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Course Title: Demonstrate an understanding of Occupational Health, Safety, and Environmental Legislations (Legal Liability)

SAQA ID: 246667

NQF Level: 3

Credits: 4

Course Description:

This course provides an in-depth understanding of Occupational Health, Safety, and Environmental Legislations in South Africa. It covers the basic principles of the Occupational Health and Safety Act (OHSA), the National Environment Management Act (NEMA), and the Environment Conservation Act. The course is designed to equip learners with the knowledge needed to comply with these laws and understand the legal implications of non-compliance. Learners will gain practical skills in conducting safety inspections, identifying hazards, and understanding the legal responsibilities of employers, employees, and contractors.

Course Objectives:

- To demonstrate knowledge and understanding of the basic principles of the OHSA and related regulations.
- To explain the requirements for minimum compliance stipulated in the OHSA.
- To conduct inspections to identify workplace hazards in accordance with specified requirements.
- To understand the National Environment Management Act and its implications for workplace safety.
- To demonstrate knowledge of the Environment Conservation Act and its application in environmental management.

Benefits of Completing this Course:

- Enhanced understanding of South African health, safety, and environmental legislation.
- Improved ability to conduct safety inspections and identify workplace hazards.
- Knowledge of legal responsibilities and liabilities under OHSA, NEMA, and the Environment Conservation Act.
- Increased ability to ensure compliance with relevant laws and avoid legal penalties.

Who Should Attend:

- Health and Safety Officers
- Environmental Officers
- Supervisors and Managers responsible for workplace safety
- Employees responsible for compliance with safety regulations
- Anyone involved in the implementation of occupational health and safety measures.



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Assessment:

The course assessment will involve a combination of theoretical and practical components to ensure that learners can demonstrate competency in all aspects of Legal Liability OHS. This will include written tests, practical inspections, and scenario-based evaluations.

Specific Outcomes and Assessment Criteria:

Specific Outcome 1:

Demonstrate knowledge and understanding of the basic principles of the Act and Regulations.

- The site-specific safety report must conform to the OHSA in terms of compliance criteria.
- The principles of OHSA are described with reference to Act Regulations.
- The consequences of non-compliance are described within the generic framework of the Act relative to the duties of employer, employees and contractors.
- The accountability of the Chief Executive Officer or person deemed to be the Chief Executive Officer under the Act is described in terms of the legal implications of non-compliance.
- Inspection progress and scope coverage is monitored and documented in accordance with written instructions.

Specific Outcome 2:

Explain the requirements for minimum compliance stipulated in the Act.

- The Health and Safety structure conforms to the OHSA written instruction.
- The Health and Safety appointments must conform as indicated in the Act.
- Responsibilities and accountability are described in terms of the duties of the three designated appointments.
- Explain the obligation of the employer to provide the means to comply with the Act with reference to resources and financing.

Specific Outcome 3:

Conduct inspections to identify hazards.

- Pre-use and audit inspections reports are conducted in accordance with specified requirements for the intended type of inspection.
- The potential life, safety and damage hazards are identified in accordance with specified requirements during the pre-use and audit inspection report.
- Hazard identification is carried out according to site specified safety requirements.
- Unsafe Conditions observed are compared to specified ACT requirements and identified deviations are recorded accurately.
- Workplace is inspected and a report is generated on workplace hazards and associated risks as prescribe by OHSA inspections list.



TRAINING AND PROJECTS

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Specific Outcome 4:

Demonstrate knowledge and understanding of the National Environment Management Act.

- To demonstrate knowledge and understanding of the National Environment Management Act, the concept of duty of care is explained with reference to pollution, environmental damage and remediation.
- A workplace inspection is carried out to determine conformance to prescribed standards of the National Environment Management Act and results are recorded in a prescribed manner.
- Liability relating to environmental damage is explained with reference to the company, directors and employees.
- Extension of liability is explained in terms of people's legal standing and type of liability.
- The concept of civil liability is explained with reference to NEMA.
- The concept of criminal liability is explained with reference to NEMA.
- Offences that could result in extension of liability under NEMA are named with reference to related legislation dealing with air, water and environmental cover.

Specific Outcome 5:

- Demonstrate knowledge and understanding that conforms to set criteria of the Environment Conservation Act.
- Criminal liability for non-compliance is explained with reference to the Act.
- The relationship between this Act and NEMA is explained with reference to extension of liability.
- Activities that require environmental impact assessments are named with examples.
- The basic requirements for conducting environmental impact assessments are explained for a specific scenario.