

■ CIVITAS STAND-OFF

Civitas Building health row drags on

Address our concerns now, PSA warns; also wants chief labour inspector to check the premises for work hazards

LOYISO SIDIMBA

THE battle over health and safety concerns at yet another government department building has been referred back to the Department of Labour again.

The Public Servants Association (PSA), which represents about 800 workers at Civitas Building, the head office of the national Health Department in the city, has told the chief inspector's office that employees complained about a number of health issues ranging from the air quality, noise levels, dirty tap water and carpets to fire hydrant challenges.

The union has warned that its concerns over the Civitas Building need to be addressed urgently as lives could be lost, as in last month's tragedy at the Bank of Lisbon Building in Joburg in which three firefighters died and several Gauteng provincial government employees were injured.

A request has been made for an inspector to be appointed, as the Department of Labour had previously done investigations and failed to effect the changes or address the issues in its report.

"The issues cited herein are still outstanding and also led to us referring the matter to the Labour Court," reads the PSA's request.

According to the union, the chief inspector's intervention is needed on a very urgent basis.

On Friday, the Labour Court dismissed the PSA's bid to have the Civitas Building declared unsafe; and that they must be paid for not reporting for duty owing to health and safety concerns.

The union was unsuccessful in its application to enforce findings of an inspection by the Department of Labour in May that directed the Health Department to assess noise levels and air quality.

Another National Institute of Occupational Health survey found that noise levels were excessive in two of the four areas measured.

Also, that on different floors air velocity and relative humidity did not conform to the recommended standards.

The PSA accused the Health Depart-



THE Public Servants Association wants concerns regarding the Civitas Building in Pretoria to be addressed urgently before lives are lost. | African News Agency (ANA) Archives

ment of intentionally refusing to comply with its statutory duties to ensure a safe working environment at Civitas Building but Judge Andre van Niekerk found there was no evidence to support the union's claims.

Instead, Judge Van Niekerk told the PSA to approach the Labour Department's chief inspector of occupational health and safety.

"Section 35(3) [of the Occupational Health and Safety Act] provides that any person aggrieved by a decision taken by the chief inspector either on appeal or in the exercise of any

power under the act, may appeal to this court," he found.

Judge van Niekerk said the Labour Court was empowered by the act to confirm, set aside or vary any decision or substitute any decision which in its opinion the chief inspector ought to have taken.

PSA assistant general manager Reuben Maleka yesterday told Independent Media that the union approached the chief inspector's office on Tuesday to establish whether the Civitas Building was safe or not.

According to Maleka, the earlier

inspections by the Labour Department and the National Institute of Occupational Health did not indicate what should happen to the building.

The PSA had also cited Public Works Minister Thulas Nxesi and his department as respondents in its case as they manage the government's property portfolio.

Yesterday, the Labour Department said it had tried several times to meet PSA shop stewards at Civitas Building but they refused to meet with its officials.

Earlier this month, another Labour

Court Judge Connie Prinsloo allowed the National Education, Health and Allied Workers' Union (Nehawu) to urgently re-enrol its case after Health Minister Aaron Motsoaledi and the department asked the court to strike out parts of Nehawu's submissions that constituted hearsay evidence, opinion evidence and new material as this would prejudice them.

The contentious evidence included submissions on ailments suffered by Nehawu members without providing the number of employees and supporting evidence.