

Occupational Health and Safety Act 85 of 1993

General Duties of Employers to their Employees

Section 8

1. Every employer shall provide and maintain, as far as reasonably practicable, a working environment that is safe and without risk to the health of his employees.
2. Without derogating from the generality of an employer's duties under subsection (1), the matters to which those duties refer include in particular-
 - a) The provision and maintenance of systems of work, plant and machinery that, as far as reasonably practicable, are safe and without risk to health;
 - b) Taking such steps as may be reasonably practicable to eliminate or mitigate any hazard or potential hazard to the safety of health of employees, before resorting to personal protective equipment;
 - c) Making arrangements for ensuring, as far as is reasonably practicable, the safety and absence of risks to health in connection with the production, processing, use, handling, storage or transport of articles or substances;
 - d) Establishing, as far as reasonably practicable, what hazards to the health or safety of person are attached to any work which is performed, any article or substance which is produced, processed, used, handled, stored or transported and any plant or machinery which is used in his business, and he shall as far as is reasonably practicable, further establish what precautionary measures should be taken with respect to such work, article, substance, plant or machinery in order to protect the health and safety of persons, and he shall provide the necessary means to apply such precautionary measures;
 - e) Providing such information, instructions, training and supervision as may be necessary to ensure, as reasonably practicable, the health and safety at work of his employees;
 - f) As far as is reasonably practicable, not permitting any employees to do any work or to produce, process, use, handle, store or transport any article or substance or to operate any plant or machinery, unless the precautionary measures contemplated in paragraphs (b) and (d), or any other precautionary measures which may be prescribed, have been taken;
 - g) Taking all necessary measures to ensure that the requirements of this Act are complied with by every person in his employment or on premises under his control where plant or machinery is used;
 - h) Enforcing such measures as may be necessary in the interest of health and safety;
 - i) Ensuring that work is performed and that plant or machinery is used under the general supervision of a person trained to understand the hazards associated with it and who have the authority to ensure that precautionary measures taken by the employer are implemented; and
 - j) Causing all employees to be informed regarding the scope of their authority as contemplated in section 37 (1)(b).