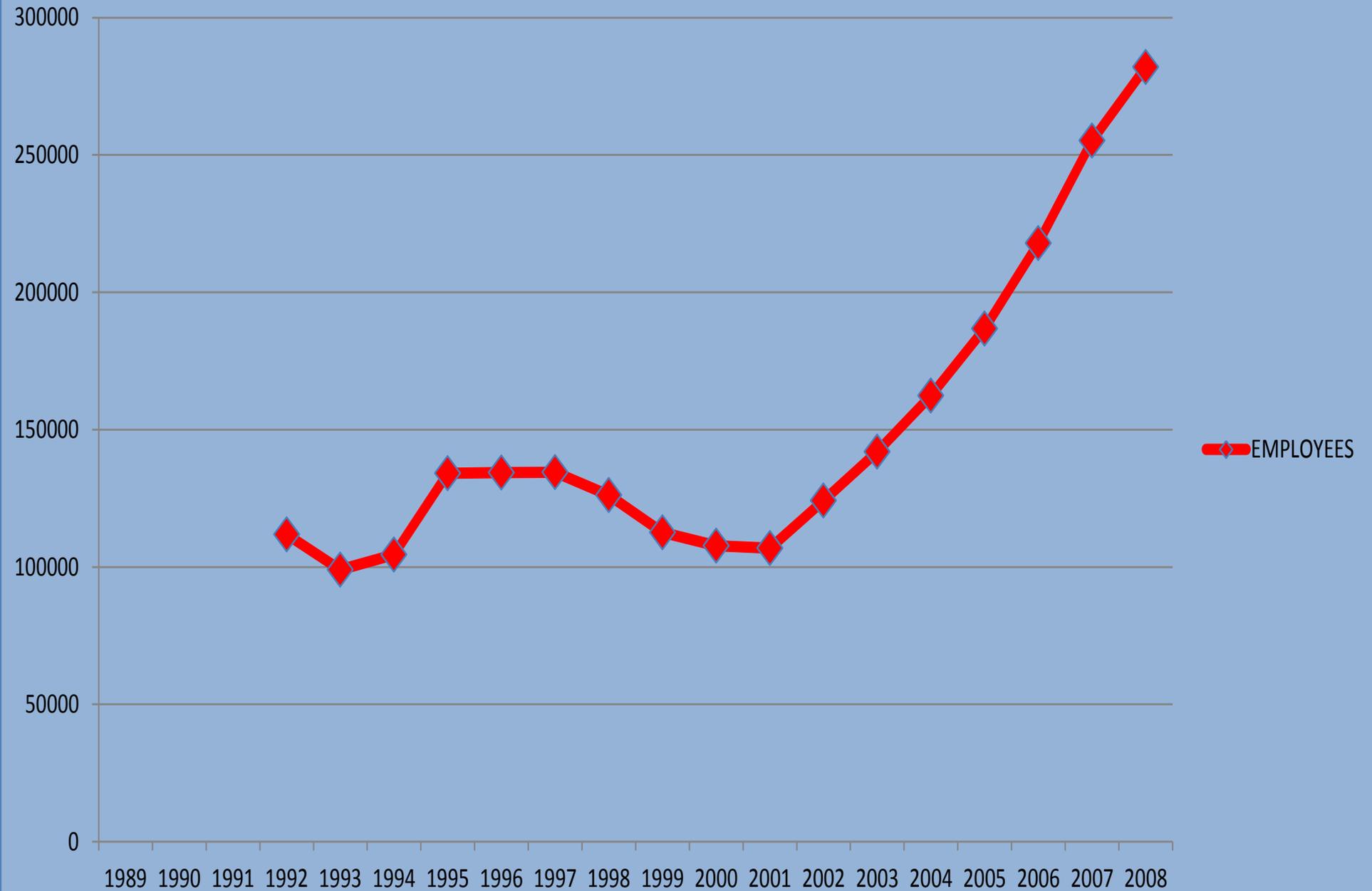
- Latest on incidents and inspections
- Action Plan: Construction
- Way Forward
- End

CF vs FEMA

- CF ± 20 – 25 000 companies registered
- FEM ± 3700 companies registered

... kindly note that these figures are not absolute ...

Number of Employees – FEM clients



FEM STATISTICS

- FEMA covers approximately a third of the construction industry of approximately 980 000 employees (according to FEM September 2012). FEM registered with the Compensation Fund to offer a service to the construction sector.
- The FEM statistics shows the following categories are critical to manage due to the high number of incidents involving them i.e. in the order presented:
 1. **Struck by**
 2. **Fall onto different levels**
 3. **Slip or over exertion**
 4. **Caught in/on/between**
 5. **Striking against**
 - **Motor vehicles** are by far the highest killers out of the 12 categories presented.

Compensation Claims 2010/2011

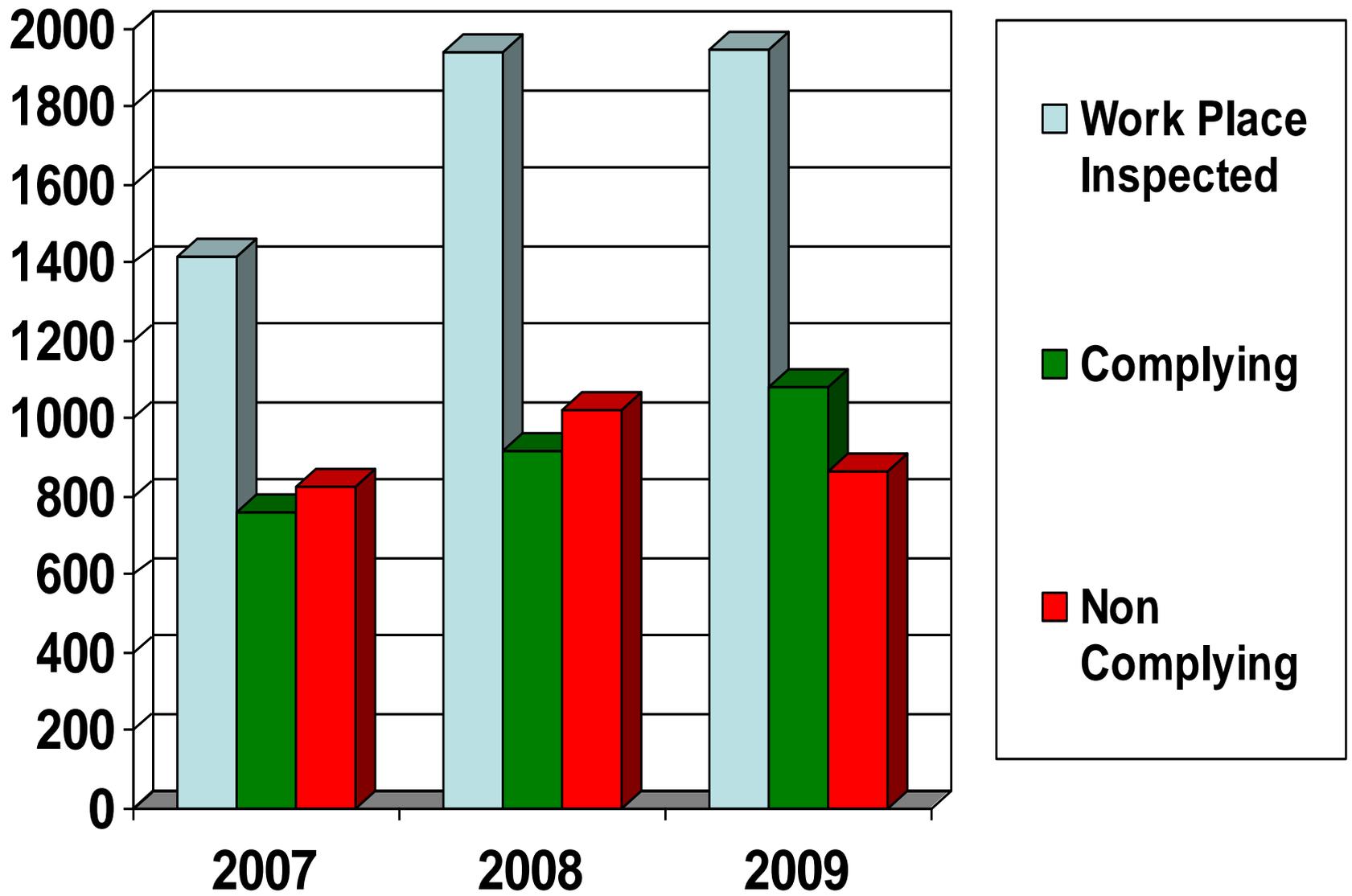
(...does not include medical claims)

CLAIM STATISTICS

Industry	No. of claims paid	Amount
<u>Air, Road Transport Hauliers</u>	49685	143,463,213.82
<u>Iron, Steel, Artificial Limbs, Galvanizing, Garages, Metals</u>	40140	129,526,882.23
<u>Trade, Commerce</u>	30268	78,327,880.10
<u>Building Construction</u>	24573	62,653,201.25
<u>Agriculture, Forestry</u>	24414	33,526,209.74

INCIDENTS INVESTIGATED DURING 1 April 2012 - 30 September 2012

Incident Category	Total incidents at <u>beginning</u> of Q	Total incidents at the <u>end</u> of September 2012
FATAL	248	434
NON FATAL	425	538
NON CASUALTY	77	65
TOTAL	750	1037



A CASE OF Déjà Vu

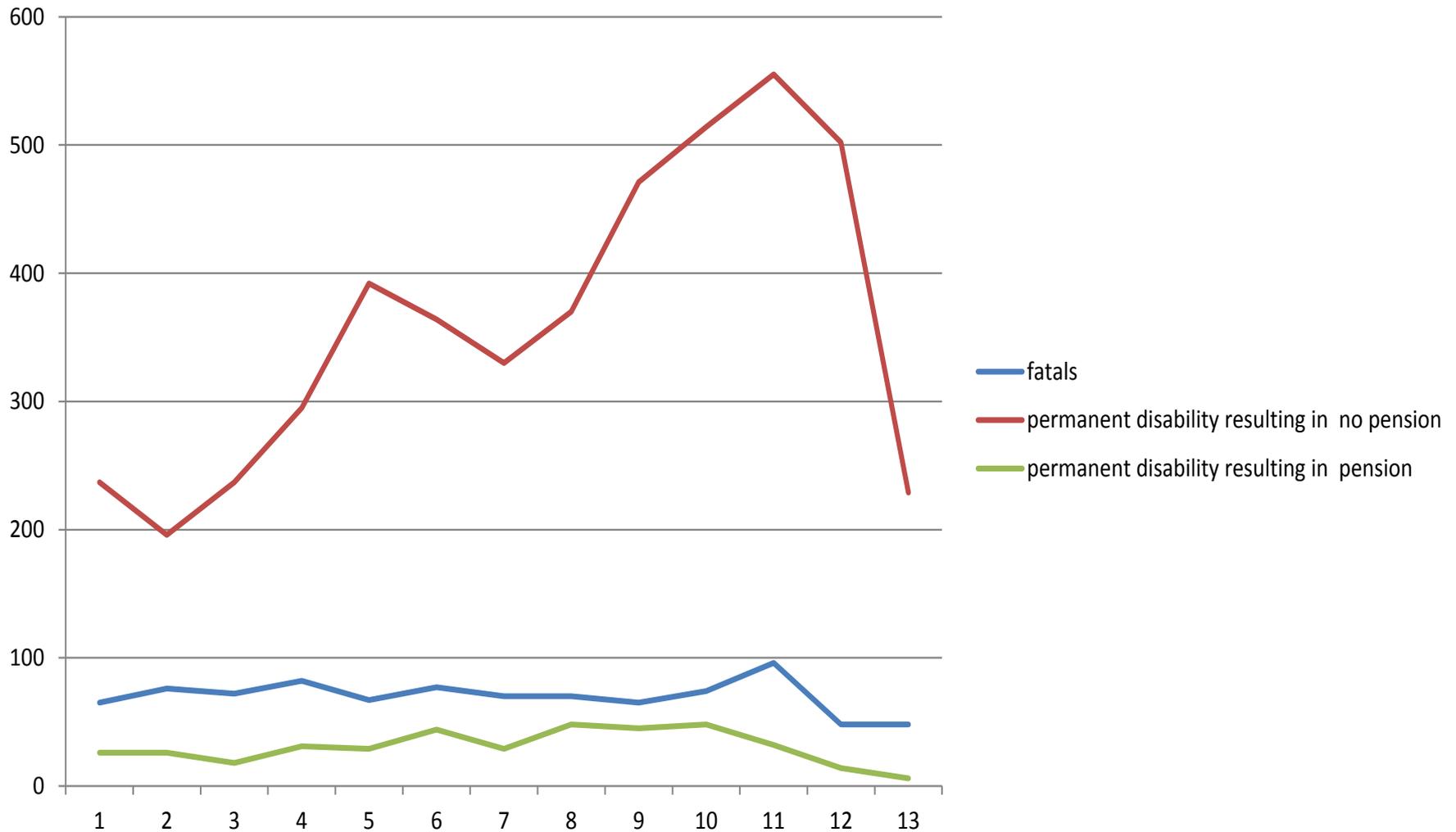
HAS ANYTHING REALLY CHANGED?

- During the period 1 April 2012 to 30 September 2012, there were **6008 inspections conducted** by inspectors with **only 2542 employers complying**

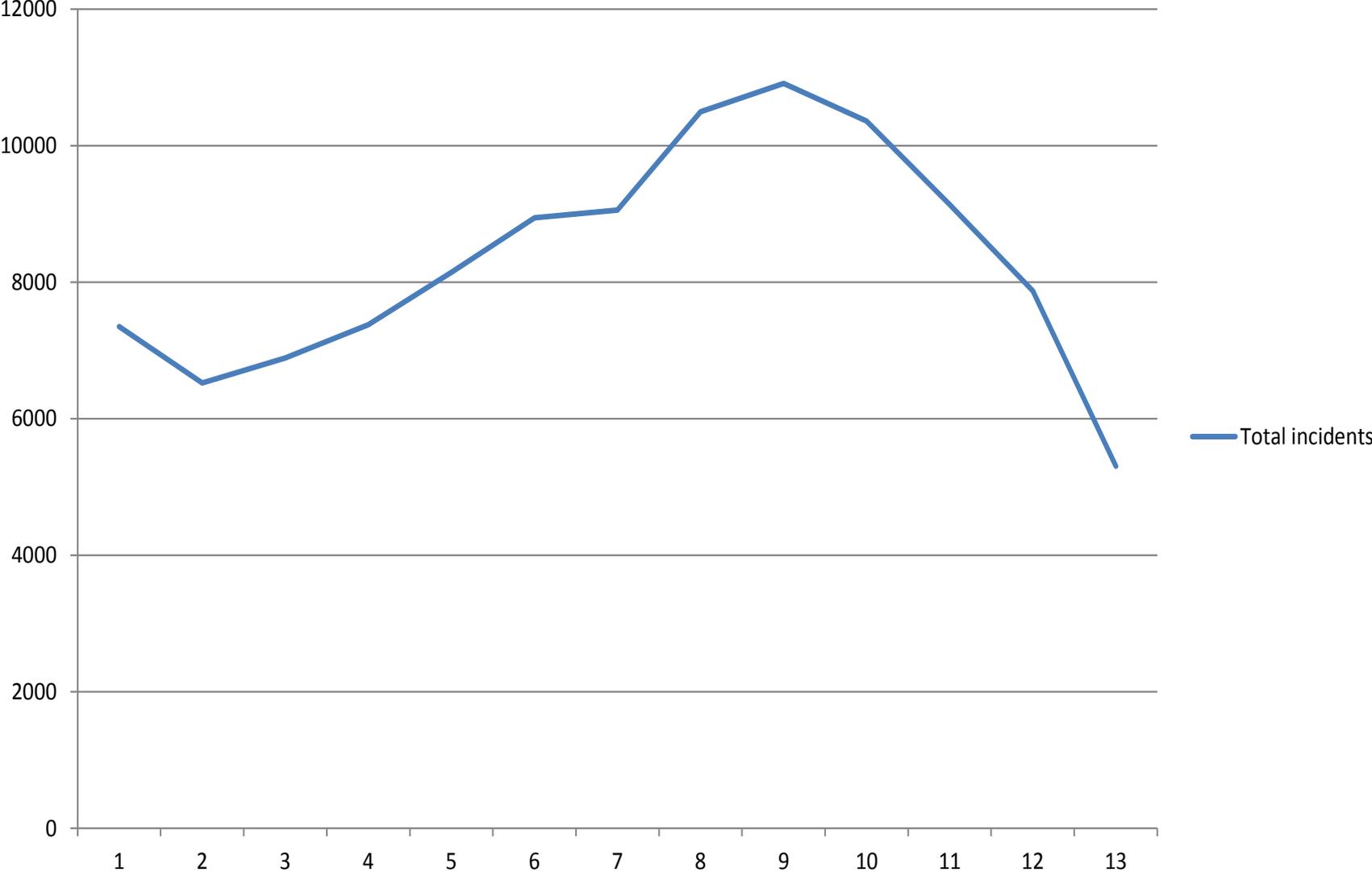
STATISTICS TAKEN FROM FEMA REPORTS

		1	2	3	4	5	6	
				permanent disability resulting in no pension	permanent disability resulting in pension			Average cost
YEAR	Total incidents	fatals			Lost days			
1	2000	7348	65	237	26	78183	7713	
2	2001	6524	76	196	26	67621	8696	
3	2002	6887	72	237	18	70818	7717	
4	2003	7375	82	295	31	86766	10902	
5	2004	8144	67	392	29	82652	10014	
6	2005	8941	77	364	44	89053	11636	
7	2006	9055	70	330	29	95677	12748	
8	2007	10496	70	370	48	104682	12040	
9	2008	10912	65	471	45	99233	12202	
10	2009	10361	74	514	48	95959	14298	
11	2010	9137	96	555	32	83415	19210	
12	2011	7873	48	502	14	55141	17687	
13	2012	5302	48	229	6	15597	18887	
		108355	910	4692	396	1024797	12596.15	

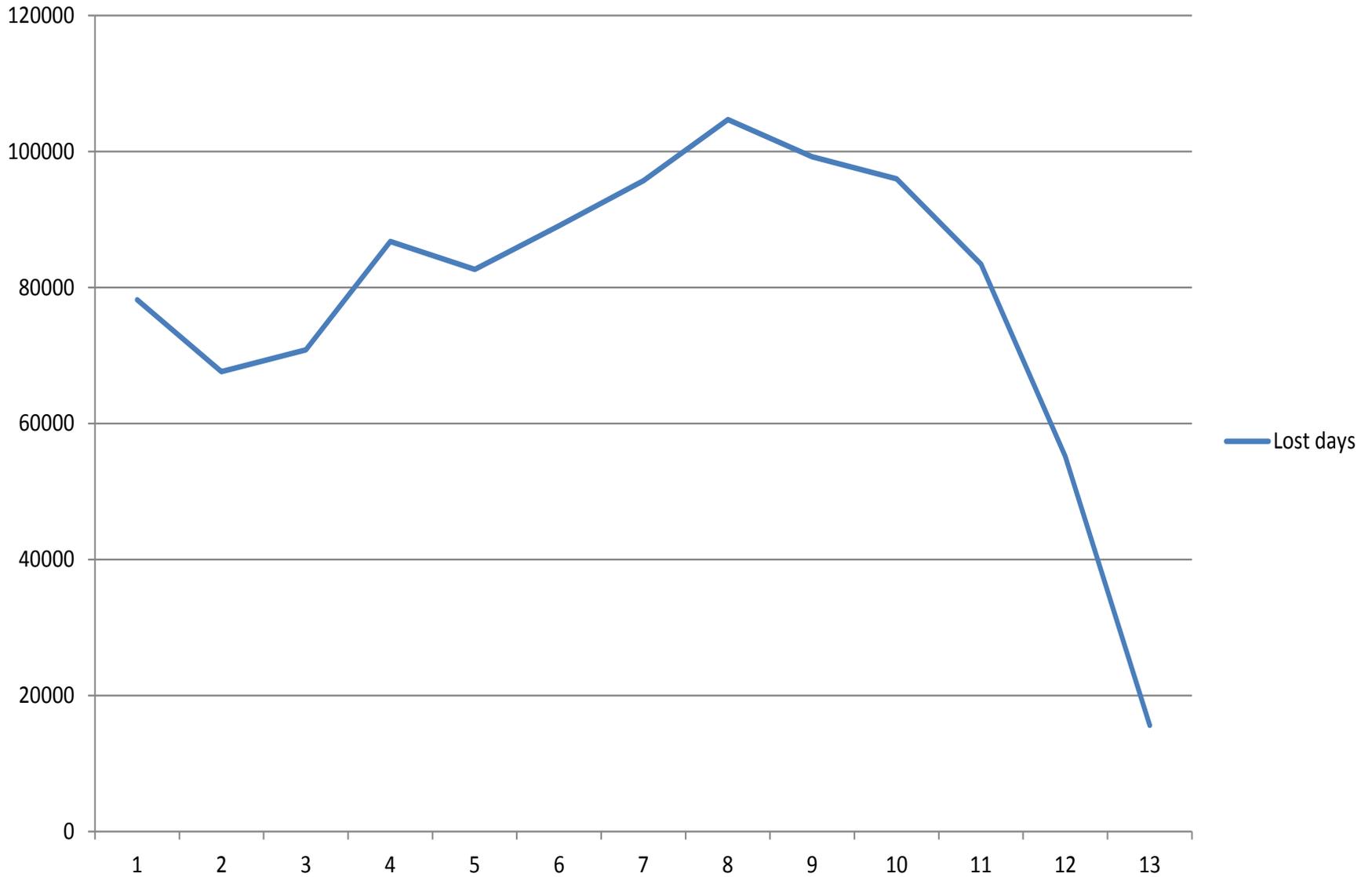
FATALS; PERMANENT DISABILITIES RESULTING IN (1) Pension; (2) no Pension



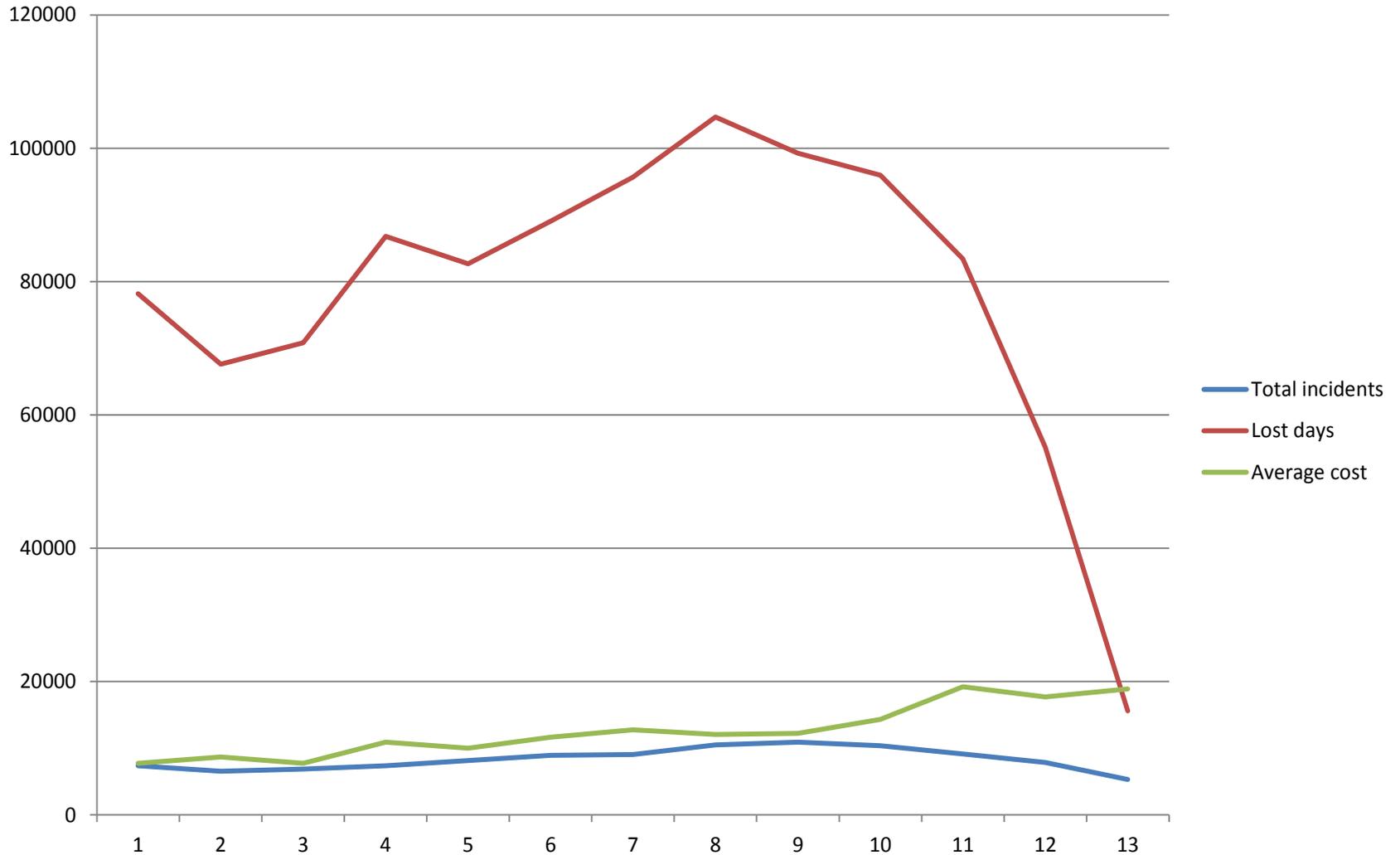
Total incidents



Lost days

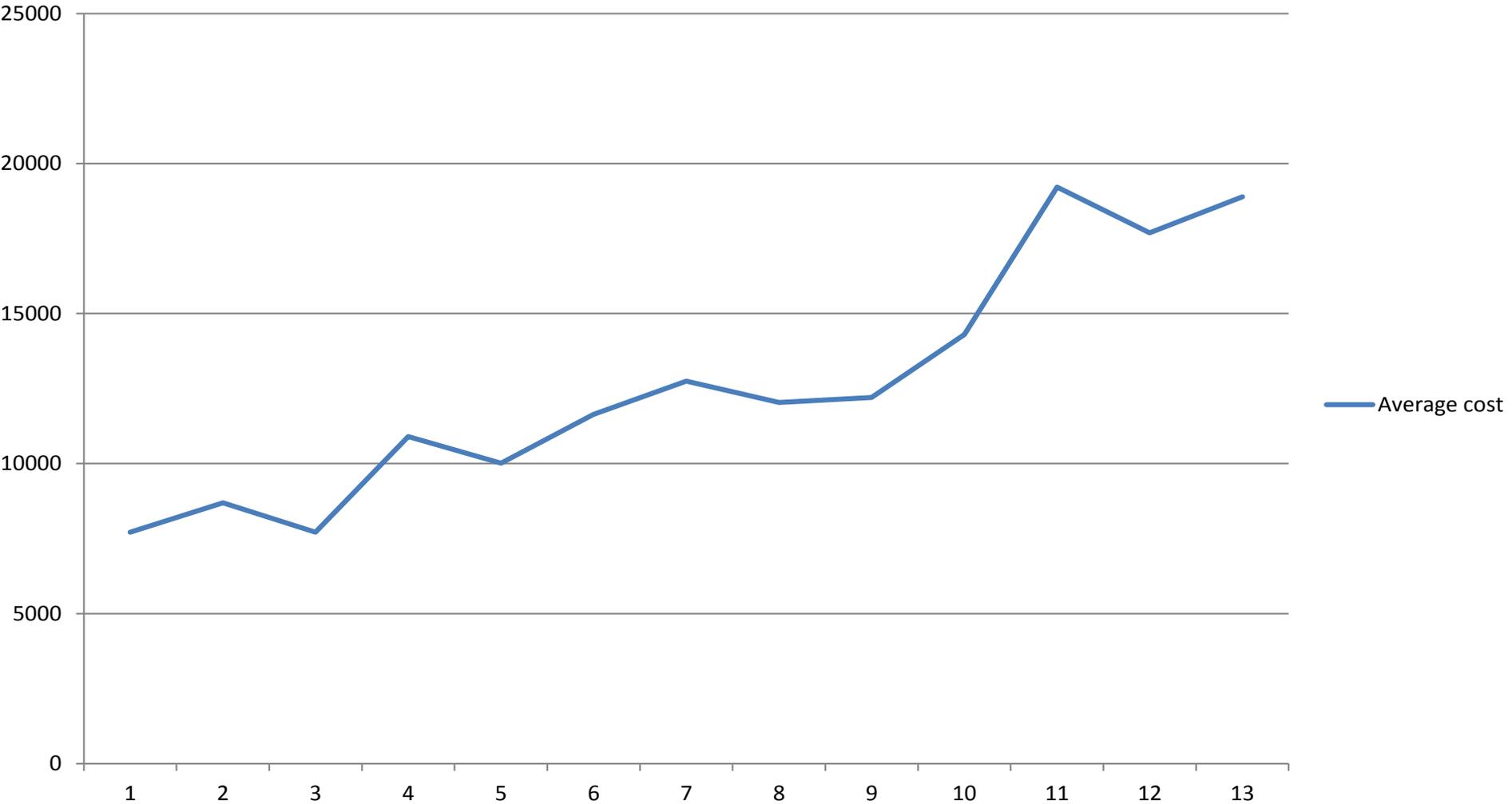


TOTAL INCIDENTS vs COST vs LOST DAYS



AVERAGE COST OF INCIDENTS OVER 13 YEARS

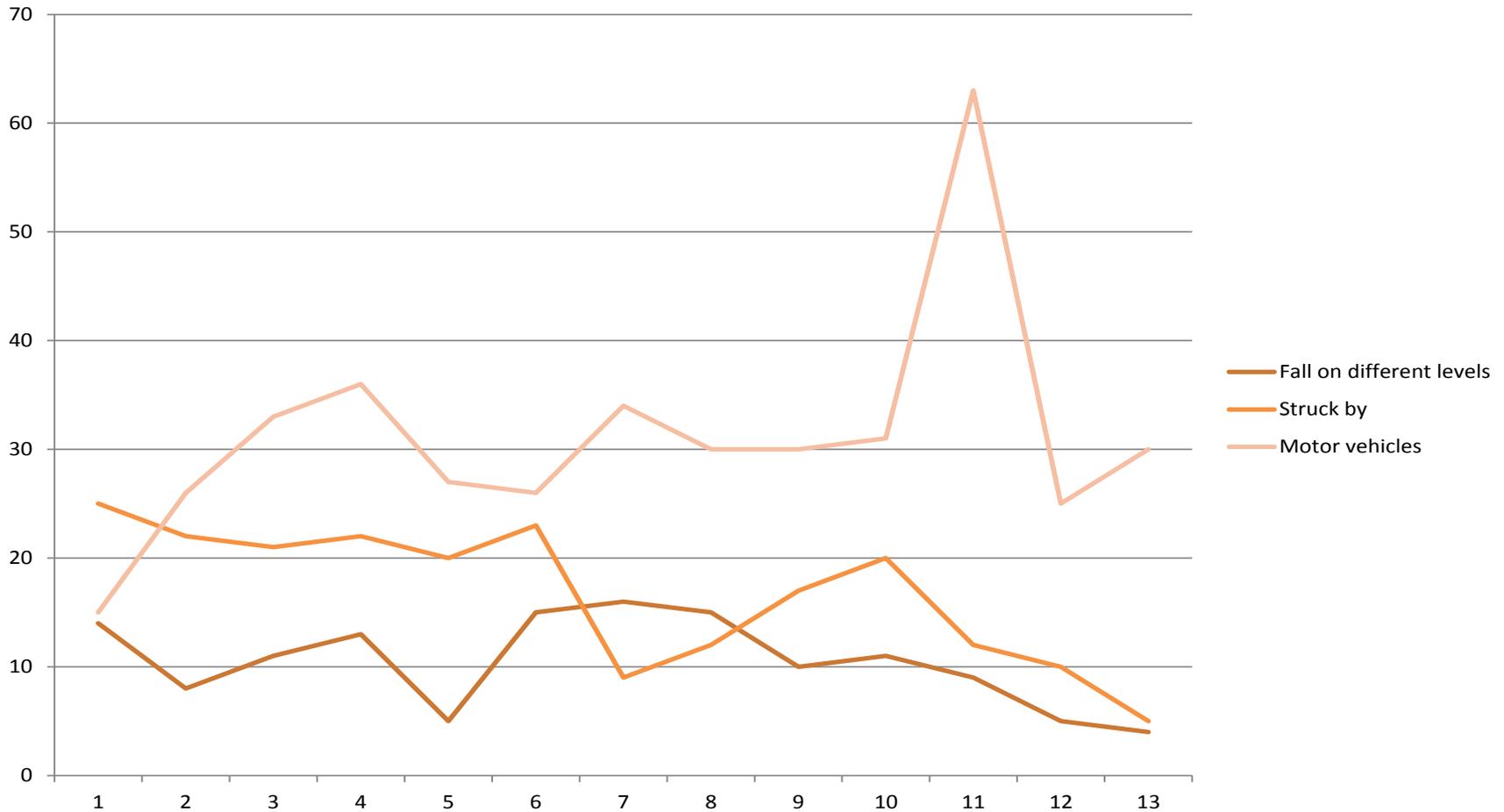
Average cost



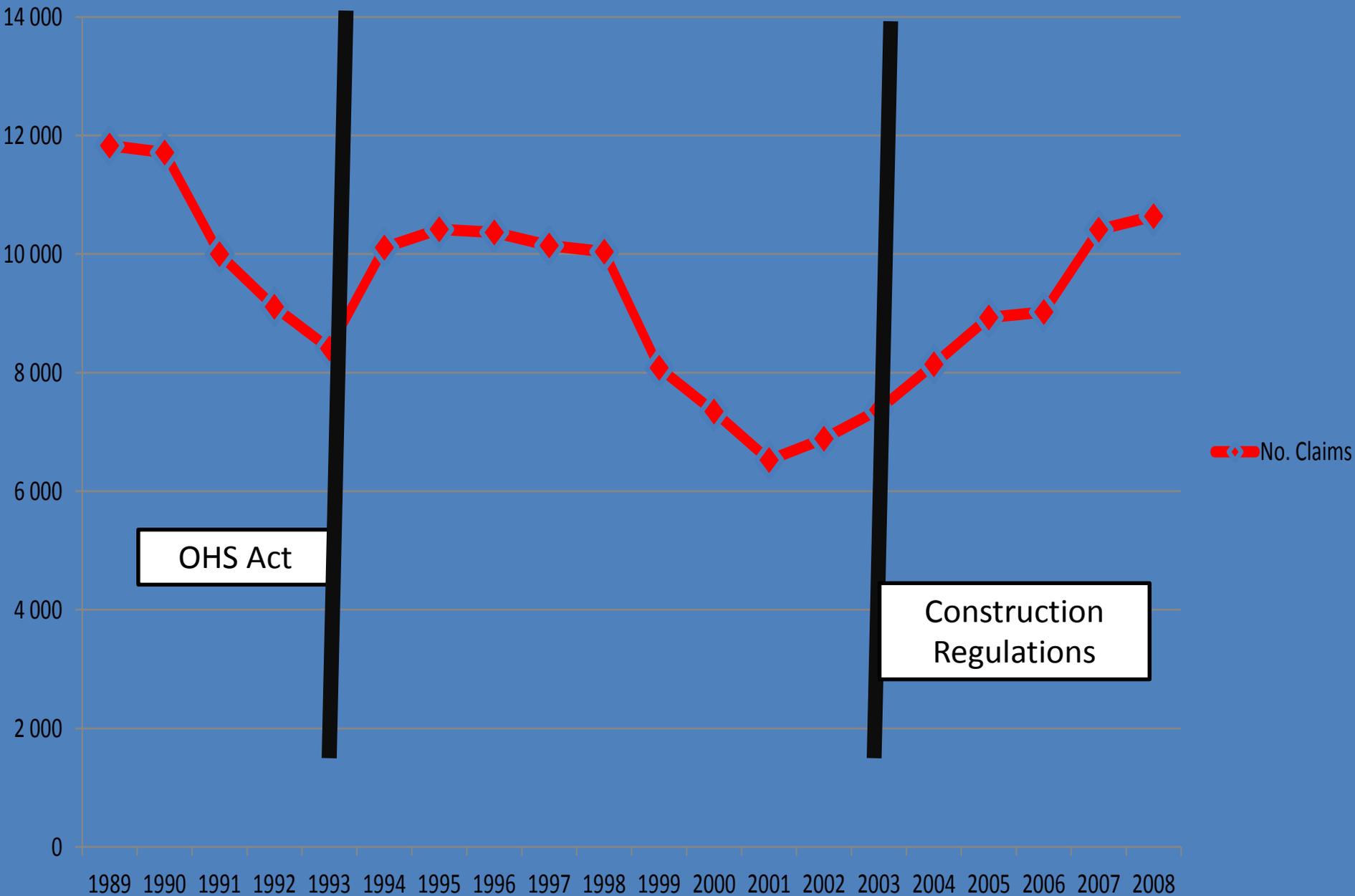
FATALITIES – 3 CATEGORIES

STATISTICS TAKEN FROM FEMA REPORTS								
FATALS								
		1	2	3				
		Fall on different levels	Struck by	Motor vehicles	total for three (3) categories	Total		
YEAR								
1	2000	14	25	15	54		48	
2	2001	8	22	26	56		48	
3	2002	11	21	33	65		96	
4	2003	13	22	36	71		74	
5	2004	5	20	27	52		65	
6	2005	15	23	26	64		70	
7	2006	16	9	34	59		70	
8	2007	15	12	30	57		77	
9	2008	10	17	30	57		67	
10	2009	11	20	31	62		82	
11	2010	9	12	63	84		72	
12	2011	5	10	25	40		76	
13	2012	4	5	30	39		65	
		136	218	406	760		910	
	% OF TOTAL	83.5	For 3 out of 12 categories of incidents					

Three biggies in construction incidents



Number of FEM Claims 1989 to 2008



- ... a major contributing factor in most accidents was the failure to adequately manage known risks.
- Due to the lack of a systematic process, including leadership and accountability ... contractors did not adequately prioritize and address the risks that lead to most accidents.

Key to change includes ...

- **Leadership** ... nothing left to chance
- **Communication** with all role players on all relevant aspects related to OHS
- A **structure** that it is hoped will address critical issues in relation to OHS

THE CLIENT

The client is seen as the most important link in a long chain and at any stage, can influence the activities on a site in a positive or negative way

1993 - OSHA

PERIOD OF SELF REGULATION

STRUCTURE;

LEGISLATION and

**INTRODUCTION OF SPECIALIST BODIES
TO ASSIST EMPLOYERS**

**WHILE SCOPE AND MANDATE OF
INSPECTOR CHANGED**

... RIGHTFULLY OR WRONGFULLY.

... 2012 ...

**ROLE OF INSPECTOR
CHANGES GOING FORWARD**

**AMENDED [OHS ACT = BILL]
CURRENTLY IN PROCESS**

**ACOHS HAS APPROVED BILL AND
PROCESS GOING FORWARD**

REGULATION FOUNDATION

- The Department had promulgated the first Construction Regulations in 2003, specific to the Construction sector.
- The Regulations has as its foundation the:
 - Client,
 - the Principal Contractor and
 - Contractor,
 - Supervision of construction work,
 - DesignerAND
 - Risk Assessment

ESTABLISHING THE RIGHT ENVIRONMENT

- There is progress towards **creating the** kind of **environment** within the construction industry that will ensure that the construction sector receives the kind of attention that has been long outstanding.
- **Partnerships** are key to succeeding in this tough and highly complex sector. It is therefore imperative that stakeholder collaboration is clear and that the commitment to succeed is on the same level from all parties involved.

ACTION PLAN FOR THREE (3) YEARS

Over the next 3 years we would like to see:

- a statistically substantial reduction in workplace injury and fatality rates
- effective programs in place to support this reduction
- reliable health and safety data and better access to it
- partnerships between Government and industry

**ON 25 AUGUST 2012,
THE DEPARTMENT OF
LABOUR SIGNED A
CONSTRUCTION ACCORD
WITH INDUSTRY
STAKEHOLDERS**

IT HAS BEEN SHOWN THAT
THERE WILL BE NO CHANGE
EXPERIENCED UNLESS
RELEVANT PROGRAMS ARE
DEVELOPED AND
VIGOROUSLY IMPLEMENTED
IN ORDER TO ACHIEVE A
MEANINGFUL REDUCTION

COMMON TOOLS TO SUCCEED

1. "Strong leadership,
 2. accessible supervisors,
 3. worker engagement, and
 4. reviewing practice ...
- ... are **common tools** for managers in any sector and can be easily adopted by other organizations,"
 - said Dr. Alistair Cheyne, who headed the Loughborough team.

SUCCESSFULLY WORKING TOGETHER

- "The successful implementation of these tools on Olympic Park was due in no small part to the **planning and organizing provided** by ODA and the **willingness of** contractors and subcontractors to engage with the Park-wide processes.
- **Perhaps the biggest success was the way in which organizations, big and small, showed how easy it was to work so closely together to tackle health and safety issues."**

The following keys were highlighted by IOSH for projects of any size:

- **Lead from the top.**
 - set standards ... and also
 - visibly engage with the workforce to:
 - direct,
 - motivate, and
 - change behavior
 - ... by focusing on its long-term goals.
- **Develop competent supervisors.**
 - Technically knowledgeable supervisors' impact upon health and safety was important,
 - as were communication skills to influence workers' understanding and behavior.

Construction Accord

... the Context

PURPOSE

- After the signing of the Construction Health and Safety Accord, it was necessary to carefully plot the way forward on how the Accord would be achieved moving forward. For this reason, it was necessary to develop an Action Plan setting out specific actions to eliminate the number of workplace incidents work in the construction sector.
- **This Action Plan** will therefore provide a means to:
 - build shared leadership and ownership of the workplace health and safety problems and issues within the construction sector
 - gain consensus on key priorities for action
 - achieve co-ordinated and integrated activity.

CONSTRUCTION HEALTH AND SAFETY ACCORD

- The Construction Health and Safety Accord is an agreement between various role players to improve the status of occupational health and safety in the construction sector in South Africa.
- This agreement acknowledges that the South African construction sector contributes immensely to the alleviation of unemployment and economic growth and as such, all the necessary interventions are taken to ensure that occupational health and safety objectives are attained concurrently with infrastructure development, poverty alleviation through employment creation and positive economic growth.

VISION

- Zero harm through collaborative action in the construction sector

MISSION

- To ensure occupational health and safety of persons in the construction sector
- To ensure occupational health and safety of persons in connection with the use of plant and machinery in the construction sector
- To ensure protection of persons other than persons in the construction sector against hazards to health and safety arising out of or in connection with the activities of persons in the said sector

VALUES

- The tripartite approach
- Stakeholder engagement
- Prioritising occupational health and safety
- Ethical, honesty, transparency, empathy and integrity

THE CONSTRUCTION HEALTH AND SAFETY ACCORD STRIVES TO ACHIEVE THE FOLLOWING OBJECTIVES:

- To promote good relations with social partners, Government, Organised Labour and Organised Business for the benefit of health and safety in construction
- To commit all construction industry stakeholders to prioritise matters of occupational health and safety
- To promote occupational health and safety of all persons involved with and affected by construction work
- To eliminate fatalities, injuries and diseases in the construction sector
- To identify and implement best practices

CONSTRUCTION SECTOR ACTION PLAN

1 April 2013 to 31 March 2016

Action Plan

- **Strategic Objective 1:**
 - To promote good relations with social partners, Government, Organised Labour and Organised Business for the benefit of health and safety in construction.
- **ACTION AREA:**
 - Effective Governance structures
- **ACTIVITY TO BE MEASURED:**
 - An effective communication protocol is to be developed and implemented to promote good relations between the partners by September 2013.
 - Bi-monthly meetings will take place between the stakeholders who will be required to report on progress and to monitor achievements against this Action Plan.
 - A construction Stakeholder map will be developed by end June 2013.

Action Plan

- **Strategic Objective 2:**
 - **To commit all construction industry stakeholders to prioritise matters of occupational health and safety**
- **ACTION AREA:**
 - **Growing leadership commitment**
- **ACTIVITY TO BE MEASURED:**
 - A strong and effective working relationship between the partners best placed to influence improvements in the construction sector is in place by 31 March 2014.
 - A relationship management plan developed and in place by September 2013.

- **Strategic Objective 3:**
 - **To promote occupational health and safety of all persons involved with and affected by construction work**

- **ACTION AREA:**
 - **Advocacy strategy established**

- **ACTIVITY TO BE MEASURED:**
 - A strategy to promote Occupational Health and Safety will be developed by September 2013.
 - Conduct at least 4 workshops per Q in conjunction with industry stakeholders in the Provinces on key areas.
 - At least one (1) pamphlet/Brochure developed per Q.

- **ACTIVITY TO BE MEASURED:**

- Popularise guidenotes reviewed and/or developed through various media vehicles available - Will take place quarterly or as the need arises and in line with budget provided.
- Publish best practice examples on the website - Will take place as required.
- Alerts to be made available electronically on DoL web site – at least one per Q in conjunction with key stakeholders.
- At least one (1) campaign per semester conducted in conjunction with key stakeholders on critical areas in the construction sector.
- At least one award ceremony per year conducted with stakeholders nominated/identified/applied within the construction sector. Categories to be identified.

- **Strategic Objective 4:**
 - **To eliminate fatalities, Injuries and diseases in the Construction Sector**

- **ACTION AREA:**
 - **Develop capabilities**
 - **Knowledge based**
 - **Enforcement enhanced**
 - **External knowledge base strengthened**

- **ACTIVITY TO BE MEASURED:**

- Strategy developed targeting key aspects of incidents in the construction sector for elimination by September 2013.
- Database established by 30 September 2013
- 1 component of the toolkit developed per Semester.
- 20 inspectors trained per Semester.
- 100 shopstewards trained per year
- 1 x Quarterly training session to industry role players offered on key aspect of construction.
- Dedicated policy for small entrepreneurs (SMMEs) - developed by 31 March 2014

- **Strategic Objective 5:**
 - To identify and implement best practices

- **ACTION AREA:**
 - Building knowledge

- **ACTIVITY TO BE MEASURED:**
 - Develop and/or adopt key documents to support safer and healthier construction workplaces.
 - Working groups established where required for the development of Guidenotes for the construction sector.
 - Benchmark South African guidelines, codes and standards against 5 other countries with a strong construction influence - Report by the end of March 2014.

- **ACTIVITY TO BE MEASURED:**

- Identify current gaps in current RSA construction sector and classify in order of importance
- Identify relevant best practices across the world for consideration
- 1 x Guidenote per semester or as identified
- Work with SABS to develop and/or review standards for the construction sector and adopt in legislation where required - Will commence in Semester 2 of 2013/14.
- Develop and publish FAQs on the website - On going starting in September 2013.

- **ACTION AREA:**

- **Review of Construction Regulations.**

- **ACTIVITY TO BE MEASURED:**

- On-going review subject to quarterly meetings that will take place by the task team.

- Enforcement

- Enforcement cases submitted to the NPA for prosecution will take place on a daily basis but will be reported on Qly with regard to strides made in ensuring greater effectiveness – increase in prosecutions.
- Outcomes to be published on the DoL website.

**WHAT IS THE IDEAL %
REDUCTION IN INCIDENTS
THAT WE SHOULD STRIVE FOR
OVER THE NEXT 3 YEARS?**

In conclusion,

- **This Action Plan has the following three key aspects as its sole purpose in order to achieve its common Vision:**
 - 1. To collaborate as a single sector to make construction sites healthier and safer.**
 - 2. To make health and safety an integral part of working on a construction site.**
 - 3. To increase productivity by working healthier and safer.**

END

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