

Occupational Health and Safety Act, 1993

18. Functions of Health and Safety Representatives

1. A health & safety representative may perform the following functions in respect of the [workplace](#) or section of the workplace for which he has been designated, namely -
 - a. review the effectiveness of health and safety measures;
 - b. identify potential [hazards](#) and potential [major incidents](#) at the workplace;
 - c. in collaboration with his employer, examine the causes of incidents at the workplace;
 - d. investigate complaints by any [employee](#) relating to that employee's health or safety at work;
 - e. make representations to the employer or a [health and safety committee](#) on matters arising from paragraphs (a), (b), (c) or (d), or where such representations are unsuccessful, to an [inspector](#);
 - f. make representations to the employer on general matters affecting the health or safety of the employees at the workplace;
 - g. inspect the workplace, including any article, [substance](#), [plant](#), [machinery](#) or [health and safety equipment](#) at that workplace with a view to the health and safety of employees, at such intervals as may be agreed upon with the employer: Provided that the [health and safety representative](#) shall give reasonable notice of his intention to carry out such an inspection to the employer, who may be present during the inspection;
 - h. participate in consultations with inspectors at the workplace and accompany inspectors on inspections of the workplace;
 - i. receive information from inspectors as contemplated in [section 36](#); and
 - j. in his capacity as a health and safety representative attend meetings of the [health and safety committee](#) of which he is a member, in connection with any of the above functions.
2. A health and safety representative shall, in respect of the workplace or section of the workplace for which he has been designated be entitled to--
 - a. visit the site of an [incident](#) at all reasonable times and attend any inspection in loco;
 - b. attend any investigation or formal inquiry held in terms of this Act;
 - c. in so far as is reasonably necessary for performing his functions, inspect any document which the employer is required to keep in terms of this Act;
 - d. accompany an inspector on any inspection;
 - e. with the approval of the employer (which approval shall not be unreasonably withheld) , be accompanied by a technical adviser, on any inspection; and
 - f. participate in any internal health or safety audit.
3. An employer shall provide such facilities, assistance and training as a health and safety representative may reasonably require and as have been agreed upon for the carrying out of his functions.
4. A health and safety representative shall not incur any civil liability by reason of the fact only that he failed to do anything which he may do or is required to do in terms of this Act.