

Ergonomics Regulations, 2019

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1. Definitions

Key definitions include:

- "adverse health effect" - causation, promotion, facilitation or exacerbation of structural or functional abnormality
- "competent person" - person with required knowledge, training, experience and qualifications in ergonomics
- "chief director: provincial operations" - provincial director as defined in General Administrative Regulations, 2003
- "design" - drawings, calculations, details and specifications related to objects, systems or measurable human interaction
- "designer" - person who prepares, checks, approves designs or has responsibility for designs
- "ergonomic risk" - characteristic, action or condition that may impair system performance and human well-being
- "ergonomic risk assessment" - program, process or investigation to identify, analyze, evaluate and prioritize ergonomic risks
- "ergonomics" - scientific discipline concerned with interactions among humans and other elements of a system
- "supplier" - person who controls supply, importation or resupply of machinery, plant or work systems
- "work system" - system in which humans or machines perform work using resources to produce products or services

2. Scope of application

These Regulations will apply to: (a) Any employer or self-employed person who carries out work that may expose persons to ergonomic risks (b) A designer, manufacturer, importer or supplier of machinery, plant or work systems for workplace use



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01 Feb 2024	28 Feb 2026	SHEQ Warehouse (Pty) Ltd	Neville
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3. Information, instruction and training

(1) After consultation with safety committees/representatives, employers must establish a training programme for persons who may be affected by ergonomic risks, covering: (a) Content and scope of these Regulations (b) Potential exposure sources (c) Nature of ergonomic risks (d) Potential health risks (e) Control measures (f) Reporting procedures (g) Precautions for self-protection (h) Assessment of exposure and medical surveillance benefits

(2) Training must occur before workplace placement.

(3) Refresher training must occur at intervals recommended by safety committees/representatives.

4. Duties of persons who may be at risk of exposure to ergonomic risks

Any person exposed to ergonomic risks must obey employer instructions regarding: (a) Use of control measures (b) Cooperation in determining exposure (c) Reporting potential risks to representatives or employer (d) Reporting for medical surveillance (e) Following information, instruction and training received

5. Duties of designers, manufacturers, importers and suppliers

Any designer, manufacturer, importer or supplier of machinery, plant or work systems must: (a) Ensure products optimize human well-being and system performance (b) Ensure products can be transported, received, stored and handled optimally (c) Provide necessary information, instruction and training (d) Install products to achieve optimal human well-being and system performance (e) Provide appropriate maintenance information

6. Ergonomic risk assessment

(1) (a) Before work that may expose employees to ergonomic risks, employers must have a risk assessment performed by a competent person (b) Assessment must be done after consultation with safety committees/representatives

(2) The assessment must: (a) Be conducted at intervals not exceeding two years (b) Include: (i) Complete hazard identification (ii) Identification of persons who may be affected (iii) How employees may be affected (iv) Analysis and evaluation of risks (v) Prioritization of risks

(3) Employers must review assessments if: (a) The assessment is no longer valid (b) Control measures are ineffective (c) Better control methods become available (d) Changes occur in:



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(i) Work methods (ii) Type of work (iii) Equipment used (e) An incident occurs or medical surveillance reveals adverse health effects where ergonomic risks are contributing factors

7. Risk control

(1) Employers or self-employed persons must prevent or adequately control exposure to ergonomic risks.

(2) Control measures must be implemented according to the hierarchy of controls.

8. Medical surveillance

(1) Employers must ensure employee medical surveillance (overseen by occupational medicine practitioner) if: (a) Risk assessment indicates need (b) Occupational health practitioner recommends it

(2) Medical surveillance must consist of: (a) Initial health examination before employment or within 30 days (b) Periodic examinations at intervals not exceeding two years (c) Exit health examination

9. Maintenance of controls

Employers or self-employed persons must ensure control measures: (a) Comply with regulations (b) Are fully implemented (c) Are maintained in good working order

10. Records

(1) Employers or self-employed persons must: (a) Keep records of documents from regulations 3, 6, 7, 8(2) and 9 (b) Keep records for: (i) 40 years for regulations 6 and 8(2) (ii) 3 years for regulations 7 and 9 (iii) Duration of employment for regulation 3 (c) Make available: (i) Records from regulations 3, 6, 7 and 9 to safety representatives, committees or inspectors (ii) Records from regulation 8(2) to any person with employee's consent

(2) (a) If employer ceases activities, records must be transferred to the provincial chief director (b) Records must contain employee information: (i) Surname and forenames (ii) Gender (iii) Date of birth (iv) Spouse or closest relative (v) Permanent address and postal code, if available

11. Ergonomics health and safety technical committee

(1) The chief inspector must establish a technical committee consisting of: (a) A chairperson (b) Two Dept. of Employment and Labour representatives (c) Three employer representatives (d) Three union representatives (e) One professional body representative (f) Co-opted competent persons (g) One higher education representative in ergonomics (h) One occupational medicine representative



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(2) The chief inspector: (a) Appoints members for determined periods (b) May discharge members for just cause (c) May appoint replacements

(3) The committee must: (a) Advise on ergonomics matters including codes, standards and training (b) Make recommendations on relevant matters (c) Advise on referred matters (d) Perform requested administrative functions (e) Follow chief inspector's instructions

12. Offences and penalties

Violations may result in fines or imprisonment up to 12 months, with additional penalties for continuous offenses.

13. Short title and commencement

These Regulations are called the Ergonomics Regulations, 2018, effective upon publication.