

Nosa going for stars...

debate

in the interests of people

A recent article in SA
Labour Bulletin (Vol 18
No 6) argued for
fundamental change in
NOSA. NOSA responds.



The article, "What should the trade union movement do about Nosa?", in *SA Labour Bulletin* (Vol 18 No 6) was most interesting regarding some perceptions still existing. Nosa would like to clarify certain comments and share some recent developments.

Some of the author's comments are outdated. Changes since 1992 in management, infrastructure, standards and policies have made many statements invalid.

Nosa is described as limited to offering health and safety services to certain government departments, local authorities and the manufacturing and mining industries. On the contrary, Nosa serves the total South African workforce in an advisory and educational capacity. The aim is to empower people and to give them skills to improve their health and safety, not only in the work environment but also in their communities and at home.

The author's claim that "Nosa has so far proven unwilling or unable to abandon its

status as a management-led body, and transform itself into a national labour market body, despite the obvious importance to workers and the state of preventing occupational death and injury, and freeing scarce health and welfare resources", does not reflect reality. Nosa believes that employer and employee are both shareholders in health and safety and are therefore both important. For some years Nosa has been requesting labour representation at all gradings. This is the only way to ensure a true reflection of what is happening in the work environment.

Nosa believes that management needs to set the example by promoting health and safety as a 365 days a year activity. This is only possible in a working environment with participation and involvement at all levels.

Nosa has never limited its services to any specific industry. If certain industries have not been called upon, this is mainly because services were not called for.

Another factor is that unions, with all their influence, rarely requested Nosa services, advice or support in matters relating to occupational health and safety. Occupational health and safety has only recently featured on union agendas. Nosa has been servicing

commerce and industry and has for years provided good services to mines, educational institutions, hostels and hospitals which requested services.

The author also limits Nosa's services to safety inspections and audits. In reality, Nosa does far more, inter alia:

- surveys
- audits
- gradings
- seminars
- workshops
- training
- various information services.

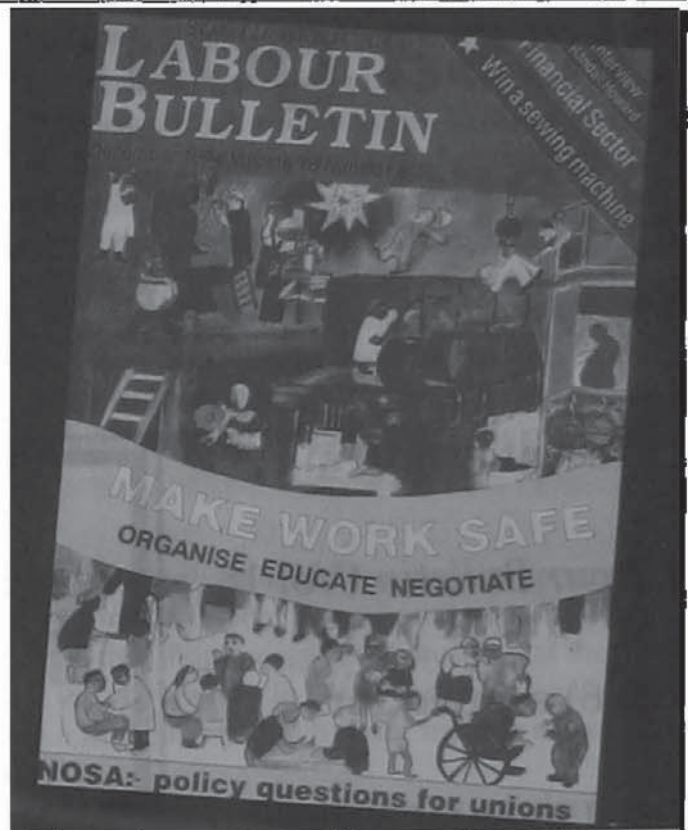
Occupational health and safety surveys include an initial physical inspection of company premises and supportive documentation, followed by an action plan. The next step is a full and thorough audit, if required. The audit evaluates the organisation's progress on the action plan and also serves to motivate the company to implement a formal, comprehensive health and safety programme.

Nosa gradings have progressed much from the factory tour with a checklist described by the author. All field staff have undergone thorough training in order to offer an auditing service based on a health and safety risk assessment, a systems audit, a compliance audit and an evaluation of all audit findings.

A revised auditing system will be implemented from March this year and will include pre-audit orientations, statistical analyses and a full unannounced audit at a later stage. Employees' health and safety is important to Nosa and it is necessary to ensure that those companies who use the Nosa system do so correctly and ethically.

Nosa system

The Nosa 5 Star System has always been an extremely practical tool to assist any business in the area of occupational health and safety. It incorporates Occupational Health and Safety Act requirements, as well as Compensation for Occupational Injuries and Diseases Act (COID) requirements. This not only proves the system's practicality but the



vision displayed with the development of this unique South African product.

Anyone who has dealt with legislation will testify to the nightmare of achieving compliance. The Nosa 5 Star System is there to benefit employees and employers with a simple methodical structure.

Compensation issues

The author's evaluation of employers' strategies to keep their Workman's Compensation premiums low is not disputed, but the following needs to be added:

- Health and safety legislation and compensation issues were very superficially dealt with during training at various organisations and institutions. This resulted in a vacuum of knowledge in industry. For this reason, Nosa has always emphasised proper and structured safety systems in the work environment.
- Staff fulfilling the WCA/COID administrative function at companies may not receive adequate formal training and are therefore not always aware of the worker's rights to compensation.
- The legally required document (Annexure 11) to be completed by the employer in cases of accidents which required treat-

ment other than first aid was not only confusing but a little contradictory.

Comparing the previous document (Annexure 11) with the new one presently in use, the following should be noted. Item one asks for the name of the "affected person", whereas the new form asks for the name of the company. Column C asks for "Action taken by employer" whereas the new form asks for "steps taken by employer to prevent the recurrence of a similar incident".

The old form encouraged accident investigation to find the fault with the injured persons, and column C of the old form empowered management to take action against the injured person — often to the person's detriment. The new document attempts to find the facts involving the incident in order to prevent a recurrence.

These legislative weaknesses contributed little to effective compensation of the injured person, to safeguarding the rights of the person, or to encourage fact finding rather than fault finding.

□ Legal documents such as the annexure (1) required by the then Department of Manpower and the employer's report to Workman's Compensation requested information on the basis of race. This influenced attitudes regarding what was happening in the workplace, as well as the amount of compensation due to injured/disabled persons.

Nosa noticed the above with concern and, although Nosa has no direct part in the affairs of the Compensation Commissioner, pointed it out to employers and employees during training programmes. Staff from the Compensation Commissioner's office were invited to address these issues at seminars.

These concerns were also raised with the then Department of Manpower so they could influence future legislation.

Accident and injury statistics

The need for a "unified, publicly accessible database on occupational accidents, injuries,

and work-related ill health" identified by the author is indeed urgent.

However, the claim that Nosa only collects information on disabling injuries is incorrect. All organisations subscribing to the Nosa system submit data on disabling injuries, fatal accidents and minor injuries (which required first aid only) monthly.

Health and safety representative training

Nosa has trained numerous health and safety representatives. Under previous legislation (Machinery and Occupational Safety Act — MOSA) many safety representatives representing the workforce performed these tasks under great stress and claims of intimidation. Reasons for their resignation became predictable — "the

people/workforce accuse us of being management tools or sell-outs".

Under these circumstances, Nosa trainers and consultants showed great tenacity, patience and willpower in their pursuit of a safe and healthy work environment. The implementation of the Occupational Health and Safety Act (OHSA) changed matters, to the delight of all involved.

The author's claim that "many employers are attempting to circumscribe workers' attempts to elect union health and safety representatives to effective negotiating structures at enterprise level by insisting that elected health and safety representatives fulfill educational or literacy criteria, or pass examinations set and marked by employers before their appointment can be confirmed", is beyond Nosa's control. This would be a contravention of the OHS Act and the Department of Labour should be called upon to rectify the matter.

All representatives must be elected/nominated and placed, and should be trained well to ensure that their role is performed adequately and proficiently. If this is not practised, the representative should inform the



Nosa staff carrying out the audit/grading.

Health and safety training

The problems expressed by the author on Nosa training are in our view in fact solutions to national training problems. Any other approach would be discriminatory and minimise intended employee representative participation and involvement in the programme.

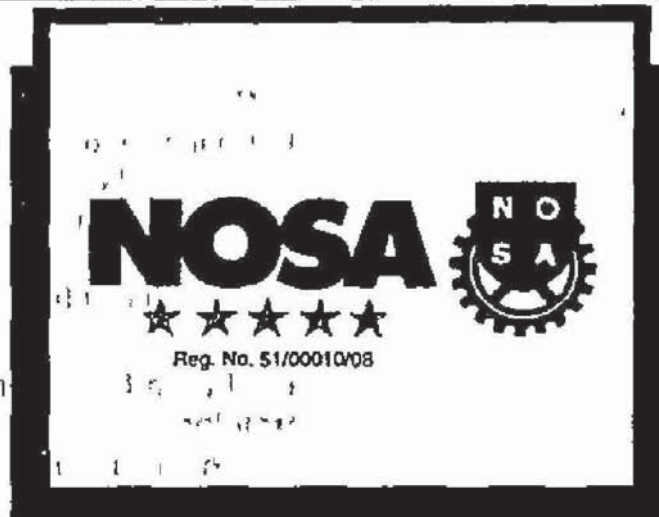
- Training should provide a total picture, not merely address a small segment. Anything else would be a disservice.
- Nosa training is in line with the draft document on National training strategy, ie
- competency based,
- provides total perspective,
- can be used as part of career pathing/succession planning,
- caters for functionally illiterates through to higher diploma level,
- successive courses can be done to meet needs created by changes in authority and scope, and
- equips trainees to branch out into a career in health and safety,
- The health and safety representative is empowered to identify hazards and ultimately participate in ensuring appropriate action is taken.

Without insight and overall knowledge of the role of the other players, or principles of correct operating procedures, this function cannot be effectively fulfilled. Failure impacts on the employees he/she represents.

- Correct use, and understanding of the system ensures coverage of legislative requirements and much more.

Nosa: the future

Since 1952 the country's workforce has grown from 1.2 million to over five million.



The demand for good health and safety structures is increasing rapidly and Nosa is committed to meeting the many challenges that lie ahead.

A comprehensive health system has been finalised and an environmental system will follow soon. Both will be

incorporated into the Nosa system this year.

Nosa's objectives — to guide, educate, train and motivate industry — have stood the test of time. These objectives have even more relevance now. For this reason, Nosa finds the policy options mentioned by the author inappropriate.

Nosa remains willing to talk, negotiate, change and restructure in the interests of employees and employers.

On numerous occasions we have requested input from union officials and employees alike. Nosa has invited unions to nominate representatives to the Nosa Board. To date not one reply has been received. Nosa would welcome effective employee representation on the Board, as this could only serve to improve its services.

All contributions received have been noted and incorporated wherever possible. Feedback has been positive. Therefore, any person or organisation is more than welcome to share their ideas for the benefit of the people of the country. This may be formal or informal, through one of our regional offices or head office. Any person/organisation is also welcome to join the Nosa Advisory Committee in his/her area.

Recent strategy changes were precipitated by international demand for the Nosa system and consequent generation of valuable foreign exchange. Planning is in progress to direct the bulk of these funds into projects to support the Reconstruction and Development Programme and to bring health and safety to all walks of life. ☆