

SACPCMP

The South African Council for the Project and Construction Management Professions

— CONSTRUCTING NEW PERSPECTIVES —

Industry Update

Master Builders Association KZN Seminar For World Day for Safety and Health at Work 2019

24 April 2019: In marking World Day for Safety and Health at Work 2019, the Master Builders Association KZN presented a Health and Safety Seminar at Westville, KwaZulu-Natal this week.

The theme of the seminar was 'Construction Health and Safety Pitfalls – What You Need to Know', with the topic identified in response to a dearth of critical information in the sector following serious industry incidents.

A handful of industry specialists and experts were invited to present and although each representative focused on information related to their specific scope of work, the general message was resounding: Industry's professionals must work together towards improvement because poor construction health and safety practices not only result in massive financial forfeiture but most importantly, an irreplaceable loss of life and health!

**"In South Africa, motor vehicle accidents accounted for
44% of all fatalities recorded by FEM."
FEM Regional Manager - Mr. Sanjay Munnoo**

Federated Employers' Mutual Assurance Company (FEM) KZN Regional Manager, Mr. Sanjay Munnoo, explained the organisation's responsibilities and activities, as well as outlining statistics relating to injuries and fatalities across South Africa. In South Africa, motor vehicle accidents accounted for 44% of all fatalities recorded by FEM. In a comparison of statistics per region, 51% of all fatalities resulted in 'inland' areas, followed by fatalities in KZN. And while no fatalities are acceptable, the number of fatal injuries per 100,000 has decreased from 36 in 2010 to 23 in 2017.

Mr. Munnoo mentioned that under the COID Act (signed into law and effective from 1993, that provided for "compensation for disablement caused by occupational injuries or diseases sustained or contracted by employees arising out of and in the course of their employment, or for death resulting from such injuries or diseases") employees were obligated to report accidents, in writing or verbally, to their employer as soon as possible after the accident occurs. He noted that failure to give notice would not bar a right to compensation if it was proved that the employer had knowledge of the accident from any other source at the time of the accident.

He discussed the economic impact of health and safety, saying that business leaders should be aware of the disadvantages of aggressive cost cutting plans. He noted some of the indirect costs of IODs such as employee time off work, salary costs related to employee replacements, equipment damage and replacement, loss of skills and more. The benefits of well-managed health and safety included reduction on costs for facilities, energy, materials, increased productivity and reduced personnel cost, improved quality of products and services, lower medical and compensation costs, and maintaining a 'positive' organisational image.

Speakers representing the South African Council for the Project and Construction Management Professions (SACPCMP) at the seminar were SACPCMP Registrar Mr. Butcher Matutle and Executive: Project and Construction Management, Mr. Jimmy Modise.

**It is important to pay attention to the need for continued transformation in South Africa, and assist our Government to address issues faced,”
SACPCMP Registrar - Mr. Butcher Matutle**

In his address, Mr. Matutle highlighted issues that had faced the sector recently, especially with regard to the 'Construction Mafia', and the negative implications of this on health and safety management for all involved. He mentioned the importance of paying attention to the need for continued transformation in South Africa, and through the support of this, assisting Government to address issues faced on construction project management operations in our country.

Mr. Matutle said that a number of institutions had recently come together to form a team that was looking into the problem of intimidation tactics on project sites, sector transformation and the industry's development to see how these issues could be managed and improved upon going forward.

In his presentation, Mr. Modise spoke about the definitions of Project Construction Management and Construction Management, in terms of SACPCMP definitions to help seminar attendees understand where sector professionals were, or should be, involved in terms of various project work stages. He spoke of role responsibilities and explained the registration criteria for Professionals, saying that SACPCMP and its processes were professionally recognized, and its fee scales were comparable to its sister councils, if not lower!

**“A regulatory body exists to protect the public. A regulatory body has to have teeth and the Council is obliged to investigate negative conduct.”
SACPCMP Executive: Project Construction Management – Mr. Jimmy Modise.**

Mr. Modise explained the importance of Continuing Professional Development (CPD) and keeping this up to date, encouraging Registered Professionals to complete their paperwork carefully and ensure that their accreditation did not lapse. While the Council has enjoyed an increase in its registration figures, Mr. Modise said that it was imperative that SACPCMP continued to take an interest in the candidature process through developing initiatives that would support Registered Persons to keep their CPD up-to-date. He mentioned that currently, plans were underway to roll out a provincial project to assist candidates in their registration and CPD management.

“A regulatory body exists to protect the public. A regulatory body has to have teeth and the Council is obliged to investigate negative conduct. We are impartial. We ensure that the proper persons are registered and we don't take shortcuts,” said Mr. Modise.

Mr. Hilton Ganesen, the Deputy Director: Specialist for Construction discussed clients' duties throughout the project life cycle, citing that conducting a baseline risk assessment was one of the client's most important responsibilities. He also said that during his work, he and his colleagues have come across "a lot of contraventions", noting that many were very simple contraventions such as simply not displaying a permit notice.

"The regulations are clear and legislated," he said, urging clients' to ensure that their procedures were followed, and regulations adhered to.

"The problem is poor construction methods or no construction plans. 'I did not know' is not an excuse".

Department of Labour Forensic Investigator - Mr. Lennie Samuel

Section 31 and 32 was the topic of presentation for Mr. Lennie Samuel, Forensic Investigator- Inspection & Enforcement Services for the Department of Labour. "The problem is poor construction methods or no construction plans," he said, advising those in the industry that the words "I did not know" were not an excuse.

"Section 32 is a formal enquiry. The format is similar to a case that is held in a magistrates' court where a person is subpoenaed to appear before the commission of enquiries or you are asked and obliged to appear with information that is going to be of benefit to the commissioner of enquiry," he explained.

"In layman's terms, you have a presiding inspector, and the investigation is such where you have legal representatives and witnesses sworn in exactly as they would be in a case at court. Evidence is submitted and this would be subjected to cross examination. The commissioner can also cross examine witnesses and the evidence produced before the commission is tested. After the enquiry, the presiding inspector will generate a report and we will make certain recommendations to the National Director of Public Prosecutions."

Mr Samuel said that persons of interest in an enquiry could range from the person injured, or the employer, to a person believed to be responsible for the incident, a trade union representative or even the occupier of a premises. He added that most of the incidents that he or his colleagues have attended as inspectors have been due to non-compliance.

**"If your systems are ineffective, they normally go for the CEO,"
Legislative Compliance Specialists' Director - Mr. Ernst van Biljon**

In the final and probably most shocking presentation of the seminar, Legislative Compliance Specialists' Director, Mr. Ernst van Biljon discussed "Lessons Learned from Recent Occupational Health and Safety Accidents", including visuals from incidents where employees were fatally injured while on duty.

"If your systems are ineffective, the legal prosecution normally go for the CEO," he said, explaining that company management were often the ones who stood in front of a judge, being charged for workplace injuries or deaths. He explained that through their investigations and cases, they found that accidents happened for a number of reasons – non-adherence to the training received, employee complacency or a resistance to rules were just three of the many reasons mentioned.

"Statistics from the International Labour Organisation showed that globally, work-related fatalities totaled 2.8 million, said Mr. van Biljon, urging professionals to understand that working with humans often resulted in human error, but occupational health and safety was a serious issue, and one of the hardest things was having to explain to a family as to why their loved one would never be coming home!

The seminar was closed by a Q&A session in which attendees voiced their concerns and queries to some of the day's speakers. In his final comments, MBA-KZN's Mr. Neil Enslin said that it was important to remember the far-reaching and devastating effects of poor attention to, and management of, health and safety issues.

“Business close as a result of these incidents. When things do go wrong, there are major implications – financial implications, people can die or get seriously hurt. All of us – safety professionals, engineers, those in construction – we have to work together to ensure that all the people go home from their site after work – let's educate one another and work together.”

World Day for Safety and Health at Work takes place on 28 April 2019.

Ends-



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(Above) SACPCMP's Executive: PCM, Jimmy Modise

SACPCMP Presents at the Master Builders Association KZN Seminar For World Day for Safety and Health at Work 2019



(Above) SACPCMP Registrar, Butcher Matutle



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(Above from left to right) Legislative Compliance Specialists' Director Ernst van Biljon, Department of Labour Forensic Investigator, Lennie Samuel, Deputy Director: Specialist for Construction, Hilton Ganesen, SACPCMP Registrar, Butcher Matutle, Master Builders Association KZN's Neil Enslin and SACPCMP Stakeholder Relations Executive, Yuvan Gounden, at this week's Master Builders Association KZN Seminar.



(Above) Master Builders Association KZN's Neil Enslin



SACPCMP's Executive: PCM, Jimmy Modise



Department of Labour Forensic Investigator, Lennie Samuel



Legislative Compliance Specialists' Director Ernst van Biljon

Note to Editors

The South African Council for the Project and Construction Management Professions (SACPCMP) is empowered by section 18 of Act No. 48 of 2000 to certify, register and regulate the Project and Construction Management Professions.

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