

# Ergonomics Regulations 2019, promulgated under the Occupational Health and Safety Act No. 85 of 1993, as amended

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On 6 December 2019, the Ergonomics Regulations were published in the Government Gazette,<sup>1</sup> and are applicable to all workplaces as per the definition in the Occupational Health and Safety Act No. 85 of 1993, as amended.<sup>2</sup> The intention of the Regulations is an ergonomics programme approach, which should be integrated into existing occupational health and safety programmes. Ergonomics is not a stand-alone hazard, but rather part of the broader approach to ensure a workplace that is safe and without risk to the health of employees, as well as productive.<sup>2</sup> An ergonomics programme is a systematic process for anticipating, identifying, analysing and controlling ergonomic risks, and should include, at least, an ergonomics hazards identification and risk assessment, risk controls (through the implementation of the hierarchy of controls), information and training, monitoring and evaluation, and medical surveillance.

The aim of the Ergonomics Regulations is to balance worker wellbeing and productivity through interactions of the human and the work-system, focusing on a human-centred approach. The practical benefits of ergonomics include:

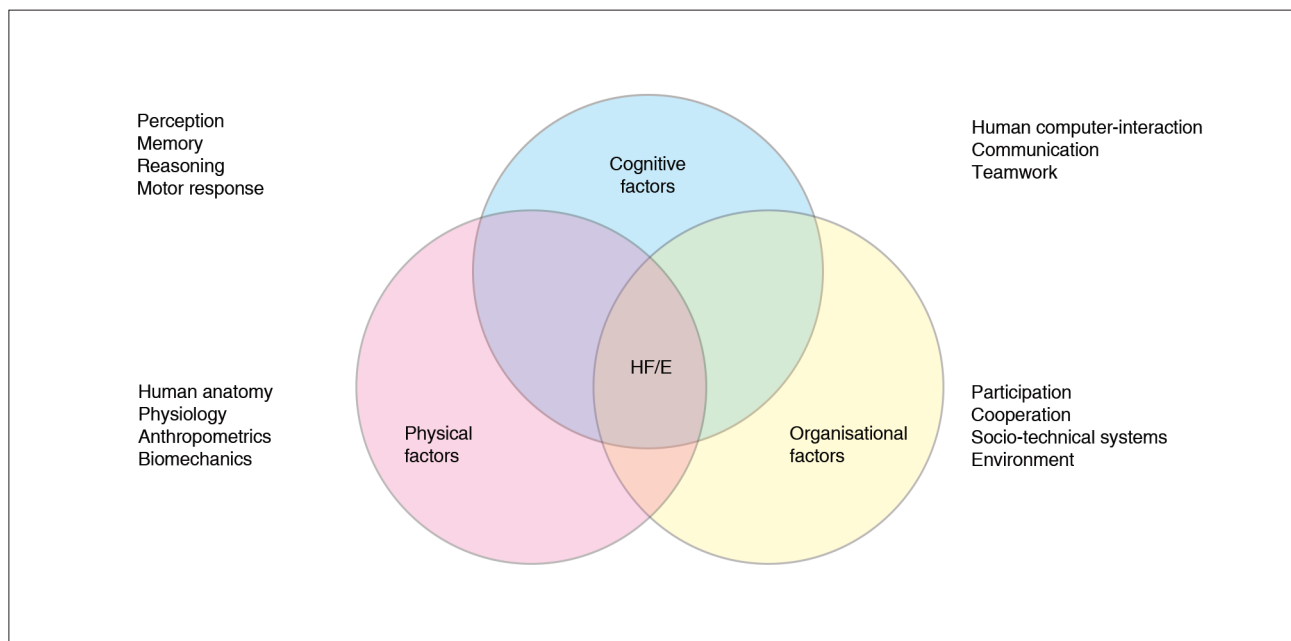
- For the employee – improved health, wellbeing and safety at the workplace
- For the employer – improved productivity, efficiency, and prevention of occupational incidents and adverse health effects
- For Government – a workplace that is safe and without risk to the health of employees<sup>2</sup>

The Regulations also incorporate the three factors of ergonomics, previously known as domains, viz. physical, cognitive, and organisational, which are interrelated<sup>1</sup> as illustrated in Figure 1.

Physical ergonomics focuses on physical activity, cognitive ergonomics on mental processing, and organisational ergonomics on optimising sociotechnical systems. Table 1 provides a few examples of each factor. It is important to keep in mind that employers and competent persons must take all three factors into account when conducting an ergonomics risk assessment, and work with other disciplines when addressing these issues.<sup>3</sup>

It is important that the Ergonomics Regulations are not read in isolation. As indicated in Table 1, some of the examples of cognitive and organisational ergonomics are governed in other laws administered by the Department of Employment and Labour. Therefore, when conducting an ergonomics risk assessment, employers and the competent person need to consider:

1. The Occupational Health and Safety Act No. 85 of 1993, as amended<sup>2</sup>
2. Relevant regulations promulgated under Section 43 of the Basic Conditions of Employment Act No. 75 of 1997, as amended<sup>4</sup>
3. The Codes of Practice associated with the Compensation for Occupational Injuries and Diseases Act No. 130 of 1993, as amended<sup>5</sup>
4. The Employment Equity Act No. 55 of 1998, as amended<sup>6</sup>
5. The Code of Practice on the Prevention and Elimination of Harassment in the Workplace<sup>7</sup>



HF/E: human factors/ergonomics

**Figure 1. Interaction between the three factors in ergonomics**

Source: *International Ergonomics Association*<sup>3</sup>

**Table 1. Examples of physical, cognitive, and organisational ergonomics factors**

Ergonomics factor		
Physical	Cognitive	Organisational
<ul style="list-style-type: none"> <li>• Working postures</li> <li>• Materials handling</li> <li>• Repetitive movements</li> <li>• Work-related musculoskeletal disorders</li> <li>• Workplace layout</li> <li>• Physical safety and health</li> </ul>	<ul style="list-style-type: none"> <li>• Mental workload</li> <li>• Decision making</li> <li>• Skilled performance</li> <li>• Human-computer interaction</li> <li>• Human reliability</li> <li>• Work stress</li> <li>• Training</li> </ul>	<ul style="list-style-type: none"> <li>• Communication</li> <li>• Employee resource management</li> <li>• Work design</li> <li>• Design of working times</li> <li>• Teamwork</li> <li>• Participatory design</li> <li>• Virtual organisations</li> <li>• Quality management</li> </ul>

Since the promulgation of the Ergonomics Regulations in December 2019, there have been a number of challenges with their implementation. However, the Department of Employment and Labour (DEL) has addressed these and is working on further ways to promote ergonomics in the workplace. The first challenge was the COVID-19 pandemic and its implications for the workplace, with a move to hybrid and remote work. There were also a number of enquiries with regard to the risk assessment and the competent person described in the Regulations. As risk assessment is one of the fundamental regulatory prevention principles in the workplace, the Department gave a 12-month exemption for conducting risk assessments and related medical surveillance, in order for employers to upskill employees or to find skilled external individuals for this task. The Department also drafted and published a guideline on the competent person,<sup>8</sup> which provides more details on how to select such a person. However, while the Regulations require the appointment of a competent person to perform the risk assessment, the Department has always promoted a team approach when conducting risk assessments, as it is beneficial to draw on knowledge and skills of others in the workplace.

The DEL will also conduct a small, national survey about the implementation of the Regulations, aimed at employers across the country, and using the inspections conducted by the occupational health and safety inspectors. The results of the survey will hopefully provide information about how the regulations are being implemented, the challenges being experienced by industry, and where best practices are being implemented.

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