

The OHS Act and the Responsibilities of Management (Legal Liability)

1 Day Course



South African Institute of
Occupational Safety and Health

Verified - 2 CPD Points

Module 1: Legislation and Safety Management in South Africa

- Legislative history
- Health and safety legislation in South Africa
- Civil and criminal liabilities

Module 2: Foundations and Principles of Safety Management

- Safety management and the organisation
- Principles of safety management

Module 3: Overview of the Occupational Health and Safety Act (OHS Act)

- Overview of the OHS Act (the aim and scope; sections and regulations)
- Significant terms and definitions
- New Covid-19 laws and prescriptions for the workplace (post the Disaster Management Act)

Module 4: The legal responsibilities of interested and affected parties

- Legal structure and responsibilities
- The role of the CEO and the general duties of management
- Health and safety policy
- The general responsibilities of employers towards employees
- The general responsibilities of employers towards other persons
- Information, communication, training, and supervision - including supervision of machinery
- Explanation of a competent person
- Responsibilities of employees
- Acts or omissions by employees and mandatories (Including the principle of vicarious liability)
- Contractor management (contractor's agreements; letters of good standing etc.)
- The health and safety practitioner and co-coordinator
- Legal responsibilities of manufacturers, designers, importers, sellers, or suppliers regarding the use of articles and substances at work

Module 5: Good organisational governance; management commitment; SHE excellence and control

- Good organisational governance
- Achieving SHE excellence
- Management commitment
- Creating a safety culture
- Monitoring by management
- Common areas of control

Module 6: Applicable SHE legislation

- Health and safety representatives and committees
- Record keeping
- Reporting of occupational injuries and diseases
- Investigation of incidents
- Certain deductions prohibited/ personal safety equipment and facilities/ copy of the Act
- Exemptions/health and safety agreements
- Offences and penalties

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Module 7: Risk assessments, systems or program approach

- Safety risk assessments (Baseline-, Issue Based- and Continuous Risk Assessments)
- A systems or program approach
- Design and implementation of an effective health and safety system

This course is aligned to Unit Standard:

US 120344 - Demonstrate knowledge and understanding of relevant current occupational health and safety legislation.

Purpose of the course:

Learners found competent in this unit standard will be able to explain the basic principles of relevant current health and safety legislation and the consequences of non-compliance.

Upon completion of the course delegates will be able to:

- explain the basic principles of the act and accompanying regulations.
- explain the requirements for minimum compliance stipulated in the act.
- interpret the management controls required to achieve compliance.
- explain the obligations of managers in terms of communication and training.

The course will be useful for managers at all levels including:

- The CEO-Section 16(1) or Managing Director
- Section 16(2) appointees/Directors
- Engineers
- Middle management and line management
- Supervisors
- GMR 2(1) appointees
- GMR 2(7) appointees
- Safety and security officers
- Compliance officers
- Union representatives and
- Learners in commercial and industrial insurance.

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