



23 November 2018

To: CEO Heartfelt

Interviewee: Nico Pienaar

Background: Attached hereto some press cuttings to allow for some background information on what **ASPASA** does regarding Health and Safety issues.

Question 1:

There is a big need for a step change.

See Annexure A

The Step change is needed for H&S. We tend to differentiate which is not correct. The **ASPASA** H&S Audit Protocol covers both these subjects in detail.

A few more issues:

- There are just too many reoccurring fatal incidents that are the same.
- The summaries of incidents are not given through to the industry. So, one company has an incident and then it is kept "confidential" in that company. The DMR should now have sent out ± 80 incident reviews for this year as this is the number of fatalities, we in the industry have had. Sharing the faces of those deceased does not tell a story – the issue must be highlighted of what caused the fatality.
- The H&S officials in companies carry no weight. Some of them are junior and just do the dirty work. The senior officials sit in the offices and don't know what is happening.
- H&S is not the task of the H&S official. The H&S in all organisations starts with the CEO and filters down to the line managers. **ASPASA** sees the problems when it audits our members' operations. The operation know the "Auditor" is coming, but then the auditor finds no-machine guarding, no safety locks-outs and various other issues that if a Supervisor or Manager had walked through the operation the previous afternoon, then it would have been picked up.

We attached hereto our presentation that we did at the MHSC H&S 2018 Summit.

Question 2:

Yes, H&S does start at CEO level. The MHSa says so, but it is found that in companies this issue is delegated downwards to lower level managers. If one had to ask a CEO if when he visits one of his operations, does he walk where he wants to, or does he go where his managers take him. In 99.9% the answer will be he goes where he is taken to. This shows that the task of the CEO is not understood.

Question 3:

There are many things that can be done.

- DMR puts out case studies.
- Short articles get written on issues that are problems thus creating awareness.
- Senior training/talks are given.
- A research subject on actual cases/fatalities are done with proper outcomes. These then get shared.

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Mancom: Gert Coffee; Glenn Johnson; Izak van Niekerk;
Jeremy Hunter-Smith; Noriko Solomon; Trevor McAdam

Question 4:

The mind change will only come when people see the importance of H&S. **ASPASA** has now for two years been working on the issue of TMM's with a very specific focus on PDS. What a battle, we sent our circulars, called meetings, had workshops etc. Then, a week or two ago, we had the DMR give a Section 54 to a big mine in our industry for not having the basics in place. No Traffic Management Plan or even that has been implemented. Having paperwork done by some consultant is one thing, but not implementing the basics is something else. So now there has been a "huge" mind shift.

Question 5:

Issues that are worrying is that there is such a relaxed view on H&S and fatalities. When one mentions fatalities then the question is, what is being done about road deaths and deaths in the Construction sector. Always a diversion. This is not something that should be raised.

Question 6:

Zero harm does not have the desired pull. It has become a slogan with little value to it. It is too wide – it does not say what it means. What is "harm"? Does it include injuries, deaths, illness or other issues? Zero is something that is not understood. Will a person that works in an 9 to 5 job never injured? Zero is a wish, but is it an achievable one? One must ask yourself, where is an example of it, what should be done to achieve this?

Question 7:

This answer might shock most people, but we have found that 54's is a scare tactic and yes they have played a big role in H&S.

We in **ASPASA** have been doing audits for many years. During the audits the non-conformances are shown to the employer. In the past the employer would have the attitude that it is interesting, but so what, the DMR does not worry about it.

Once some proper inspections were conducted, serious and relevant 54's were issued, did the employers start listening. The whole focus of the **ASPASA** H&S audit is to help the operations to not get a Section 54. The one problem that **ASPASA** does have is the quality of 54 that they are given:

- Some were clear victimization.
- Some were given with no substance.
- Some 54's should have been 55's.
- Some inspectors arrived at the operation with the Section 54 already typed out.
- Some 54's did not make sense as the person who issued it was not sure about the facts.
- Certain operations get visited on a weekly basis, while down the road there are suspect operations who receive no visits. (The brown envelope system might be relevant here).

If we could get value and relevant but effective Section 54's being issued, then this would help a great deal. After the Bert's Bricks case, the inspectors are not eager to also include those industries that are on mining areas, but that are seen as separate businesses i.e. Readymix, Brickmaking, Bitumen Plants etc. **ASPASA** has started auditing these operations on mining areas and have forced them to be far above the required standard.

Question 8:

This is a difficult one. I think if I had the answer, it would have made me rich! I do however, think that some the issues needed some straight talking – some issues might want to be ignored or passed by.

Question 9:

This is an easy answer. Our success will be shown when we have no fatalities, less injuries and a healthier and content workforce.

Quick Response Questions

1. Not effectively addressed. (Why do we have them reoccurring if they were addressed properly).
2. Not effectively addressed. (If we have 0, then we have achieved it).
3. Don't know – don't have the figures.
4. Don't know.
5. Not clued up on this. Seems a disaster as it keeps on happening.
6. Not effectively. Even if everybody spoke one language, there would still be a problem in that we don't seem to communicate well, clearly and regularly.
7. Not effective. We find in our industry that:
 - o Often training is not relevant i.e. underground training and surface training are different.
 - o Training providers don't understand the industry.
 - o Employers cut out training when the economy drops. See how many training centers, academies are or have been closed.
8. Not effective. There is nobody that stands out as the leader in OHS. Generally, not a well-focused on subject, compare this to a top soccer player or a Springbok Rugby player.
9. Not clued up on this. Seems time is all of our problems.
10. Not effectively addressed. In our industry we started with this subject. There was a push back as people said to us, they could not interfere with the individual's lifestyle and they the worker had to ensure he/she rested enough to do the job. This might be true, but there are many people who get up very early to get t work and then get home very late. Surely this is a problem – but we have a long way to go on this issue. Again, bad industrial relations in the workplace.
11. Not effective. Simple to see it is not working. If it was them, the trade unions would be out of business. Again, poor industrial relations.
12. Not effectively addressed. Threats, fear and the blame culture does exist.
13. Not sure about this.
14. Not sure about this one – no details available – not sure if this will be effectively handled by the employer – again an individual action.

Hope this helps!

Yours respectfully,

Nico Pienaar

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ASPASA**

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