

**Hazardous Chemical Substances Regulations, 1995**

The Minister of Labour has under section 43 of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), after consultation with the Advisory Council for Occupational Health and Safety, made the regulations in the Schedule.

**Medical surveillance**

**7. (1) An employer shall ensure that an employee is under medical surveillance if:**

**(a) the employee may be exposed to a substance listed in Table 3 of Annexure 1;**

**(b) the exposure of the employee to any substance hazardous to his or her health is such that an identifiable disease or adverse effect to his or her health may be related to the exposure, there is a reasonable likelihood that the disease or effect may occur under the particular conditions of his or her work and there are techniques to diagnose indications of the disease or the effect as far as is reasonably practicable; or**

**(c) the occupational health practitioner recommends that the relevant employee should be under medical surveillance in which case the employer may call on an occupational medicine practitioner to ratify the appropriateness of such recommendation.**

**(2) In order to comply with the provisions of subregulation (1) the employer shall, as far as is reasonably practicable, ensure:**

**(a) that an initial health evaluation is carried out by an occupational health practitioner immediately before or within 14 days after a person commences employment, where any exposure exists or may exist, which comprises:**

**(i) an evaluation of the employees medical and occupational history;**

**(ii) a physical examination; and**

**(iii) any other essential examination which in the opinion of the occupational health practitioner is desirable in order to enable the practitioner to do a proper evaluation.**

**(b) that subsequent to the initial health evaluation contemplated in paragraph (a) the relevant employee undergoes examinations as contemplated in paragraph (a)(ii) and (iii), at intervals not exceeding two years, or at intervals specified by an occupational medical practitioner.**

**(3) An employer shall not permit an employee who has been certified unfit for work by an occupational medicine practitioner to work in a workplace or part of a workplace in which he or she would be exposed: Provided that the relevant employee may be permitted to return to work which will expose him**

or her if he or she is certified fit for that work beforehand by an occupational medicine practitioner.

(4) The employer shall record and investigate the incident contemplated in subregulation (3) in compliance with regulation 8 of the General Administrative Regulations.

### Thermal requirements

2. (1) Subject to the provisions of subregulation (2), no employer shall require or permit an employee to work in an environment in which the time-weighted average dry-bulb temperature taken over a period of four hours is less than 6°C, unless the employer takes reasonable measures to protect such employee against the cold and further takes all precautions necessary for the safety of such employee: Provided that, where outdoor work is performed, the employer shall take such measures and such precautions in an environment in which the actual dry-bulb temperature is less than 6°C at any time.

(2) No employer shall require or permit an employee to work in a refrigerated environment in which the actual dry-bulb temperature is below 0°C unless -

(a) the maximum exposure of the employee does not exceed the periods as indicated in the following table :

Temperature °C	Maximum exposure
0° to -18°	No limit.
Lower than -18° but not lower than -34° degrees	Maximum continuous exposure during each hour = 50 minutes. After every exposure in a low-temperature area at least 10 minutes must be spent, under supervisions, in a comfortably warm environment.
Lower than -34° but not lower than -57°	Two periods of 30 minutes each, at least 4 hours apart. Total low- temperature exposure: 1 hour per day.
Lower than -57°	Maximum permissible exposure = 5 minutes during any 8-hour period.

(b) the employee is provided with the following protective clothing:

- (i) A nylon freezer suit or equivalent and, where the said temperature is below -34°C, such suit or equivalent shall be of double layer;
- (ii) a woolen Balaclava or equivalent;
- (iii) fur-lined leather gloves or equivalent;
- (iv) waterproof outer gloves with knitted woolen or equivalent inners as well as a waterproof apron where wet or thawing substances are handled;
- (v) woolen socks; and
- (vi) waterproof industrial boots or equivalent;

Provided that an employee who works in a low-temperature area in which the temperature is not lower than - 18°C for periods not exceeding five minutes in

every hour need only be provided with an ordinary overall, gloves shoes, or equivalent;

(c) the employee is, beforehand and thereafter, at intervals not exceeding one year, certified fit to work in such environment by a registered medical practitioner or a registered nurse according to a protocol prescribed by such practitioner, and such employee is issued with a certificate to that effect; and

(d) all the clothing worn by the employee is dry prior to entering the low-temperature area.

(3) Where hand-held tools which vibrate at a frequency of vibration of less than 1 000 Hz are used at an actual dry-bulb temperature below 6°C, the employer shall provide an employee operating such tools with lined gloves, and ensure that he wears them.

(4) Where the time-weighted average WBGT index, determined over a period of one hour, exceeds 30 in the environment in which an employee works, the employer of such employee shall -

(a) if practicable, take steps to reduce the said index to below 30; or

(b) where it is not practicable to reduce the said index to below 30 and where hard manual labour is performed-

(i) have every such employee beforehand and thereafter, at intervals not exceeding one year, certified fit to work in such environment by a registered medical practitioner or a registered nurse according to a protocol prescribed by such practitioner, and every such employee shall, if found fit to work in such environment, be issued with a certificate to that effect by such practitioner or nurse;

(ii) ensure that every such employee is acclimatised to such working environment before he is required or permitted to work in such environment;

(iii) inform every such employee of the need to partake of at least 600 millilitres of water every hour;

(iv) train every such employee in the precautions to be taken to avoid heatstroke; and

(v) provide the means whereby every such employee can receive prompt first-aid treatment in the event of heatstroke:

Provided that, where the question arises as to whether any particular type of work does in fact constitute hard manual labour, the decision of an inspector shall be decisive.

#### **Environmental Regulations for Workplaces, 1987**

(i) have every such employee beforehand and thereafter, at intervals not exceeding one year, certified fit to work in such environment by a registered medical practitioner or a registered nurse according to a protocol prescribed by such practitioner, and every such employee shall, if found fit to work in such environment, be issued with a certificate to that effect by such practitioner or nurse;

