

# Occupational Health Safety

SOC 357



University of Ibadan Distance Learning Centre  
Open and Distance Learning Course Series Development

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## **Vice-Chancellor's Message**

The Distance Learning Centre is building on a solid tradition of over two decades of service in the provision of External Studies Programme and now Distance Learning Education in Nigeria and beyond. The Distance Learning mode to which we are committed is providing access to many deserving Nigerians in having access to higher education especially those who by the nature of their engagement do not have the luxury of full time education. Recently, it is contributing in no small measure to providing places for teeming Nigerian youths who for one reason or the other could not get admission into the conventional universities.

These course materials have been written by writers specially trained in ODL course delivery. The writers have made great efforts to provide up to date information, knowledge and skills in the different disciplines and ensure that the materials are user-friendly.

In addition to provision of course materials in print and e-format, a lot of Information Technology input has also gone into the deployment of course materials. Most of them can be downloaded from the DLC website and are available in audio format which you can also download into your mobile phones, IPod, MP3 among other devices to allow you listen to the audio study sessions. Some of the study session materials have been scripted and are being broadcast on the university's Diamond Radio FM 101.1, while others have been delivered and captured in audio-visual format in a classroom environment for use by our students. Detailed information on availability and access is available on the website. We will continue in our efforts to provide and review course materials for our courses.

However, for you to take advantage of these formats, you will need to improve on your I.T. skills and develop requisite distance learning Culture. It is well known that, for efficient and effective provision of Distance learning education, availability of appropriate and relevant course materials is a *sine qua non*. So also, is the availability of multiple plat form for the convenience of our students. It is in fulfilment of this, that series of course materials are being written to enable our students study at their own pace and convenience.

It is our hope that you will put these course materials to the best use.



**Prof. Abel Idowu Olayinka**  
Vice-Chancellor

## **Foreword**

As part of its vision of providing education for “Liberty and Development” for Nigerians and the International Community, the University of Ibadan, Distance Learning Centre has recently embarked on a vigorous repositioning agenda which aimed at embracing a holistic and all encompassing approach to the delivery of its Open Distance Learning (ODL) programmes. Thus we are committed to global best practices in distance learning provision. Apart from providing an efficient administrative and academic support for our students, we are committed to providing educational resource materials for the use of our students. We are convinced that, without an up-to-date, learner-friendly and distance learning compliant course materials, there cannot be any basis to lay claim to being a provider of distance learning education. Indeed, availability of appropriate course materials in multiple formats is the hub of any distance learning provision worldwide.

In view of the above, we are vigorously pursuing as a matter of priority, the provision of credible, learner-friendly and interactive course materials for all our courses. We commissioned the authoring of, and review of course materials to teams of experts and their outputs were subjected to rigorous peer review to ensure standard. The approach not only emphasizes cognitive knowledge, but also skills and humane values which are at the core of education, even in an ICT age.

The development of the materials which is on-going also had input from experienced editors and illustrators who have ensured that they are accurate, current and learner-friendly. They are specially written with distance learners in mind. This is very important because, distance learning involves non-residential students who can often feel isolated from the community of learners.

It is important to note that, for a distance learner to excel there is the need to source and read relevant materials apart from this course material. Therefore, adequate supplementary reading materials as well as other information sources are suggested in the course materials.

Apart from the responsibility for you to read this course material with others, you are also advised to seek assistance from your course facilitators especially academic advisors during your study even before the interactive session which is by design for revision. Your academic advisors will assist you using convenient technology including Google Hang Out, You Tube, Talk Fusion, etc. but you have to take advantage of these. It is also going to be of immense advantage if you complete assignments as at when due so as to have necessary feedbacks as a guide.

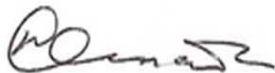
The implication of the above is that, a distance learner has a responsibility to develop requisite distance learning culture which includes diligent and disciplined self-study,

seeking available administrative and academic support and acquisition of basic information technology skills. This is why you are encouraged to develop your computer skills by availing yourself the opportunity of training that the Centre's provide and put these into use.

In conclusion, it is envisaged that the course materials would also be useful for the regular students of tertiary institutions in Nigeria who are faced with a dearth of high quality textbooks. We are therefore, delighted to present these titles to both our distance learning students and the university's regular students. We are confident that the materials will be an invaluable resource to all.

We would like to thank all our authors, reviewers and production staff for the high quality of work.

Best wishes.

A handwritten signature in black ink, appearing to read 'Bayo Okunade', written in a cursive style.

**Professor Bayo Okunade**  
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## **Introduction**

This course which centres on Occupational Health and Safety made up of eight lectures. The issue of health and safety of workers/employees in the workplace cannot be overemphasized because it improves the quality of work done, improve workers' productivity and reduce industrial accidents.

Against this background, lecture one focuses on understanding the concepts occupation, health, and occupational health. In doing this several definitions of the concepts are presented and explained. Lecture two is devoted to discussing occupational diseases and occupational health hazards. Such hazards discussed included physical hazards, chemical hazards and biological hazards.

Lecture three focuses on stress and fatigue in the work place. Different definitions of the concepts were advanced as well as methods of their manifestations, effects and how to manage them in the work place. Lecture four discussed accidents in the workplace. Several causes of accident were presented and discussed as well as its costs to both the employers, employees and the nation at large.

Lecture five discussed occupational safety and health Services programmes. In this lecture a wide range of safety programmes to be enacted by management of workplace were itemized and critically discussed. Lecture six focuses on legal provisions for occupational safety in Nigeria. In this lecture emphasis is placed on the issues relating to vicarious liability and common law provisions such as competent staff of men, adequate plant and equipment, safe place of work; and safe system of working (operation) with effective supervision. Lecture also examined breach of statutory duty as well as defence against liability available to the employer.

Lecture seven is devoted to workmen's compensation benefits in Nigeria with special emphasis on Workmen Compensation Act of 2011. The last lecture, which is lecture eight, examined the roles of stakeholders in maintaining and sustaining occupation health and safety. The roles of stakeholders discussed in this lecture are International Labour Organisation (ILO), employer/management, workers unions and workers themselves.

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## Study Session 1: Concepts of Occupation, Health, and Occupational health

Expected duration: 1 week or 2 contact hours

### Introduction

In this study, you will be introduced to three concepts namely; *occupation, health and occupational health*. These three concepts are very important in understanding, the state of employees who in organizations. This is because when employees are healthy and work in safe environment, they will be in position to contribute meaningful to the realization of the goals and objective of their organization. Hence the success or otherwise of any work organization will depend on how healthy and safe the employees are in the organization.

### Learning Outcomes for Study Session 1

When you have studied this session, you should be able to

- 1.1) Define the concept of Occupation Work (SAQ1.2)
- 1.2) Explain the concept of Health (SAQ 1.3)
- 1.3) Detail the concept of Occupational Health as observed in the study(SAQ 1.4)

#### 1.1 Definition of Occupation

Occupation can be defined in number of ways.

- ❖ It can be defined as *regular activities performed for payment* that occupies a person's time. It can be conceived as employment, in which case a person is under service of another by hire.
- ❖ It can also be described as a *career* in which a person *pursues through life*.
- ❖ It can also be regarded as *profession or a vocation* which allowed a person specializes in certain aspect of particular work upon training.

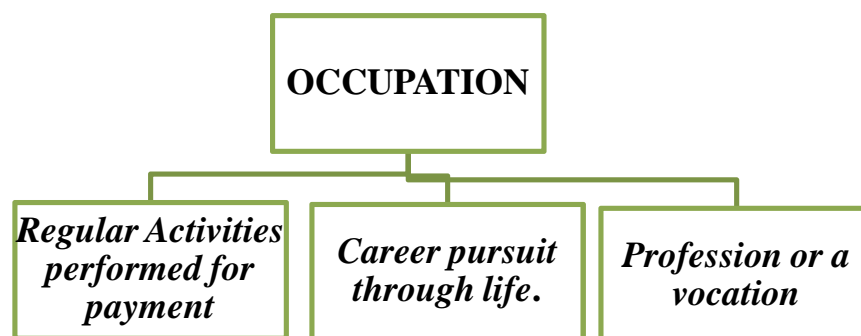


Figure 1.1: Categories of definitions for occupation  
Source: Distance Learning Centre, University of Ibadan

This best way to understand the concept of occupation is to look at it through the concept of work. The concept of work has attracted a number of definitions and explanations from various writers and commentators.

**Work has been defined as the carrying out of task which enables people to make a living within the environment in which they find themselves.**

#### **Box 1.1: Russell Perception of Work**

**Russell, (1983)** defines work in two ways. First, altering the position of matter at or near the earth surface, relative to other such matter; second, telling other people to do so. To him, the first kind is unpleasant and ill paid; the second is pleasant and highly paid. Work, is also a social activity which attracts a monetary compensation.

Most people work for the following reasons;

- To earn a living/make money
- For the satisfactions it brings such as doing something worthwhile
- Sense of achievement, prestige, recognition
- The opportunity to use and develop abilities
- The scope to exercise power, and companionship etc.

#### **Box 1.2: Armstrong Perception of Work**

**Armstrong (1999)**, work is the exertion of effort and the application of knowledge and skills to achieve a purpose.

Within organizations, the nature of work carried by individuals and what they feel about it are governed by the employment relationship.

**Thompson (1983)** contends that work is not just something that a society organizes to meet social needs, or people carry out in order to survive.

It is a framework within which those who own and control economic resources seek to ensure the appropriation of the surplus.



*Figure 1.2: Monetary compensation/salary for Working  
Source: Distance Learning Centre, University of Ibadan*

To **Miller and William (1964)**, work is a human transitive activity existing for the sake of its object in which society acts as its norms and destination. *Therefore, one can define work as an activity that produces something of value for other people as well as an antidote for poverty.*

From these definitions cited above, you will discover that, there are certain characteristics of work could emerge.

### **CHARACTERISTICS OF WORK**

1. Work is a necessity – we live to work and work to live.
2. Work is both physical and/or mental exertion.
3. Work attracts rewards.
4. Work is relational – it brings together those who plan its social organization and those who carry out the activities involved in it.
5. The meanings and significance of work are derived from the social structure of a society.
6. Work is directed to the achievement of specific objectives.
7. Work contributes to a person's self-esteem as well as shapes one's sense of identity.

From these definitions cited above, you will discover that, there are certain characteristics of work could emerge.

Across cultures and across ages, people have always had different attitude and perceptions of work.

#### **Box 1.3: Ancient Greeks' Perception of Work**

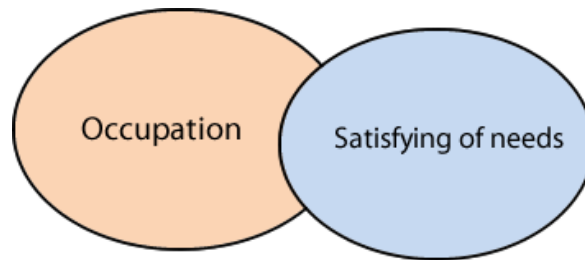
**For the Ancient Greeks**, *work was a curse*, i.e. something that was to be completely avoided if possible. This was basically true in terms of de-humanistic work (i.e. work that has to do with compulsion). This type of work dehumanizes man. In other words, it is contrary to nature.

The Roman's attitude to work was again identical to the Greek attitude. Work especially the one involving machine was seen as drudgery. The Jews also see work as something painful and to be avoided but necessary for the atonement of sins. The above attitudes of Greek, Romans and Jews see work as having no intrinsic value, i.e. no satisfaction at all.

- From the above, what do you understand by Occupation and Work?
  - It can be defined as regular activity performed for payment that occupies a person's time. Work, is also a social activity which attracts a monetary compensation.
- If work is seen almost like last-choice in option for Mrs. Eket, who is likely to have originated from according to our study?
  - It is Greeks/Jews that believed work should be avoided in any possible possibility; therefore, she must be from Greek.

### Early Christians and Protestant Ethics

**For early Christians** work was vested with another meaning, though it was not seen as satisfying or necessary to attain something else, i.e. instrumental to the satisfying of needs either psychological or material needs. Work became more or less instrumental for the promotion of health of body and soul. To them, individuals can be healthy spiritually and physically through work. It kept one busy from committing or thinking evil.



*Figure 1.3: Early Christians' definition of Work*  
*Source: Distance Learning Centre, University of Ibadan*

**Weber (1947)** in his *Protestant Ethics and Spirit of Capitalism* saw capitalism as developing from religious asceticism. **Calvinism** was known as the Protestant sect because of their protest against the authoritative and repressive Catholic doctrines. This change in the religious belief was an aspect of the total change in Britain. Rather than see work as drudgery or painful, the Protestants see it as service to God.

To be methodical and disciplined, work became a religious duty. Man was enjoined to be moderate and less extravagant. An austere life to them was seen as to epitomize God's blessing. The effect of this was an accumulation of capital. This was the way in which a change in religious beliefs prepared the necessary conditions for a change in other aspects of life – social and economic. Hence, one of the latent consequences of change in religious beliefs was capitalism.

To Africans, during the pre-colonial times, work was seen as a necessity. Those who engaged in physical work were assumed not to lack necessities. Therefore, a person who refused to work did not deserve to eat at the expense of others but should learn to work with his hands to care for his needs. Because of the agrarian nature of most African societies, certain types of work were prescribed for men while others were prescribed for women.

Rather than see work as drudgery or painful, the Protestants see it as service to God

Modern writers on organizations have presented various theories regarding the attitude of workers to work. For instance, Douglas McGregor (1960) in his famous theory X and theory Y presented the attitude of workers to work. In his theory X, he argued among other things that:

- The average person dislikes work and will try to avoid it.
- Most people need to be coerced, controlled, directed and threatened with punishment to get their work towards organizational goals, and

- The average person wants to be directed, shuns responsibility, has little ambition, and seeks security above all.

**Box 1.4 McGregor's theory Y has the assumptions about workers:**

1. Most people do not inherently dislike work, the physical and mental efforts involved are as natural as play or rest.
2. People will exercise self-direction and self-control to reach goals to which they are committed; external control and threat of punishment are not the only means for ensuring efforts towards goals.
3. Commitment to goals is a function of the rewards available, particularly, rewards that satisfy esteem and self-actualization needs.
4. When conditions are favorable, the average person learns not only to accept but also to seek responsibility.
5. Many people have the capacity to exercise a high degree of creativity and innovation in solving organizational problems, and the intellectual potential of most individuals is only partially utilized in most organizations.

In the contemporary society, as a result of industrialization and modernization brought about by colonialism and the associated social change, work has come to be an occupation viewed in terms of paid employment. This has led to the formalization of work relationship thereby leading to the emergence of two distinct groups: the employer of labour and the employees. These two groups co-exist in a formal organization and their behaviour and activities are regulated by certain laws established by the state.

Generally, the right to work is fundamental to all human beings according to the Universal Declaration of Human Rights issued by the United Nations. That prerogative, however, is not always guaranteed. Therefore, when employment is lost or threatened; demonstrations, riots and strikes often follow. Because of widespread unemployment, sometimes, discussions relating to work have an emotional undertone.

This is understandable. Work is important for a number of reasons. Besides providing one with income to meet his or her needs, it also contributes to one's mental and emotional well-being. Work satisfies the human desire to be productive members of society and to have a purpose in life. It also engenders within a person a measure of self respect. This explains why those with enough money to cater for their needs and are eligible for retirement prefer to continue working so as to continue to actualize themselves. Indeed, work is so important that lack of it usually invites serious social problems.

### 1.1.1 Health

Everybody deserves sound health in order to live and accomplish one's goals and objectives in life. Simply put, health can be described as the level of functional or metabolic efficiency of a living being. In humans, it is the general condition of person's mind and body, usually meaning to be free from illness, injury or pain. The World Health Organisation (WHO) defined health in its broader sense in 1946 as "a state of complete

physical, mental, and social well-being and not merely the absence of disease or infirmity.

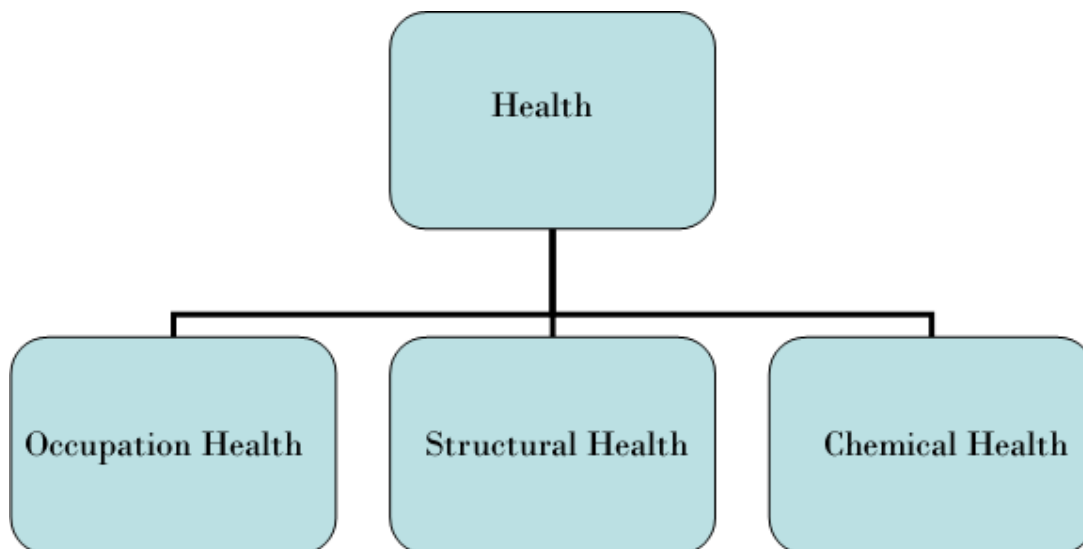
Although this definition has been subject to controversy, in particular as lacking operational value and because of the problem created by use of the word 'complete', it remains the most enduring. Classification systems such as the WHO Family of International Classifications, including the International Classification of Functioning, Disability and Health (ICF) and the International Classification of Diseases (ICD), are commonly used to define and measure the components of health.

Generally, the context in which an individual lives is of great importance for his health status and quality of life. It is increasingly recognized that health is maintained and improved not only through the advancement and application of health science, but also through the efforts and intelligent lifestyle choices of the individual and society. According to the World Health Organisation, the main determinants of health include the social and economic environment, the physical environment, and the person's individual characteristics and behaviors.

- In our African setting, a person free from illness, pain and sickness from the above study session the motive can be described as?
  - It's clearly shows an appearance of good living or sound Health.

<b>Box. 1.5 Identifiable Aspects of Health</b>		
1.	<b>Mental Health</b>	This has to do with healthy thoughts and attitudes. Emotional health, which is sometimes referred to as emotional intelligence, plays an enormous, and often unrealized, role in someone's overall health and fitness state. If someone is suffering from mental health difficulties, they may attend counseling or psychotherapy to 'unlock' previous emotional turmoil and then actually use their past emotional trauma in order to grow and develop their emotional intelligence, thereby improving their overall emotional health.
2.	<b>Structural Health</b>	This has to do with if the health of the body is structurally sound - the bones, muscles, organs etc. are physically in good condition and not damaged – performing the functions they should perform. Structural or physical health can be determined by considering someone's height/weight ratio, their body mass index (BMI), their resting heart rate and recover time after exercise.
3	<b>Chemical Health</b>	This has to do with if the chemicals in a person's body are correct - there are no toxic chemicals - the tissues are made up of the appropriate balance of nutrients etc. Chemicals, both naturally occurring and man-made, often get into the human body. A person may inhale them, swallow them, or in some cases, absorb them through skin. Often a person's body is able to breakdown chemicals or excretes them, thus reducing the accumulation of chemicals and the often harmful consequences of 'toxic overload'.
4.	<b>Occupation Health</b>	Occupational health deals with all aspects of health and safety in the workplace and has a strong focus on primary prevention of hazards. The health of the workers has several determinants, including risk factors at the workplace leading to cancers, accidents, musculoskeletal diseases, respiratory diseases, hearing loss, circulatory diseases, Stress related disorders and communicable diseases and others. Employment and working conditions in the formal or informal economy embrace other important determinants, including, working hours, salary, workplace policies concerning maternity leave, health promotion and protection provisions, etc.

- How can you explain Occupational Health?
  - Is explained as the promotion and maintenance of the highest degree of physical, mental and social well-being of workers in all occupations by preventing departures from health, controlling risks and the adaptation of work to people, and people to their jobs.



*Figure 5: Identifiable aspects of Health. Source: SchulPortals Images.*

The implication is that Occupational health is about the effect of work on health, and the effect of health on work. It plays a vital role in helping employers care for and understand the needs of their employees, enabling businesses to reduce sickness absence levels and optimize staff performance and productivity. Occupational health is a vital component of HR policy, enabling employers to understand and comply with Health and Safety legislation and to ensure workplace risks are effectively managed.

Other areas in which occupational health advice can assist organisations include rehabilitation and medical intervention programmes, disability adjustments, ill-health retirement issues and the management of existing work-related health problems. Wellbeing services are designed to promote a holistic approach to the long-term health of employees. Solutions such as health promotion workshops, lifestyle assessments and Stress management services create healthy and happy employees and consequently optimal performance levels.

More often than not safety, health, work and environment are major areas of concern to the employees, the employers and the government. The employees want to work in a safe environment and remain healthy all the time. The employers want continuous work without any disruption due to Accidents and injuries and therefore have to provide a safe and healthy environment to reduce cost of Accidents and maximize profit. Above all, the national government has employees and employers. Pigors and Myers (1981) identified four areas or levels in which this concern for safety and health can be located or expressed. These are:

- The immediate workplace itself, where specific jobs are performed for pay. In this place, the working conditions and management styles affect the physical and mental condition of the worker ‘for better, for worse’.
- The next stage is the “living space”, that is, the home and local community where the worker spends most of his time after work. What happens in his house and the community has continuing physical and psychological effects on his job



performance. The available transportation, housing and convenient facilities can have negative effect on him.

- The next circle represents ‘the regional arid national area’. This is the entire country and major economic and political events can also affect the safety and health of employees. For example, the state of the national economy, political instability, energy (fuel) crisis and poor transportation system in certain urban areas can also adversely affect employees mental psychological health. The adverse effects of these are common in Nigeria.
- And finally, the “international scene”. The world today, as a result of technological advancement is a global village. Current developments and events affect the health and security of every human being. These events could be wars, revolutions, terrorism, nuclear energy and many others.

### **Summary for Study Session 1**

In Study Session 1, you have learned that:

In this Session, we defined occupation as a regular activity performed for payment that occupies a person’s time. We also defined it as employment, in which case a person is under service of another by hire.

Work on the other hand is defined as the carrying out of task which enables people to make a living within the environment in which they find themselves.

Furthermore, health is defined health in its broader sense after WHO’s (1964) definition as: "a state of complete physical, mental, and social well-being and not merely the absence of disease or infirmity” Moreover, we identified and discussed three aspects of health which included; emotional or mental health, structural health and chemical health.

Finally, we explained occupational health as concerned with the effect of work on health, and the effect of health on work. It plays a vital role in helping employers care for and understand the needs of their employees, enabling businesses to reduce sickness absence levels and optimize staff performance and productivity.

Occupational health and satiety is a global concern. For instance, According to ILO (20100) some two million people die every year from work-related Accidents and diseases. An estimated 160 million people suffer from work-related diseases, and there are an estimated 270 million fatal and non-fatal work-related Accidents per year. The suffering caused by such Accidents and illnesses to workers and their families is incalculable. In economic terms, the ILO has estimated that 4% of the world's annual GDP is lost as a consequence of occupational diseases and accidents.

Employers face costly early retirements, loss of skilled staff, absenteeism, and high insurance premiums due to work-related Accidents and diseases. Yet many of these tragedies are preventable through the implementation of sound prevention, reporting and inspection practices.

ILO standards on occupational safety and health provide essential tools for governments, employers, and workers to establish such practices and to provide for maximum safety at work. In 2003 the ILO adopted a *global strategy to improve occupational safety and*

*health* which included the introduction of a preventive safety and health culture, the promotion and development of relevant instruments, and technical assistance.

### **Self-Assessment Question (SAQs) for Study Session 1**

Now that you have completed this study session, you can assess how well you have achieved its Learning outcomes by answering the following questions. Write your answers in your study Diary and discuss them with your Tutor at the next study Support Meeting. You can check your answers with the Notes on the Self-Assessment questions at the end of this Module.

#### **SAQ 1.1 (Tests Learning Outcomes 1.1)**

From what you have learnt critically examine definitions of occupation and work

#### **SAQ 1.2 (Tests Learning Outcomes 1.2)**

Explain the three major aspects of health?

#### **SAQ 1.3 (Tests Learning Outcomes 1.3)**

Why is occupational health and safety beneficial to employers, government and the employees?

## Study Session 2: Occupational Diseases and Occupational health hazards

**Expected duration: 1 week or 2 contact hours**

### Introduction

In this second study session, we will discuss Occupational Diseases and Occupational Health Hazards. These two concepts are very vital in understanding Occupational Health and Safety in any work or setting. You should know that work organisations have their peculiarities and such a particular work or occupation may expose an employee to certain diseases and Health Hazards.

### Learning Outcomes for Study Session 2

On completion of this study session, you should be able to:

- 2.1 Explain the Occupational Diseases (SAQ 2.1)
- 2.2 Understand the Occupational Health Hazards (SAQ 2.2)
- 2.3 Explain and discuss the types of Occupational Health Hazards. (SAQ 2.3)

#### 2.1 Occupational Diseases

An Occupational Disease is a disease or disorder that is caused by the work or working conditions. This means that the disease must have developed due to exposures in the workplace. Also, an Occupational Disease can be defined as any chronic ailment that occurs as a result of work or occupational activity. It is an aspect of occupational safety and health.



*Figure 2.1 A sick person from the Office.  
Source: <http://munie0131.blogspot.com/>*

An Occupational Disease is typically identified when it is shown that it is more prevalent in a given body of workers than in the general population, or in other worker populations. In sum it can be defined as a health problem caused by exposure to a workplace health hazard.

Many employees are exposed to and contact diseases from their working environment particularly those in industries and the health sector. Many of these diseases may be detected but many others may not be, because very often, the diseases manifest themselves only many months or even years after the work exposure to the causative agents.

By the time the disease is discovered, the employee may have changed job or retired or if he is still in the same organisation, the cause effect relationship may not be recognised. It is against this background that a renowned Human Resource expert, Beach (1980:63) says that “there is a time bomb ticking away inside the bodies of hundreds of thousands of American working men and women”.

The same can be said of the Nigerian workers, where fewer facilities exist for the health care of workers, except that Nigeria is less developed industrially and therefore the consequences of the usage of industrial chemicals are less. But on other sectors, the devastating health problems emanating from working environment may be alarming.

- What do you understand by Occupational Diseases?
  - Occupational disease can be defined as any chronic ailment that occurs as a result of work or occupational activity

In a developing country like, Nigeria, statistics are deficient as to the number of people that die as a result of diseases contacted from their working environment. However, studies in developed societies indicate the following common disease industry relationships.

Statistics of common diseases industry relationship in Nigeria.

- That millions of pounds of asbestos used to insulate pipes and valves in ships can cause “fatal asbestos-cause cancer” and that “Mesotheliomaa” cancer have been detected in people working in shipyards; analogously, people working in cement industries and asbestos can develop cancer.
- Studies have also shown that people exposed to gases such as “nitrous oxide; ‘ether’, and halogenated hydrocarbon” have a higher incidence of spontaneous abortion, birth defects, cancer and liver diseases than do non exposed people.
- Vinyl chloride exposure has caused liver cancer among plastics plant workers.
- Chronic exposure to “carbon disulphide” causes cardiovascular diseases, neurological abnormalities and possible effects on the reproductive system”.
- In Nigeria, ‘four medical personnel – two doctors, one nurse and one laboratory’ attendant” - were reported to have died of AIDS (Acquired Immune Deficiency Syndrome) between 1.995 - 1997, reports the Nigerian Medical Association (NMA). Occupational disease is an area for medical practitioners and industrial psychology specialists. For a layman, it is not possible to discuss the various diseases that can result from poor work environment But from common knowledge and experience and newspaper reports, we know that dusty floor or environment, poor ventilation can cause such diseases as cough and catarrh and constant bending or smiting down to work can result in waist and back pains. Loud noise exposure for a long time can also cause deafness.

### Box 2.1 Examples of common occupational diseases

1. Tennis elbow
2. Allergy
3. Hearing loss
4. Asthma

In most cases in order for an employee to get compensation and other benefits as a consequence of a disease, the disease must be recognised as an industrial injury. A disease can be recognised in two different ways:

- If the disease and the exposure causing the disease are on the list of occupational diseases, it is recognised as an occupational disease; and
- If the disease is not on the list of occupational diseases, it is still possible to recognize it as an occupational disease if the Occupational Diseases Committee in the work organisation in their recommendation, state that it is likely, beyond reasonable doubt, that the disease was caused by special factors in the workplace.

Against this background, and based on the work of two meetings of experts, the ILO Governing Body approved a new list of occupational diseases on 25 March 2010 during its 307th Session. This new list replaces the preceding one in the annex of Recommendation No. 194 which was adopted in 2002.

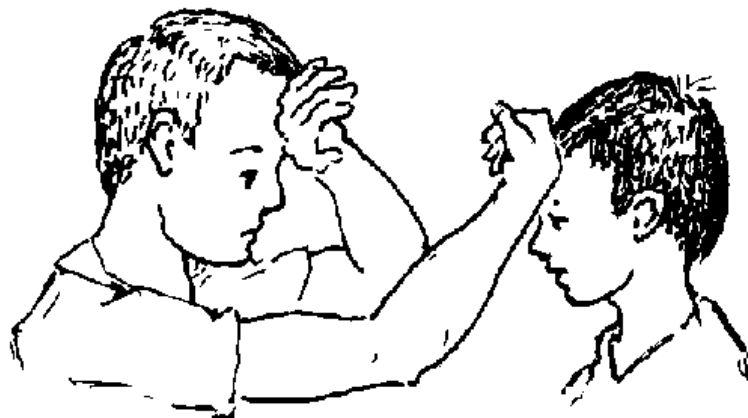


Figure 2.2 Occupational Diseases Source: <http://www.nzdl.org/>

The new list includes a range of internationally recognized occupational diseases, from illnesses caused by chemical, physical and biological agents to respiratory and skin diseases, musculoskeletal disorders and occupational cancer. Mental and behavioural disorders have for the first time been specifically included in the ILO list.

The ILO list consists of four major sections. The first has to do with *occupational diseases caused by exposure to agents arising from work activities*. This area is subdivided into; diseases caused by chemical agents, diseases caused by physical agents, and biological agents and infectious or parasitic diseases. The second area covered *Occupational diseases by target organ systems*.

This area is also subdivided into; respiratory diseases, skin diseases, musculoskeletal disorders, and mental and behavioural disorders. The third section which centres on *Occupational cancer* covers cancer caused by some listed agents. Last section covers *other diseases*, and this dealt with miners' nystagmus, and other specific diseases caused by occupations or processes not mentioned in this list where a direct link is established scientifically or determined by methods appropriate to national conditions and practice, between the exposure arising from work activities and the disease(s) contracted by the worker

**Box 2.2 Exposures in the workplace that may cause some of the above diseases are;**

- 1. Repetitive work movements**
- 2. Work with arms lifted above shoulder height**
- 3. Heavy lifting work**
- 4. Work in a very noisy environment**
- 5. Work with hazardous substances**

This list also has open items in all the sections dealing with the afore-mentioned diseases. The open items allow the recognition of the occupational origin of diseases not specified in the list if a link is established between exposure to risk factors arising from work activities and the disorders contracted by the worker. The criteria used by the tripartite experts for deciding what specific diseases be considered in the updated list include that: there is a causal relationship with a specific agent, exposure or work process; they occur in connection with a specific work environment and/or in specific occupations; they occur among the groups of workers concerned with a frequency which exceeds the average incidence within the rest of the population; and there is scientific evidence of a clearly defined pattern of disease following exposure and plausibility of cause.

This new list of Occupational Diseases reflects the state-of-the-art development in the identification and recognition of occupational diseases in the world of today. It indicates clearly where prevention and protection should take place. This ILO list represents the latest worldwide consensus on diseases which are internationally accepted as caused by work. This list can serve as a model for the establishment, review and revision of national lists of occupational diseases. The world's working population and their families will benefit from this new list.

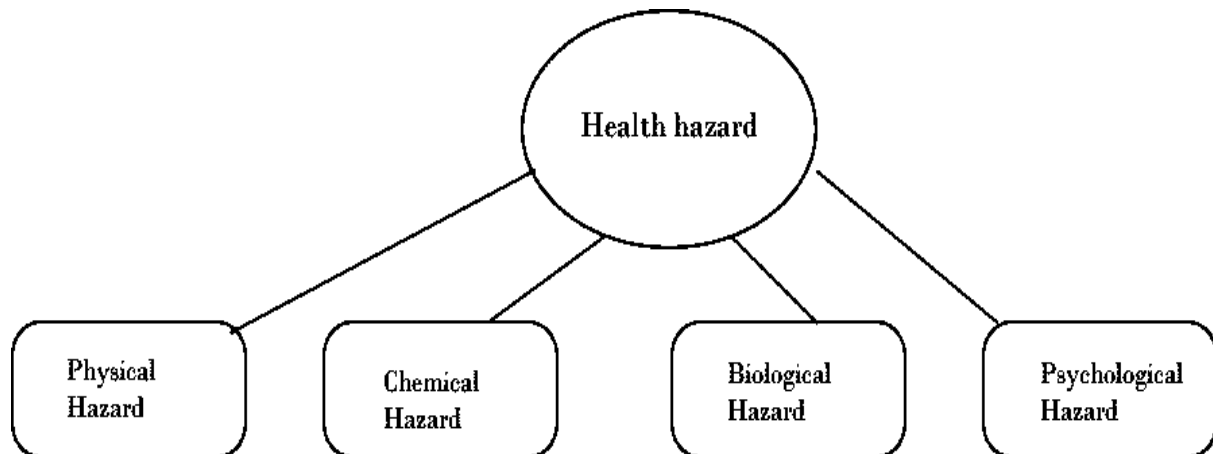
## **2.1 Occupational Health Hazards**

Occupational Health Hazard normally develops over a period of time because of workplace conditions. Such conditions might include exposure to disease-causing bacteria and viruses, for example, or to chemicals or dust. Hence, Occupational health hazard may be defined as a condition that results from exposure in a workplace to a physical, chemical or biological agent to the extent that the normal physiological mechanisms are affected and the health of the worker is impaired.

- So workplace causing bacteria, viruses, chemical or dust is examples of what?
  - We understand it to be Occupational health hazards.

**Box 2.3 Occupational health hazards can be classified into four major categories**

1. Physical hazards such as noise, heat, illumination, vibration, and radiation.
2. Chemical hazards such as dust, poisonous fumes, gases, toxic metals/wastes and carcinogen;
3. Biological hazards such as bacteria, fungi and insects;
4. Stress such as physical, psychological and ergonomic factors.



**Figure 2.3:** Occupational Health Hazard **Source:** Schul Portrals Images

- Examine any two types of Occupational Health Hazards
  - Physical hazards, Chemical hazards, Biological hazards, Physical, psychological and ergonomic factors.

The effects of most of these health hazards are slow and cumulative but their consequences are often irreversible. It is a fact that man gets most of his health problems from the environment he lives but the proportion attributable to occupational hazards are difficult to say.

These hazards related to work environment or conditions of work our major concern in this chapter. There is therefore need to explain some common ones in detail.

### 2.1.1 Physical Hazard

This has to do with the physical structure, location and layout of offices, factories and workshops. In developed societies, we find industrial areas being separated from residential areas. In Nigeria, it is common to find small scale industries located in residential areas, thereby exposing both workers and other people to environmental pollution in resulting from the operation of such factories.

Physical hazards also has to do with ventilation of offices, the degree of illumination (lighting) and noise. Noise is measured in “decibel” and its intensity expressed in numerical terms. Thus it is possible to determine the distance to which any loud noise can become nuisance. Uncontrolled noise has four unfortunate effects on people in industry or any other organizations. These are;





**Figure 2.4** Example of Shell workers Health Hazard at Niger Delta.

**Source:** <http://phgardencity.com/2012/10/13/shell-on-trial-in-netherlands-over-pollution-in-nigeria/>

*First*, deafness – prolonged exposure to loud noise can cause deafness slowly in the employees mostly affected but may not notice the defect until they are tested of hearing.

However ageing or illness can reduce the degree of hearing. *Second*, efficiency – noise can also adversely affect the level of efficiency, particularly in functions that require accuracy, high concentration and alertness such as reading and calculations. Some studies have also shown that noise can cause accidents. For example, a loud noise may prevent one from hearing the noise of a machine or vehicle. Third is *annoyance* – occasional high – pitch noise, apparently unnecessary, unexpected and unexplained can cause the annoyance and irritation of many workers.

Experience has shown that very often people get used to regular factory noise and this may not cause any problems. And *fourth* is interference with communication – noise causes distortion and makes oral communication unheard or misunderstood. The effects of noise can be reduced by wearing “ear – defenders”, by enclosing the machine in insulating material and by fencing interior walls and making the floors and ceilings with sound – absorbent surfaces.





*Figure 2.5 Noise Pollution at workplace*

*Source: <http://tessume.blogspot.com/2012/12/typical-lagos-church-neighbourhood-on.html>*

It is important note that Heating and ventilation involve temperature, humidity and air movement in the work place. Experts tell us that the idea air temperature for light work is  $10^{\circ}$  ( $65^{\circ}\text{F}$ ) and the range where people feel comfortable is between  $15^{\circ}\text{C} - 20^{\circ}\text{C}$  ( $60^{\circ} - 70^{\circ}\text{F}$ ). But heavy work in factories requires  $12^{\circ} - 15^{\circ}\text{C}$  ( $55^{\circ} - 60^{\circ}\text{f}$ ). In offices the comfort temperature zone is between  $19 - 20^{\circ}\text{C}$  ( $67^{\circ} - 73^{\circ}\text{F}$ ). Humidity relates to extreme dampness or dryness.

The condition is either extreme stuffiness or dryness and workers find it uncomfortable to work in either case. On ventilation, experts say about 10 metres per minute of air movement should be aimed at, but this is however depended on the level of temperature at that particular time. Air movement can be improved by the use of fans and air conditioners although A/C is expensive.

Since we in Nigeria, live in the tropics, our official buildings should be well positioned and ventilated. These can only b taken care of at the time of constructing the building. Even where air conditioners are to be provided, adequate ventilation should be provided in case of energy failure which is common in Nigeria. There is no problem of extreme dampness in Nigeria as to require heating the offices.

Also, illumination means the degree of light necessary for particular jobs. Studies have established minimum standards of illumination necessary for many jobs and these are expressed in "lux". "A lux is the light given by a standard candle at a distance of one metre from the work". The minimum lighting for the areas surrounding the actual work environment should not be less than 150 lux. The degree of illumination is measure by light meters. For management, the issue of lighting offices, industries and workshops is

not a difficult and expensive task in Nigeria: This is usually done by illuminating engineers. However, the following tit-bits should be noted.

- Lighting should be focused on the job;
- The work environment should equally have comparable lighting as that focused on the task.
- Lights should not shine directly in the workers' eye and reflections of light on the working surface should be avoided.
- The walls should have a variety of colours and it should also be possible to sight some distant objects through the window.
- The light provided by daylight through the windows and doors should be supplemented by artificial light to give proper illumination causes eye fatigue and reduces efficiency and speed of work.

### **2.1.2 Chemical Hazards**

As mentioned earlier, Chemical Hazards include the effects of dust, poisons, fumes, gases, toxic of various types and many others. We have already noted in section one of this chapter, some of the diseases and harmful effects of some chemical components used in the manufacture of a variety of items. As Nigeria develops industrially, more and more of these toxic chemicals and gases would be introduced and this will definitely increase the health hazards of workers using these toxic,

For example, in the United States, research has reported that as at 1976, about 500 new toxic materials were introduced by industry each year. Statistics are lacking in Nigeria in this type of information but with the establishment of petro-chemical industries in Nigeria, there is no doubt that the use of chemicals and other toxic substances will definitely increase and therefore the need to protect worker against the hazards would arise.

### **2.1.3 Biological Hazards**

This has to do with bacteria of various types, fungi and insects etc. These are common in health institutions such as hospitals, beverages and other food manufacturing industries. Bacteria are micro-organisms that can only be kept off by a high standard of hygiene in the work environment. There are many viruses connected with certain diseases which are dangerous to medical personnel.

For example, in Nigeria, the Nigerian Medical Association (NMA) announced in 2008. That between 1995 to 2006, twenty-six health workers had died of the Acquired Immune Deficiency Syndrome (AIDS). As far back 1992, there was also a case of a nursing sister who died of Lassa fever, which she contracted in the process of treating a patient. To protect workers against this type of hazard requires a high degree of cleanliness in the work environment, the use of protective devices such as overall coats, hand gloves, booths etc. particularly in areas where any form of bacteria is common.



**Figure 2.6** Example of Medical treatment

*Source:* <http://www.channelstv.com/home/2013/03/24/nigeria-has-highest-tb-disease-burden-in-africa-nma/>

Donoghue (2004) found that the risk of tropical diseases such as malaria and dengue fever is substantial at some remote mining locations. Leptospirosis and ankylostomiasis were common in mines, but eradication of rats and improved sanitation has controlled these hazards effectively in the developed world. Cooling towers are commonly found on mine sites. Hence, regular microbiological analysis of the water is necessary to detect *Legionella* contamination or high concentrations of other heterotrophic microorganisms.

### **Summary for Study Session 2**

In Study Session 2, you have learned that:

This session has defined Occupational Disease as any chronic ailment that occurs as a result of work or occupational activity. An Occupational Disease is typically identified when it is shown that it is more prevalent in a given body of workers than in the general population, or in other worker populations.

The general common Occupational Diseases are tennis elbow, allergy, hearing loss, asthma. Their main causes are; repetitive work movements, work with arms lifted above shoulder height, heavy lifting work, work in a very noisy environment, and work with hazardous substances. Also, the lecture described occupation health hazard to mean a condition that results from exposure in a workplace to a physical, chemical or biological agent to the extent that the normal physiological mechanisms are affected and the health of the worker is impaired. It discussed types of occupational health hazards which included; physical hazards, chemical hazards and biological hazards.

### **Self-Assessment Question (SAQs) for Study Session 2**

Now that you have completed this study session, you can assess how well you have achieved its Learning outcomes by answering the following questions. Write your answers in your study Diary and discuss them with your Tutor at the next study Support Meeting. You can check your answers with the Notes on the Self-Assessment questions at the end of this Module.

#### **SAQ 2.1 (Tests Learning Outcomes 2.1)**

Differentiate between Occupational Diseases and Occupational Health Hazards.

#### **SAQ 2.2 (Tests Learning Outcomes 2.2)**

Write short but critical notes on Physical Hazards, Chemical Hazards and Biological Hazards.  
Discuss Occupational Health Hazards

## Study Session 3 Stress and Fatigue in the workplace

**Expected duration: 1 week or 2 contact hours**

### Introduction

In this third study session, you will learn the issue of Stress in the Workplace. To do this, you will start by examining different definitions of Stress. From there, you will identify some causes of Stress in the Workplace. Also, you will discuss the effects of Stress and measures to cope with Stress in the Workplace. The session will also cover Fatigue at Work.

### Learning Outcomes for Study Session 3

On completion of this study session, you should be able to:

- 3.1 Explain the concept Stress in the Workplace (SAQ 3.1)
- 3.2 Explain the causes and effects of Stress in the Workplace (SAQ 3.2)
- 3.3 Explain measure that may be adopted in coping with Stress in the Workplace (SAQ 3.3)
- 3.4 Explain Fatigue at Work (SAQ 3.4).

### 3.1 Stresses in the Work

There are different definitions of Stress. We will consider a few of them. First, it can be defined as a negative physical/emotional/nervous system response to feeling in some way overwhelmed. It is usually caused when the perceived demands placed upon us appear to outweigh our ability to cope. Second, Stress can be defined as a particular pattern of disturbing psychological and physiological reactions that occur when an environment event threatens important motives and taxes one's ability to cope.

Third, it is also defined as a natural human response to pressure when faced with challenging and sometimes dangerous situations. That pressure is not only about what is happening around a person, but often also about demands people place on themselves.



**Figure 3.1:** A Stress man at Work.  
**Source:** <http://virtual-pizza.com/tag/Stress/>

From the definitions given above, it is evident that Stress is an unhealthy reaction of the individual to a variety of factors affecting him at any particular time. It has to do with all problems that tax all the physiological, social and nervous response systems of the individual.

- What do you understand by Stress in the Workplace?
  - Stress can be defined as a particular pattern of disturbing psychological and physiological reactions that occur when an environment event threatens important motives and taxes one's ability to cope

In other words, Stress is lack of fit between the needs and abilities of the individual on the one hand and the supplies or demands of the environment on the other. It is an adaptive response in reaction to external events or situations that place extreme psychological and physical demand on the individual. Stress initially causes arousal, then resistance and finally exhortation, frustration, self-withdrawal and antagonism. The amount of Stress experienced by individuals under a particular set of personal and environmental factors will vary according to individual genetic constitution and heredity. Stress has physiological, physical and psychological dimensions, and also has both positive and negative aspects. Some employees can perform well under Stressful condition, that is, under pressure. It enables them to draw on their physical and emotional situations. Stress triggers in them the needed “adrenalin” to sustain intense efforts to cope with many problems at the same time.



*Figure 3.2: A photo of Stressed Worker*

*Source: <http://laviniaplanka.com/to-Stress-or-not-to-Stress/>*

On the other hand, continued exposure to Stress can cause extreme tiredness, irritability, physical upset such as headaches and rashes, insomnia and possibly, aggression towards subordinates. It only becomes a serious problem when an employee feel Stressed for an extended period of time. This is exhausting and can leave an employee feeling that he or she is not coping very well.



According to the UK Health and Safety Executive over ten million working days were lost to work-related Stress in the UK alone in 2010/2011.

**Box 3.1 There are four major types of Stress namely**

- 1. Competitive Stress**
- 2. Skill performance Stress**
- 3. Environmental Stress;**
- 4. Achievement Stress**

It important to note that each of these categories of Stress embodies four parts or dimensions, namely;

- Eustress: This refers to happiness, euphoria and elation
- Hypostress: This means boredom and lack of stimulation
- Distress: This connotes anxiety, restlessness, headache frustration and
- Hyperstress: This includes; over Stress, hypertension, weight – loss and styles, failure, inability to concentrate, creates irritability etc

The first and second conditions pose no problems, but the third and fourth are quite harmful and dangerous. In extreme cases, sleepless nights, day time tiredness, frequent cold and stomach pains, more errors in work and prone more to accidents.

### **3.2 Causes of Stress at Work**

There are quite a number of causes of Stress at Work. The most common ones are;

- Too much/too little to do, poor working conditions and time pressure. Attempting to complete all tasks simultaneously and not knowing which task should take priority.
- Role conflict and not participation in decision making. Ambiguity about who should do what, resulting from under job descriptions and poor organizational structure.
- Feeling of personal inadequacy and insecurity.
- Frustration resulting from inability to achieve results and poor performance.
- Lack of effective consultation, restriction on behaviour, office politics, and poor communication with superior officers.
- Imposition of incompatible jobs and goals on subordinates such as demanding high-quality and increased output with reduced operating cost or use of dilapidated equipment.
- Poor personal relationships with colleagues and other workers.
- Excessive workload and overwork.
- Lack of job security, lack of training and developmental opportunities and thwarted ambition in the organisation.
- Conflicts between company and family/personal demands.

### 3.3 Effects of Stress at Work

#### **Box 3.2 Effects of Stress in the workplace, the major ones are**

- **Poor decision-making.**
- **An increase in mistakes which in turn may lead to more customer/client complaints.**
- **Increased sickness absence.**
- **High staff turnover.**
- **Poor employee/work place relations.**

#### **Measures to Cope with Stress in the Workplace**

- The first panacea here is to avoid or reduce the element of causes of Stress as enumerated above. This also involves a recognition of its inevitability in certain types of work, particularly management functions of top executives.
- Managers should learn to delegate responsibilities to subordinates to avoid work overload and overwork.
- Deciding well in advance, when to stop, or withdraw from certain Stressful duties.
- Ability to organise one's work in order of priority and performing them in that order.
- Where found necessary, an employee may keep a "Stress diary" to record all Stressful occurrences so as to identify common causes and avoid them in future
- Deliberate and conscious relaxation from work. A change of task from Stressful ones to light ones may also be useful. Complete rest is the best treatment.
- Jobs can be restructured and made simpler to remove exceptionally Stressful elements and redistribute them among other job descriptions and schedules.
- Every employee should spend his or her 24 hour-day judiciously. Apart from planning your work schedule (daily, weekly, monthly, periodically), it is very necessary that you have a clear design of how you spend each day. It is advised that normally adults should spend eight hours for sleep, eight hours for work and eight hours for rest each day. The 8 hours for sleep is for a person to: "unwind in bed; form positive subconscious self; promote good health; and promote longevity".





Figure 3.3: Stress or Relax.

Source: <http://digitalbloggers.com/gregfionascott/reducing-Stress/>

The 8 hours for work should be timed to perform tasks of your occupation, vocation or profession; make (earn) money; make helpful friends; gain wisdom and self-fulfillment; and improve on one's standard of living. It is observed that the working life of a worker is the valuable period for acquiring most of the values and factors that make life worth living at all.

The other 8 hours for rest should be specifically used for: eating, toileting, romancing, exercising/recreation, enjoying sex life, relaxation, reading novels, journals, newspapers, watching movies/films and meditating. With such an arrangement of one's day, one feels to be really in control of his time and time no longer flies. The degree of fatigue and Stress will be considerably reduced.

**Finally, every organisation should make concerted efforts to support employees. This includes; the encouragement, sponsorship and resources provided by the organisation, line management and colleagues.**

### 3.4 Fatigue at Work

Fatigue is a reduction in the energy available to perform a task. Fatigue is used to explain physical changes in the body as a result of work effort. It is the subjective feeling of tiredness which results in reduced output during a working spell. Physical fatigue also shows itself in other ways other than tiredness and reduced output. Changes in the chemical composition of the body fluids and the accumulation of waste products of muscular exertion, particularly lactic acid can also cause fatigue of the entire body.

- Explain what Fatigue is destructive as Stress in the Workplace?
  - It is the subjective feeling of tiredness which results in reduced output during a working spell.

Researches by scholars have shown that:

- Light loads lifted frequently cause less fatigue than heavy loads lifted infrequently. Analogously, manual labour done for short hours will cause fatigue than sedentary work done for a long hours.

- Rest pauses can give complete recovery from fatigue. This is the essence of work breaks allowed in certain occupations. The physiological effect of rest pause is to allow the body fluids to return to their normal state and for the waste products to be removed from the location of the muscles. This recovery will take a longer time if the rest pause occurs after the physiological changes had occurred in the body. This is why it is not advisable to allow workers to rest when they are already very tired. That will require longer rest periods before they can recover from the tiredness and feel refreshed. This explains the decision of management of some organisations to allow rest periods (break-time) for their workers at mid. day rather than at 2 or 4 p. m. when the workers would have been tired which will require longer hours to recover. Ideally, rest should be taken at the average time of the change in output resulting from fatigue. It is in the interest of both employers and employees to reduce fatigue. Fatigue reduces output and may lead to certain illness if not checked. Apart from rest periods, fatigue may be reduced through a system of job extension (job enrichment) or job rotation (or motivation).



Figure 3.4: Natural Fatigue

Source: <http://www.earthturns.com/Taurox-TaurImmune-Fatigue-p/taurox-taurimmune-fatigue.htm>

### Summary for Study Session 3

In Study Session 3, you have learned that:

In this third session, I discussed the issues of Stress and Fatigue in the workplace. In doing this, we examined different definitions of Stress. You will also identified some causes of Stress in the workplace to include role conflict, work overload, lack of consultation, work ambiguity and so on.

Also, the effects of Stress identified included; poor decision-making, an increase in mistakes which in turn may lead to more customer/client complaints, increased sickness

absence, high staff turnover and poor employee/work place relations. Moreover, the lecture discussed some measures that may be adopted to cope with Stress in the work place. Finally, the lecture also discussed the issues relating to fatigue at work.

Stress has physiological, physical and psychological dimensions, and also has both positive and negative aspects. Some employees can perform well under Stressful condition, that is, under pressure. It enables them to draw on their physical and emotional situations. Stress triggers in them the needed “adrenalin’ to sustain intense efforts to cope with many problems at the same time.

### **Self-Assessment Question (SAQs) for Study Session 3**

Now that you have completed this study session, you can assess how well you have achieved its Learning outcomes by answering the following questions. Write your answers in your study Diary and discuss them with your Tutor at the next study Support Meeting. You can check your answers with the Notes on the Self-Assessment questions at the end of this Module.

#### **SAQ 3.1 (Tests Learning Outcomes 3.1)**

Is Stress in the Workplace always bad? Discuss.

#### **SAQ 3.2 (Tests Learning Outcomes 3.2)**

What are the causes and consequences of Stress in the Workplace?

#### **SAQ 3.3 (Tests Learning Outcomes 3.3)**

Suggest and discuss the ways Stress may be reduced in the Workplace.

#### **SAQ 3.4 (Tests Learning Outcomes 3.4)**

Discuss the issues relating to Fatigue in the Workplace.

## Study Session 4 Accidents in the Workplace

**Expected duration: 1 week or 2 contact hours**

### Introduction

In this fourth study session, we will discuss Accidents in the Workplace. To do this effectively, will start by defining what Accident is. Also, you should consider some causes of Accidents in the Workplace. Moreover, you should discuss the costs of Accidents to the employers, the nation and the employees themselves. You would end by discussing Accident Proneness in the Workplace.

### Learning Outcomes for Study Session 4

On completion of this study session, you should be able to:

- 4.1 Explain the Accidents in the Workplace. (SAQ 4.1)
- 4.2 Explain the various causes of Accidents in the Workplace (SAQ 4.2)
- 4.3 Explain the cost of Accidents and Accident Proneness (SAQ 4.3)

#### 4.1 Accidents at work

An Accident at Work is an unplanned event which occurs within a planned programme is actually or potentially' harmful to the worker. An accident is an unexpected occurrence that interrupts the regular progress of an activity. It is a negative or unfortunate event. In effect, it is any unplanned or uncalled for break or deviation from the expected. According to Pigors and Myers (1981) an Accident is an undesirable event, often the result of unplanned or inappropriate behaviour.

Some people also see Accidents as 'an act of God, unpredictable and unavoidable features of industrial life'. A common element in these definitions is that Accidents may not necessarily lead to injuries or death or bloodletting. Many Accidents occur without an injury resulting. For example, a person may stumble and fall without suffering any injury.

- What do you understand by Accidents in the Workplace?
- From the above, you understand that an Accident at Work is an unplanned event which occurs within a planned programme is actually or potentially' harmful to the worker.



**Figure 4.1:** Accident at Work

*Source:* <http://www.personalinjuryadviceblog.co.uk/accident-at-work-updates-in-uk/>

Accidents are not isolated or inevitable occurrences. Instead, they appear at a stage in the process of work either as a result of carelessness on the part of the employee or due to lack of some needed adjustments in attitude, mechanical operations, or environmental conditions. Many Accidents can prevented when timely and suitable adjustments are made. For accident prevention, attention should be focused on what happened before the accident rather than what happened during or after the accident.

## 4.2 Causes of Accidents

Accidents do not just happen as an act of God. They are caused by certain factors, although at times, it may seem to be due to chance factors that are unavoidable. But a critical analysis of Accidents will indicate that for nearly every instance, measures could have been taken to prevent such accidents. Causes of Accidents can be classified into two major categories namely:

Unsafe chemical, physical or mechanical conditions; examples of this category include:-

- Inadequate mechanical grading;
- Defective condition of equipment or tools such as worn electrical insulation, cracked ladder, worn out tyre in a car etc.
- Poor or unsafe design or construction such as weak foundation of a house, roof of a house, a pressure vessel that is too weak etc.
- Hazardous atmosphere and environment such as toxic substances in the air, poor ventilation of factory' buildings.
- Inadequate or improper personal protective devices and equipment.

The second category is unsafe personal acts or behaviours. Examples of these include:

- Failure to follow established safe working procedures;
- Horseplay, fighting in places full of dangerous equipment and tools;
- Assuming an unsafe and dangerous position such as under a suspended load.
- Failure to use designated protective devices such as clothes, hand gloves, helmet etc.
- Removing safety devices or making them inoperative such as the destruction of warning lights in equipments and traffic lights at road junctions. In many of our cities, traffic light facilities are installed but hardly function. This has caused a lot of accidents in this country.
- Sometimes, the physical or mental state of a person, may contribute to accidents. For example, a worker may be emotionally upset, inattentive or fearful or he is extremely tired (fatigue) such as person is more prone to accidents than a normal person (see accident proneness).



### Emotionally upset & Fatigue at work

*Figure 4.2 Emotionally Fatigue at Work.*

*Source:* [http://www.thestar.com/news/gta/2009/10/09/black\\_postal\\_worker\\_upset\\_by\\_10000\\_race\\_case\\_award.html](http://www.thestar.com/news/gta/2009/10/09/black_postal_worker_upset_by_10000_race_case_award.html)

- Discuss the causes of Accidents in the Workplace
  - From above, unsafe chemical, physical or mechanical conditions, Inadequate mechanical grading etc.

The question that has bordered researchers about the rate of Accidents is to determine which of these two categories physical conditions or human error causes more accidents. Earlier studies tended to show that about 85 - 90% of all injuries were caused by human errors and only 10 - 15% were due to hazardous conditions in the United States.

But other findings showed that the vast majority of Accidents are due to combination of unsafe physical conditions and unsafe personal acts. In Nigeria, where statistics on work Accidents are not available, it is difficult to make a categorical statement as to which factor causes more accidents. The tendency is to believe that human mistakes cause a lot of Accidents in the workplace.

### **4.3 Costs of Accidents**

Accidents are costly affairs to the organization and the victim. The victim suffers pain, anguish and may not be able to work for months. The family feels the impact and may spend their resources for treatment until he paid cost of treatment and compensation by the organization. To the employer, it is very expensive in several ways, which involves both direct and indirect costs. The direct costs to the organization include “insured costs” and this consists of the money paid as hospital bills and doctors, weekly or monthly benefits, while the person cannot come to work, and money for permanent disability and in case of death benefits as workers, this money is paid by the insurance premium.

The indirect costs of Accidents are never too clear to management except a study is done to isolate them. They include lost time of the injured worker, time spent by supervisory personnel to assist the injured man, lost time of fellow employees who render aid to the injured man, time spent to investigate the cause of the accidents, lost production, possible damage to materials and equipment and administrative expenses to process paper work connected with the accident. When these times are quantified and monetized, the cost could be enormous.

- What do you understand the Accidents in the workplace that affect employer, employee and the nation?

The ratio between the direct and indirect costs of Accidents to organizations is difficult to determine in Nigeria due to lack of adequate statistics but in developed economics as the United States, studies have shown that the direct costs represent only about 20% of the total costs of accidents.

#### **4.3.1 Accident Proneness**

Accident Proneness means that certain employees are inherently likely to be involved in Accidents to a greater degree than others, irrespective of the job or working environment.

Research studies by industrial psychologists in the first quarter of the 20th century showed that only small minority of workers are involved in industrial Accidents and they were characterised as prone to accidents. But later studies have proved this conclusion wrong. It has been found that workers who seem to be accident prone during one period in the year are safe workers during another period and their place of proneness taken over by other group of workers.

For example, drivers could be more prone to Accidents during the raining season than in the dry season due to other factors and lack of adequate carefulness by the driver. The conclusions arrived at in the various studies of accident proneness is that the liability to become involved in Accidents is due more to chance factors and the behaviour of others than to an inherent quality in the worker. Accident proneness is a result of the interaction between the worker and his job situation. But this does not deny the fact that certain people, due to their persistent carelessness and attitude to work, will always be prone to accident wherever they work. They are in the very minority.



Accident Proneness, if at all it exists, therefore, is due to:

- The worker's unsuitability for the job;
- Lack of proper training in the job;
- Presence of temporary factors such as frustration, worry, fatigue, ill- health, emotional instability, drunkenness, family problems, etc.
- A very small number of workers may be inherently unsafe workers and therefore prone to accidents;
- Failure of the worker to adjust to his work and environment either due to lack of orientation or inadequate supervision.
- The physical, psychological and organisational environment in a plant has a powerful effect upon injury rates.

Studies have shown that a "good working condition will result in low accident rates, while a bad working condition with a lot of noise, dirt, autocratic style, heat, etc. cause worker's tension which invariably will lead to accidents. Both internal Stress (disease, alcohol, anxiety etc.) and external Stress (noise, heat, dirt, fumes) can indirectly lead to Accidents in an industrial setting with "high-risk" functioning mechanism.

#### **Summary for Study Session 4**

In Study Session 4, you have learned that:

In this fourth study session, we defined Accidents in the workplace as an unexpected occurrence that interrupts the regular progress of an activity. It is a negative or unfortunate event. In effect, it is any unplanned or uncalled for break or deviation from the expected. Also, the some causes of Accidents in the workplace were categories into namely; unsafe chemical, physical or mechanical conditions, and unsafe personal acts or behaviours. Moreover, the lecture discussed the costs of Accidents to the employers, the nation and the employees themselves as well as accident proneness in the workplace

#### **Self-Assessment Question (SAQs) for Study Session 4**

Now that you have completed this study session, you can assess how well you have achieved its Learning outcomes by answering the following questions. Write your answers in your study Diary and discuss them with your Tutor at the next study Support Meeting. You can check your answers with the Notes on the Self-Assessment questions at the end of this Module.

##### **SAQ 4.1 (Tests Learning Outcomes 4.1)**

What do you consider to be Accidents in the Workplace?

##### **SAQ 4.2 (Tests Learning Outcomes 4.2)**

Identify and discuss critically the main causes of Accidents in the Workplace.

##### **SAQ 4.3 (Tests Learning Outcomes 4.3)**

Distinguish between Costs of Accidents and accident Proneness.



## Study Session 5 Occupational Safety, Health Services and Programmes

**Expected duration: 1 week or 2 contact hours**

### Introduction

In this study session, you will discuss Occupational Safety Programmes. In the previous session, we were thought that accidents in the workplace cost a lot to the employers, employees themselves and the nation at large. Therefore, to reduce losses and problems arising from accidents in the workplace, there is the need to evolve a more appropriate and sustainable occupational safety that make workplace a safe place to work. The session will end by discussing Occupational Health Services and Programmes in the workplace.

### Learning Outcomes for Study Session 5

On completion of this study session, you should be able to:

- 5.1 Explain the concept Occupational Safety Programmes (SAQ5.1)
- 5.2 Explain the various elements of Occupational Safety Programme (SAQ5.2)
- 5.3 Explain Occupational Health Services and Programmes (SAQ5.3)

### 5.1 Occupational Safety Programmes

The concept of Accident Proneness is not a reliable concept to accept in totality. No matter the situation, Accidents must be prevented, particularly in high-risk organisations. The emphasis on Safety Programmes today is to ensure that the worker is suitable for his job and that he works in a safe environment. In this session, we will discuss a number of safety measures. All the factors mentioned may not be available to one organisation. Employers or the personnel director, in collaboration with the relevant department may have to adapt the measures to fit the circumstances of the organisation.

- What do you understand by Occupational Safety Programme?
  - Safety Programmes today is to ensure that the worker is suitable for his job and that he works in a safe environment.

#### **Box 5.1 Key Components of Safety Programme include:**

1. Objectives and Policies;
2. Top Management Support;
3. Organizational arrangement
4. Establishing Responsibility for Safety;
5. Engineering and Technology
6. Job-Safety Analysis:
7. Analysis of Accidents;

8. Education and Training;
9. Enforcement of Safety Regulations,
10. Healthful Work Environment;
11. Adequate Medical Treatment;
12. Rehabilitation;
13. Good Management Style.

- From the above, how do you understand the various elements of Occupational Safety Programmes
  - Objectives and Policies, Top Management Support, Organizational arrangement, Establishing Responsibility for Safety.

These above factors will be explained and show it can be adapted in the workplace



*Figure 5.1 An example of Safety Training at Work.*

*Source:* <http://www.umasd.org/Page/4050>

**5.1.1 Objectives and Policies:** The employer or top management must take a decision on the type of safety measures desirable for the organisation and this becomes the safety policy. It must decide whether it wants an organisation with low rate of accidents and then provide money to put the necessary facilities in place or ii wants only a reduced workman's compensation costs, It must adopt a policy where production – oriented decisions do not clash with a safety – oriented decisions.



### Workplace safety campaign

*Figure 5.2 Safety Campaign Programmes*

*Source:* <http://www.digicast.com.au/services/workplace-safety-ommunication/workplace-safety-campaigns/>

**5.1.2 Top Management Support:** It is one thing to have strategic policies in paper and it is another to see the implementation of such policies. Therefore, whatever policies and objectives that have been approved for the organization must also receive support from top management in its implementation. It must decide on its extensiveness, the caliber of safety personnel that will be employed and how much money it will invest in its operations. We know in Nigeria, how many well intentioned programmes have died naturally for lack of adequate funding.

**5.1.3 Organizational Arrangement:** The Organisational Arrangement for safety programme depends on the size of the organisation, where the organisation is small, the safety programme may be managed by the Personnel Director with a few specialists, all belonging to the Personnel Department. But in large organizations, like NNPC, NITEL PHCN etc., it is advisable to have full-time safety specialists such as safety director, safety engineers, safety inspectors, researchers and industrial hygienists. These can be found in the labour market.

To reduce accidents to its barest minimum, there is need to create safety committees with representations from relevant departments and workers Union. Through members of these committees, specific safety problems can easily be identified and checked and grievances about job hazards can easily be handled and treated. Workers health and safety are so important in organizations that a mutuality of interests should be recognized by management.

**5.1.4 Establishing Responsibility for Safety:** The responsibility for maintaining a safe working environment should not be relegated to the Safety Director or Personnel Director as the case may be. It should be taken as seriously as production, profit making, quality control etc. The basic responsibility for accident prevention rests with the worker and line management, but the ultimate responsibility starts with the Managing Director and goes on vertically downward through the entire hierarchy to the actual worker. The supervisors actually see to the compliance of workers to safety measures.

But the main responsibility of the Safety Director include innovating, organizing, creating, advising, analyzing, teaching and training, collecting data, investigating and stimulating safety rules and regulations to those directly involved with production in the entire organization. He passes the necessary information on safety to the relevant sections of the organization and because he is a specialist in this area, his views on safety carry considerable weight.

**5.1.5 Improvement in Engineering and Technology:** Engineering connotes improvement in the technology of the design of equipment and machines used in production to eliminate or reduce hazardous elements. It is a common experience that the machines of today are better than similar ones used in the 1930s and 1940s. This is to say that they have been redesigned to improve their performance and reduce incidence of hazards, either in their processes or structure. For example, if goods have to be moved by mechanical conveyor instead of human labour, that is an improvement in the process. The hazards of waist pain and incidence of hernias have been eliminated. Management should always look out for the best machines to install.



**Figure 5.3** Example of Engineering Safety Materials

**Source:**<http://www.businesslowcost.com/2014/01/05/welcome-a-safer-year-making-your-workplace-safer-this-year/>

**5.1.6 Job-Safety Analysis:** Job analysis for the purpose of identifying the hazards common to that job should be specifically carried out as differ from job analysis for other purposes. It is very useful for eliminating such hazardous situations and designing safe working methods, make a change in work place, lay out or in the working procedure. A common experience in this country is that studies or investigations are made after the accident and recommendations made to avoid a reoccurrence.

**5.1.7 Investigating and Analysis of Accidents:** All accidents, whether simple or fatal must be reported and investigated to determine the cause(s) and take the necessary remedy to avoid a recurrence. The report is made by the immediate supervisor of the employee but the investigated is carried out by the staff of the safety section of the personnel department. The information gathered in such investigation is carried out by the staff of the safety section of the personnel department. The information gathered in such investigation are very useful in training programmes. Also information collected during investigations must be classified according to plant, departments, shift, cause, type of injury, fatal or simple etc. Injury statistics enables management to know whether accidents are increasing or decreasing from year to year and what further efforts will be taken to reduce the trend.

**5.1.8 Provision of Safety Education and Training:** Safety education for all levels of employees is an important element for any successful safety programme in organizations. Education in this context means proper development of safety attitudes and consciousness in the work environment, and it deals with the basic fundamentals. Training on the other hand entails job knowledge, skills and work methods.

Top and middle level management may not be concerned with the details of the mechanics of accidents prevention, but they must acquire enough awareness of safety fundamentals, so that they can actively support any safety programme in the organization. Other employees must develop safety consciousness and a favourable attitude towards safety and also achieve safe work performance in his job. Many of the safety education and training needs of employees can be achieved during orientation programmes of new recruits and on the job training conducted regularly (annually) by the personnel department.

The hazards of the job, the need for prompt reporting of accidents and their causes, unsafe working conditions etc can also be covered during such orientation programmes. In addition, the supervisor can periodically conduct safety meetings with his work group during which time such topics as: how to prevent accidents, accident causes, handling materials safety, first aid, obeying safety rules, machine hazards, fire prevention, use of hand tools, protection of eyes etc can be covered.

**5.1.9 Enforcement of Safety Regulations:** One thing is to provide safety rules, it is another thing to get workers to obey them. Most Nigerian are reputed for disobeying certain safety rules such as traffic light rules. Supervisors have greater responsibility here

in getting his work group to obey the specified rules relating to their work. He should call workers attention to the approved manner of performing particular jobs when they deviate. Any deliberate deviation from the normal procedure should be disciplined.

**5.1.10 Healthful Work Environment:** The purpose of any environmental control in the work place is to prevent occupational diseases. All causative agents such as toxic substances, fumes, dust, noise, smoke, etc must be identified and eliminated. For example, adequate ventilation can reduce fumes and dust concentration. Another way of alleviating health hazards is to provide and use health protector devices such as eye goggles, hand gloves, ear plugs, respirators, head helmet, overall grown etc. These protective devices should be assessed and evaluated by an industrial hygienist to ensure that they do not cause discomfort and cause another hazard to the user.

**5.1.11 Availability of Adequate Medical Treatment:** All organizations, whether small or large should provide facilities for at least first aid treatment before a medical specialist can be reached for proper treatment. Provision should also be made for a clean and well equipped first aid room with some staff in the personnel department trained to render first aid treatment. As we shall discuss later, large organizations can engage the services of industrial nurses and physicians and even run its own clinic.

**5.1.12 Rehabilitation of the Injured:** If an employee had suffered serious injuries and he is probably disabled, it behoves the employer to rehabilitate him and provide for his disability. The law (workman's compensation) requires the employer to pay the injured worker certain disability compensation. Where the disability is not very bad, the injured person can be rehabilitated by giving him another schedule of function in the organization, if he cannot return to his former job. If the disability is permanent, the organization should provide for his future needs for a number of years as required by law.

## **5.2 Occupational Health Services and Programmes**

It is desirable that all organizations whether small or large should have some health services on ground to take care of first – aid treatment and other minor ailments, either caused by the work or a carry over from home. The situation in Nigeria is that many' organisation including government establishments do not even have first- aid kits to treat even headaches or colds. Workers exploit this situation by obtaining permission from their bosses to go to the nearest general hospital, for which many will never return to work for that day.





**Figure 5.4** Safety Sign posts.

**Source:** <http://www.stockex.co.uk/workplace-health-and-safety-dont-pass-the-buck/>

However, it is generally being recognized that employers/managements have stakes in the general health and well being of their workers. The healthier the workers, the more they are able to put in greater energy into their work and services. Today, managements are beginning to demand pre-employment medical examination both to ensure that those employed could meet the physical demands of their work and to prevent paying compensation claims for a pre-existing illness not caused at work. Where organizations have their health facilities, these pre-employment examinations can easily be carried out with guaranteed genuine medical reports. But where health facilities do not exist, referrals are made to private specialists.

In any case, organizations should endeavour to have health services and programmes for their workers which should be free or heavily subsidized by management. A comprehensive health programme helps the employees in treating minor ailments, reduces absenteeism, lowers sickness insurance costs, and ensures higher productivity and improved morale and ego. A detail health services for any organization interested in the health of its employees will have the following features in its health programme.

- At best, organizations, particularly those with high risk operations should have their own functional clinics, staffed by professional physicians and nurses. Small organizations that cannot finance full-fledged clinics can have well-furnished first aid rooms with a professional nurse to operate it. In addition, they should have retainer hospitals.
- Adequate facilities should be provided in such clinics to treat emergency cases of work injuries and for the conduct of pre-employment and periodic medical examination.

- Serious cases of injuries and ailments which cannot be handled in such clinics should be referred to private or government physicians and hospitals.
- Potential and permanent employees who are exposed to special occupational hazards should undergo pre-employment and periodic medical examinations.
- The medical facilities and services should be made available to employees while on the job. Such services should be free or heavily subsidized by the organisation.
- There should be a counselling unit staffed with industrial psychologists to advise those suffering physical and emotional maladjustment to work situation. Such unit can also handle cases of drug abuse and alcoholism of addicted staff.
- The clinic should keep in confidence a history of medical reports of all categories of employees. This is very useful for future diagnosis and treatment of ailments.
- The Medical Director should ensure an integrated employee health programme by working very closely with those responsible for accident prevention, report of accidents and control of the work environment.
- The Medical Director will also work closely with public health authorities for the purpose of mass inoculation of workers and their dependants and other measures to prevent communicable diseases.
- Finally, the health services should ensure adequate maintenance of clean environment and other sanitation matters.

Many small organisations can carry out many of these elements by engaging the services of qualified physicians on a retainer or consulting basis. But large and medium size organisations can provide efficient health services to their workers by providing the above services which are feasible. The problem in Nigeria with such work-based clinics is that they are often under-funded, and therefore they are unable to provide essential drugs for common ailments. However, National Health Insurance (NHIS) it is expected that the situation will change for better.

Finally, it is often said that Health is wealth, not only to individuals but also to organisations and the nation as a whole. Therefore, organisations including public establishments should pay greater attention to the health of their employees.

### **Summary for Study Session 5**

In Study Session 5, you have learned that:

This study session states that Accidents Proneness is not entirely a reliable concept because accidents could be prevented if appropriate and sustainable occupational safety measures and programmes are put place in the organisation.

The lecture also listed and discussed programmes that included; management objectives and policies, top management support, organisational arrangement, establishing responsibility for safety, engineering, job-safety analysis, analysis of accidents, education and training, enforcement of Safety Regulations, healthful work environment, adequate medical treatment, rehabilitation, and good management style. The lecture ended by discussing occupational health services and programmes in the workplace.



### **Self-Assessment Question (SAQs) for Study Session 5**

Now that you have completed this study session, you can assess how well you have achieved its Learning outcomes by answering the following questions. Write your answers in your study Diary and discuss them with your Tutor at the next study Support Meeting. You can check your answers with the Notes on the Self-Assessment questions at the end of this Module.

#### **SAQ 5.1 (Tests Learning Outcomes 5.1)**

To what extent is the concept of Accidents Proneness reliable in relation to Occupational Safety Programmes in the workplace?

#### **SAQ 5.2 (Tests Learning Outcomes 5.2)**

How relevant is occupational safety programmes in the workplace in Nigeria?

#### **SAQ 5.3 (Tests Learning Outcomes 5.3)**

Critically discuss Occupational Health Services and Programme with useful examples.

## **Study Session 6 Legal Provisions for Occupational Safety in Nigeria**

**Expected duration: 1 week or 2 contact hours**

### **Introduction**

This study session will focus on Legal Provisions for Occupational Safety. You will cover issues relating to vicarious liability and common law provisions. Here emphasis will be paid on four aspects namely; competent staff of men, adequate plant and equipment, safe place of work; and safe system of working (operation) with effective supervision. Also, you will know the session will examine breach of statutory duty. Finally, the session will examine employer's defence against liability which centers on principle of consent and contributory negligence

### **Learning Outcomes for Study Session 6**

On completion of this study session, you should be able to:

- 6.1 Explain the legal provisions for Occupational Safety (SAQ 6.1)
- 6.2 Explain the common Law Provisions for Occupational Safety (SAQ 6.2)
- 6.3 Explain the breach of statutory duty as well as liability defence available to employers. (SAQ 6.3)

### **6.1 Legal Provisions for Occupational Safety**

At the beginning of this study session, it was mentioned that the safety of the worker is the concern of the employee himself, the employer and the national government. The government expresses its concern for workers' safety by enacting relevant laws to protect both the interest of the employers which includes government itself and the employees. There are many laws that protect these interests.

They include the general law of contract of appointment which has many dimensions and the Factory Act. In this section, we treat the employers' liabilities in relation to injuries or death sustained in the course of job performance as contained in these laws. The reader is advisable to bear in mind that this is a specialized area of knowledge (legal matter) and we are only concerned with what the law stipulates as can be understood by the ordinary man. In litigation, the interpretation of the laws in relation to the circumstances may differ from what are said here.



**Figure 6.1** *The Law and Policy as it concern the Employee and the Employer*

*Source: <http://africamusiclaw.com/law-policy-video-nigerias-legal-justice-system-should-get-it-right-by-now/>*

### **6.2.1 Vicarious Liability**

Under the general law, an employer is Vicariously Liable to a person injured by the tort of his employee acting in the course of his employment. For example, if a driver who is sent on an errand, drives his car carelessly and knocks down somebody and that person is injured person “A wrong falls within the scope of employment, if it is expressly or impliedly authorized by the master or is necessarily incidental to something which the employee is employed to do.



**Figure 6.2** *A taxi driver* *Source: <http://naijanomics.me/2013/04/06/the-economics-of-taxi-prices-in-nigeria>*

An employee who sustains injury in his place of work and is thus absent from work will continue to be paid his wages or part thereof during the period of his absence from work. The employer will also pay for the treatment. But this payment does not continue indefinitely. If it is certified by a competent doctor that the injured person would not be able to return to his work for a long time, he may be invalidated on special conditions. This injured employee has two possible sources of compensation for the loss of his job and the injuries he has sustained. These are:

- He can sue for damages in a legal action;
- He is entitled to workman's compensation benefits
- 



*Figure 6.3 Injuries at Work*  
*Source: DLCUI Images*

Legal actions opened to the injured employee may be instituted either at common law or for breach of statutory duty. These two areas are the main subject of this lecture.

## **6.2 Common Law Provisions**

A worker who is injured on the job by the negligence of another person can sue that person for damages. Such a person may be a fellow worker, a stranger or the employer himself. The person can sue both the fellow worker and the employer for damages because the duty is personal to the employer and therefore cannot be delegated, hence he cannot escape liability. However, this duty is a duty of care and not an absolute duty. It is for the injured worker to prove its breach. If he cannot prove negligence on the part of the employer either by direct evidence or by the aid of the maxim "that the incident happened is sufficient evidence", any legal action based on the employer's personal duty is bound to fail.



Figure 6.4 Common Law Provisions

Source: <http://www.avocatelausannedroitdutravail.org/labor-law-attorneys-lausanne>

**Box 6.1 The Employer's Personal Duty under common law to his employees falls under four main categories**

1. Competent staff of men;
2. Adequate plant and equipment;
3. Safe place of work; and
4. Safe system of working (operation) with effective supervision.

### 6.2.1 Competent Staff

An employer will be in breach of his personal duty if he engages a workman with insufficient training or experience for a particular job, and as a result of that workman's incompetence, another employee is injured. In other words, if an employer engages a person of an insufficient experience or training for a particular job as a result of which another employee is injured, this will amount to actionable negligence on part of the employer. An employer is expected to provide a body of efficient staff of men/women and discharge those who are incompetent. The employer is also expected to give adequate instructions to new employees before engaging them in their various duties.

### 6.2.2 Adequate Plant and Equipment

An employer must take reasonable steps to provide adequate plant and equipment which is obviously necessary for the safety of the workman. He must also take steps to maintain the plant and equipment in good working condition and will be liable for any injuries suffered by any employee from defective plant and equipment if an accident occurs as a result of the employer's failure to provide items of good equipment or any other item which the employer recognizes to be needed for effective discharge of the employee's job, the employer would also be liable.

### 6.2.3 Safe Place of Work

It is a duty of the employer to provide the employee with a safe place of work, which in some cases, include access to the place of work. The assumption here is that the premises of work is in reasonable control by the employer and is not in occupation by a third party. In *Kork V. NEPA*, a mechanical engineer employed by NEPA was working at the Ijora Power Station, when the scaffolding on which he was standing collapsed, causing him to fall to the ground and sustained injuries. The defendant - NEPA, was held liable for the injuries sustained by the engineer because it failed to provide a safe working place and equipment.

### 6.2.4 Safe System of Working

The employer will be liable to an injured employee, where it is proved that the injury was caused as a result of a defective system of working. The system must be made safe for the employee to do his work. The duty to provide a safe system of work still rests with the employer even when his workers are sent outside the factory to do some work, for example, in a customer's premises. The duty to supervise a workman includes a duty to take reasonable steps to ensure that any necessary item of safety device is used by the employee.

In *Western Nigeria Trading Co. Ltd. v. Ajao*, the employer was held liable for not ensuring that the goggles provided for the employee were worn by him when working. In devising a system of work, an employer must take into account the fact that workmen are often careless as to their own safety, Thus in addition to adequate supervision of employees. The employer should organise a system, which itself reduces the risk of injury from the Workman's



*Figure 6.4 Safety Materials*

*Source:* <http://www.businesslowcost.com/2014/01/05/welcome-a-safer-year-making-your-workplace-safer-this-year/>



### 6.3 Breach of Statutory Duty

The Factory Act provides that if an employer breaks one of his Statutory Duties such as failure to fence a machine and that break causes injury to the worker of the kind the statute aimed to prevent, the worker usually has the right to sue the employer for damage. It is not enough for the injured employee to simply prove that a breach of statutory duty had occurred, the other elements of torts must be satisfied. This includes;

#### Box 6.2 Statutory Duty

1. The duty must be owed to the injured employee, that is, the injured employee must be among the class of workers covered by the law.
2. The injury must be of the kind which the statute was intended to prevent. Thus if a part of a machine fenced flies out to injure an employee, the employer may not be liable.
3. The employer must be guilty of a breach of his statutory duty, that is, the obligation must be absolute or unqualified. The breach of duty must have caused the accident and damage.

For an injured employee to succeed in his litigation, he must prove the causal relationship between the injury and the breach. There will be a need to prove whose conduct caused the accident. Was it due to the carelessness of the employee or due to a breach of the employer's statutory duty.

#### 6.3.1 Employer's Defense against Liability

Two types of defence are open to the employer.

- **Principle of Consent:** The Defence of Consent based on the notion that legal injury cannot arise from a risk voluntarily entered into the employer can argue that the injury was incidental to the employment which was clear to the employee by the time he took up the appointment. That is, the employee knew that the job was risky at the time he was employed.
- **Contributory Negligence:** This is the situation when it can be proved that both the employer and the employee were both contributory to the cause of the accident. If this can be sustained, the injured employee will not be entitled to any damage or compensation.

For instance, in the case *R. Ogunnusi V Lagos City Caretaker Committee* (1973) the case of *willful misconduct* was established. In this case, the plaintiff was employed on a ship moored at Apapa Wharf. After completing his day's work and signed off, he fell into the water and dislocated his shoulder as he attempted to jump into a tug intending to pass across into another tug which belonged to the defendants.

Noting that the workman had the permission to use the tug, the Magistrate court awarded compensation believing that the accident arose out of and in the course of his employment. On appeal, Brook, C.J. set aside the decision of the Magistrate court on the ground that the plaintiff: had finished his allotted day's work and was

free to go home. He was not at time getting away from his work by means of transport provided by his employers and using it in discharge of some contractual duty...

But in *UAC (Nigeria) Ltd. V Joseph Orekyen* (1961), the plaintiff who was an employee of the company went to Petrol Station of the company to check the overnight sales in the salesroom of the Station. A stranger who was enraged by the station Attendant's negative reply to his demand for one pound change attempted to fight. In order to stop the fight, the plaintiff took a position between the two, and in the process lost one of his eyes. The plaintiff succeeded in the Magistrate Court. The employer appealed on the ground that the injury did not arise out and in the course of the workman's employment.

Dismissing the appeal, De Lestang, C.J. held that when an officer is assigned to an office by his employer, it is part of that officer's duty to maintain peace and order in that office and to protect not only himself, but also his subordinates from molestation by strangers; and that if the officer is injured in the process, the injury has arisen out of and in the course of his employment.

The court has also drawn a distinction between *permanent incapacity*; and *permanent injury* where only the former is recognised for compensation, as demonstrated in the case of *Metal Container (W.A.) Ltd. V. Momodu Iyomiforhia* (1959). In this case, a workman lost two of his teeth in the course of his employment. It was held that although the injury was permanent, it was not the same as permanent incapacity which alone would result in loss of wage earning capacity.

## **Summary for Study Session 6**

In Study Session 6, you have learned that:

This study session focused on legal provisions for occupational safety. It covered issues relating to vicarious liability and common law provisions. Here emphasis was paid on four aspects namely; competent staff of men, adequate plant and equipment, safe place of work; and safe system of working (operation) with effective supervision. Also, the lecture examined breach of statutory duty. Finally, the session examined employer's defence against liability which centres on principle of consent and contributory negligence.

## **Self-Assessment Question (SAQs) for Study Session 6**

Now that you have completed this study session, you can assess how well you have achieved its Learning outcomes by answering the following questions. Write your answers in your study Diary and discuss them with your Tutor at the next study Support Meeting. You can check your answers with the Notes on the Self-Assessment questions at the end of this Module.



**SAQ 6.1 (Tests Learning Outcomes 6.1)**

In case of Injury at Work, an employer is more liable than an employee. Do you agree?  
Explain your answer.

**SAQ 6.2 (Tests Learning Outcomes 6.2)**

Discuss the liability defence available to an employer in case of Injury in the Workplace.

## Study Session 7 Workmen’s Compensation benefits in Nigeria

**Expected duration: 1 week or 2 contact hours**

### Introduction

By international standard (i.e. ILO standard) every country in the world is expected to make legislation requiring employers to pay some benefits to any of their employees who sustain injuries out of and in the course of his employment. Accordingly, Nigeria came out with its first legislation on Workmen Compensation through the Workmen Compensation Ordinance of 1942 which was replaced by the Workmen’s Compensation Act of 1958 (Chapter 222 of the law of federation of Nigeria). This was amended by the Workmen Compensation Decree of 1987 and the Workmen Compensation Act of Chapter 70 of the laws of the Federation of Nigeria of 1990. In January 2011, the President of the Federal Republic of Nigeria signed the Employee's Compensation Bill (“the Bill”) into law. The Employee's Compensation Act (“the Act” or “ECA”) 2011, which repeals the Workmen's Compensation Act (WCA) of 2004, is designed to provide an open and fair system of guaranteed and adequate compensation for employees or their dependants in the event of death, injury, disease or disability arising out of, or in the course of, employment. The Act is also intended to provide for safer working conditions for employees by ensuring that all relevant stakeholders contribute towards the prevention of workplace disabilities and other occupational hazards.

### Learning Outcomes for Study Session 7

On completion of this study session, you should be able to:

7.1 Explain the some aspects Workmen Compensation Act of 2011(SAQ7.1)

#### 7.1 Workman’s Compensation Act

The introduction of the Workman’s Compensation Act was a measure designed to compensate workers or their dependants in cases of fatal accidents leading to temporary or permanent incapacity. Before 2011 Act, compensation was based on common law principles which made the employer liable for injuries to his workman only if the employer himself was shown to be guilty of negligence. This had a number of limitations which the Act took care of. The Act places a legal obligation on employers to compensate injured workers or their dependants. However, the injured employee has a right to accept compensation or sue for damages under the common law. Compensation payable depends on the degree of incapacity suffered by the employee as a result of the injury.

- How relevant is WCA 2011 in meeting the expectations of a typical Nigerian worker?

- Act took care of. The Act places a legal obligation on employers to compensate injured workers or their dependants. Also, the injured employee has a right to accept compensation or sue for damages under the common law



*Figure 6.1 The Law and Policy as it concern the Employee and the Employer*

*Source: <http://africamusiclaw.com/law-policy-video-nigerias-legal-justice-system-should-get-it-right-by-now/>*

We will discuss the major highlights of the Workmen Compensation Act of 2011 (WCA).

- **Definition of an ‘employee’ and coverage of the Act**

The Act defines an “employee” as ‘a person employed by an employer under oral or written contract of employment whether on a continuous, part-time, temporary, apprenticeship or casual basis and includes a domestic servant who is not a member of the family of the employer including any person employed in the Federal, State and Local Governments and any of the government agencies and in the formal and informal sectors of the economy’. The provisions of the Act are, therefore, applicable to all employers and employees in the public and private sectors of the economy, except members of the armed forces of the Federal Republic of Nigeria. It provides for compensation of employees (or their dependants) in respect of incidents such as death, injury or diseases that may arise out of, or in the course of, their employment.

- **Establishment of Nigeria Social Insurance Trust Fund Management Board (‘Board’) and the Employee’s Compensation Fund (‘the Fund’)**

The Act saddles the Board with the responsibility of coordinating and implementing the provisions of the Act, managing the Fund and compensating employees (or their dependants) out of the Fund, in the event of injury, disability or death. The Fund is to be financed with a take-off grant from the Federal Government and through mandatory contributions by employers, gifts and grants from national and international organizations, and proceeds derived from investment by the Board. An Independent Investment Committee (“the Committee”) established under the

- Discuss the roles Nigeria Social Insurance Trust Fund Management Board of 2011.

- The Fund is to be financed with a take-off grant from the Federal Government and through mandatory contributions by employers, gifts and grants from national and international organizations, and proceeds derived from investment by the Board

Act will act in an advisory capacity to the Board.

- **Contribution to the Fund**

Section 33 of the Act stipulates that every employer is required to keep complete and accurate particulars of its payroll. The employer is required, within the first two years of commencement of the Act, to make a minimum monthly contribution of 1.0 percent (1%) of its total monthly payroll into the Fund. However, the Board may, by regulations, determine the actual contribution or rate of contribution to be made by each employer, which will vary based on the categorization of the risk factors of the particular class or sub-class of industry to which the employer belongs. Section 35 (1) of the Act also provides that the Board shall assess employers, in the first instance, based upon estimates of their payroll for the year or as determined by the Board. The payment of the said assessment shall be due on 1st January in the year for which it relates. The Board may also approve payment of the contribution in instalments.

Where an employer is not assessed by the Board, the employer shall be liable for the amount for which it should have been assessed, or as much as the Board considers reasonable, and payment of that amount may be enforced as if the employer had been assessed for that amount. The payments made by each employer are to be credited to each employer's "experience account" (EA), maintained by the Board. The EA will indicate the assessments levied on the employer and the cost of all claims chargeable in respect of the employer. An employee is not permitted to agree with his employer to waive or forgo any benefit or right to compensation to which he or his dependants is, or are or may become entitled to, under the Act. Any agreement in respect of such waiver shall be void and unenforceable.

- **Injuries occurring outside the normal Workplace**

Section 11 of the Act provides for compensation of employees for occupational diseases and injuries sustained outside the normal workplace if the:

- nature of the business of the employer extends beyond the usual workplace; or
- nature of the employment is such that the employee is required to work both in and out of the workplace.
- employee has the authority and/or permission of the employer to work outside normal work place.
- **Assessment in an Independent contractor/ subcontractor relationship**

Where any person or organization employs an independent contractor, or performs a work under a subcontract, the person, the independent contractor, principal, contractor and subcontractor will be jointly and severally liable for any assessments relating to that

work. The principal or contractor may therefore withhold an amount from any money payable to the agent or subcontractor, in order to make payments to the Board. Such amount paid to the Board will be deemed to be a payment on the contract or subcontract.

- **Payment of compensation to employee**

The Act provides for payment of compensation to employees suffering from mental Stress, occupational diseases and injuries; and to dependant of a deceased employee whose death is due to an occupational injury. The Board is also empowered to provide health care and disability support to employees, in addition to the compensation payable to them. To qualify for payment, an employee or his dependant (in the case of the employee's death) is required to inform the employer by providing necessary information to the appropriate representative of his employer within 14 days of occurrence of the event or receipt of information of its occurrence.

The employee (or his/her dependant) is also required to file an application for compensation in the prescribed form within one year after the date of occurrence of the event. No compensation shall be payable if the application is not filed within one year after the death, injury or disability, except where the Board is satisfied that there existed special circumstances which precluded the filing of an application within one year after the event occurred. In that event, payment would be made if the application is filed within three years of occurrence of the event. However, payment shall not be made in respect of any application filed beyond this date except:

- sufficient medical or scientific evidence was not available on those dates for the Board to recognize the disease as an occupational disease and this evidence became available at a later date; and
- the application is re-filed.

The employer, on the other hand, is required to report to the Board and the nearest office of the National Council for Occupational Safety and Health (NCOSH) in the State, any employment related injury or disease, or any claims for these by an employee, within 7 days of the occurrence, or of receiving information about the occurrence. The notification is to enable the Board to verify if the injury or disease for which a claim for compensation is raised has been reported to the NCOSH's office in the State prior to the settlement of such claim.

- **Right to examine the books of an employer**

Any person authorized by the Board may examine the books and accounts of any employer as the Board deems necessary for administering the Act. Persons authorized by the Board are also empowered to enter, at all reasonable hours, any part of the establishment of any employer or person who may be an employer. An employer is required to produce, within 30 days of receiving notice from the Board, and in the manner set out in the notice, all documents, deeds, papers and computer records which are in the possession, custody or power of the employer that relate to the subject matter of the examination.

Any person aggrieved by any decision of the Board may appeal to the Board for a review of the decision. The appeal shall be made in writing within 180 days of receipt of the Board's decision. Further appeal shall be to the National Industrial Court.

- **Penalties for non-compliance:** Penalties for non-compliance under the Act include:
- Where an employer fails to make the required payroll information available to the Board, the employer may be liable to pay the provisional/best of judgement assessment levied by the Board, and a penalty, calculated as a percentage of the assessment to be determined by the Board. In addition, the employer (if an individual) or its directors (if a company) may be liable to imprisonment for a term not exceeding one year or a fine of not less than N100,000 (N1 million in the case of a body corporate) or both, upon conviction.
- An employer is precluded from deducting, either directly or indirectly, any payments made to the Board from the remuneration payable to its employees. Contravention of this requirement by an employer attracts, upon conviction, a fine of not less than N1, 000, 000 (N1 million in the case of a corporate employer), and repayment of any amount deducted from the relevant employee.
- The penalty for non-payment of an assessment, or non-provision of a security against an assessment required by the Board, is 10% of the unpaid assessment or the value of the security required.

## **7.2 Miscellaneous Provisions**

In the event of an employer becoming insolvent, the Employer's contributions to the Fund shall constitute a lien in favour of the NSITF Fund for a period of five years from the end of the calendar year from when the assessment was levied, over and above all other liens, charges or mortgages of every other security or charge, wherever or however created, on the employer's property. Section 70(3) of the Law requires that where the employer is a body corporate and the body corporate becomes insolvent, the property of the body corporate shall include the property of any director, manager, secretary or other officer of the body corporate used in connection with the business of the body corporate.

Every offence that is committed under this Law by a body corporate shall be deemed to have also being committed by every Director, Manager, Secretary or other officer or officers of the body Corporate, or where a firm, by a partner or other officer of such a firm save where such a person is able to establish that the act or omission constituting the offence took place without his or her knowledge, consent, connivance or neglect and or that he or she took reasonable steps to prevent the commission of the offence.

### **7.2.1 A Critique of the Workmen Compensation Act 2011**

From the discussion above, it is evident that the Act improved on the WCA under which an employer could be absolved from responsibility to compensate its employees where it could be proved that "the injury to the workman is attributable to the serious and willful

misconduct of that workman”, and by covering all employees unlike the WCA which applied only to “workmen.” However, the implementation of the Act in its current form may be challenging in light of the following:

First, Section 33(1) of the Act provides for a minimum monthly contribution of 1% of employer's monthly total payroll to the Fund. At the same time, it stipulates that payment of any assessment made under section 33 of the Act shall be due on 1st January of the year to which it relates, which suggests annual, rather than monthly contribution to the Fund. Hopefully, the Board will issue guidelines to resolve the seeming conflict. The discretion given to the Board to make regulations prescribing the categorization of risk factors of each class or sub-class of industry, sector or workplace and the amount of contributions/rates of contribution to be made into the Fund means that the Board can do and undo.

The cost of doing business is high enough that additional 1% of monthly payroll contribution into the Fund, which the Board could discretionally increase, will further erode employers' resources, especially where some of them have appropriate insurance policies in place for compensating their employees or their dependants in the event of death or injury in the course of their employment.

Second, requiring employers to bear directly the cost of their employee's compensation through monthly contributions to the Fund, rather than place the risk with insurance companies as was widely practiced under the repealed WCA, appears to be uncalled for and is a departure from global best practice.

Third, making an organisation and its independent contractor to be jointly and severally liable for an assessment under the Act appears to be unduly burdensome as each employer and its employees are identifiable and should be made to bear the consequences of non-compliance with the Act.

Fourth, as commendable as this legislation may be, the appointment of NSITF as the Regulator of the Employee's Compensation Fund gives cause for much concern in the light of the historical inability of NSITF to manage its statutory functions before the enactment of the Pension Reform Act. Under the new pension regime, there is no evidence that NSITF has practically improved on the discharge of the functions assigned to NSITF under the Pension Reform Act. To assign further statutory responsibilities and resources on NSITF places the Nigerian employee at further statutory and implementation risks and disadvantage.

Given the red tape associated with the way government agencies work in Nigeria, delays can be anticipated during the process of recovery of claims. This is, therefore, not good news for employees and their dependants. With the success of privatization of pensions in 2004, it is difficult to understand why employees need another public sector insurance corporation to pay their compensation for death, disease or injury arising out of, or in the course of, their employment.

Fifth, the Employee's Compensation Act also grants to the NSITF Board over-bearing unfettered discretionary powers to assess employers more than the statutorily provided one per cent (1%) of total monthly payroll after the initial two years of the commencement of the Employee's Compensation Act. Of equal concern is the provision

that an employer will be liable to make its contributions to the Fund even where the NSITF Board does not carry out its statutory duty of raising the assessment in the first place.

Sixth, the addition of a one per cent payroll charge or tax, which percentage is expected to increase after the initial two years of the commencement of the Employee's Compensation Act, is a further tax burden on employers of labour who are presently unable to profitably overcome the problems of multiple taxation and poor infrastructural facilities in Nigeria. The latter will ultimately increase the cost of doing business in Nigeria, discourage direct foreign investments and continue to escalate and exacerbate unemployment in Nigeria.

Seventh, provisions in this statute that makes the employers liable for outside work related injuries are open to future disputes on its interpretation and application to the disadvantage of the weak employee.

In spite of the flaws with this law, employers will be better served by ensuring compliance while looking forward to the implementation of the law drawing up enough resistance to warrant some amendments.

### **Summary for Study Session 7**

In Study Session 7, you have learned that:

In this session, a wide range of issues relating to Workplace Compensation Act of 2011 were covered. These included; definition of an 'employee' and coverage of the Act, Nigeria Social Insurance Trust, Fund Management Board, Contribution to the Fund, injuries occurring outside the normal workplace, assessment in an Independent contractor/ subcontractor relationship, payment of compensation to employee, right to examine the books of an employer, penalties for non-compliance. The study session also did a critique of the WCA 2011 by highlighting its major weakness and strength.

### **Self-Assessment Question (SAQs) for Study Session 7**

Now that you have completed this study session, you can assess how well you have achieved its Learning outcomes by answering the following questions. Write your answers in your study Diary and discuss them with your Tutor at the next study Support Meeting. You can check your answers with the Notes on the Self-Assessment questions at the end of this Module.

#### **SAQ 7.1 (Tests Learning Outcomes 7.1)**

How relevant is WCA 2011 in meeting the expectations of a typical Nigerian Worker?

#### **SAQ 7.2 (Tests Learning Outcomes 7.2)**

Write notes on the payment of compensation to employee and penalties for non-compliance.

Attempt a critiques if Workmen Compensation Act 2011?



## **Study Session 8 Roles of Stakeholders in Promoting Occupational Health and Safety in the Workplace**

**Expected duration: 1 week or 2 contact hours**

### **Introduction**

In this very last study session for this course, you will be discussing what should be the roles of stakeholders in promoting occupational health and safety in the workplace with special emphasis on Nigeria where most employers in the private sector are driven by profit motive and government and enforcement agencies appear to be non-chalant to issue relating to occupational health and safety of workers. The major stakeholders to be discussed in this session are; the ILO, the government, the employers, the labour unions and the employee. It is important to note that each of these stakeholders has one role or the other to play to ensure that workplace is healthy and safe for smooth operations to take place.

### **Learning Outcomes for Study Session 8**

On completion of this study session, you should be able to:

- 8.1 Explain the role of ILO in Promoting Occupational Health and Safety (SAQ8.1)
- 8.2 Explain the role of the government in Promoting Occupational Health and Safety (SAQ8.2)

#### **8.1 Role of the International Labour Organisation (ILO)**

At the international level, the major labour organisation to be considered is the International Labour organisation. Historically, the ILO was the first specialized agency that associated with the UN in the year 1946. The constitution of the ILO offers that any nation which has a membership in the UN can become a member of the ILO. This should be done by informing the Director General that it accepts all the obligations of the ILO constitution.

Members include states that were members on 1 November 1945, when the organization's new constitution came into effect after World War II. In addition, any original member of the United Nations and any state admitted to the U.N. thereafter may join. Other states can be admitted by a two-thirds vote of all delegates, including a two-thirds vote of government delegates, at any ILO General Conference.



*Figure 8.1 Logo of International Labour Organization*

*Source:*<http://naijaparrot.com/international-labour-organisation-ilo-recruitment-for-admin-assistant/>

As of 2012, Members of the ILO are 185 of the UN members. The Non-members are Andorra, Monaco, Liechtenstein, Bhutan, North Korea, Micronesia, Nauru, Tonga, Cook Island, Niue, Vatican City and the states with limited recognition.

Unlike other United Nations specialized agencies, the International Labour Organization has a tripartite governing structure — representing governments, employers and workers. This tripartite structure makes the ILO a unique forum in which the governments and the social partners of the economy of its 183 Member States can freely and openly debate and elaborate labour standards and policies. ILO has its headquarters in Geneva. Since its inception, it has enacted 18 conventions and 21 recommendations.

- What should be the roles of the employers and the employees in promoting occupational health and safety?
  - ILO a unique forum in which the governments and the social partners of the economy of its 183 Member States can freely and openly debate and elaborate labour standards and policies

These are:

- Conventions
- Labour Inspection Convention, 1947 (No. 81)
- Radiation Protection Convention, 1960 (No. 115)
- Hygiene (Commerce and Offices) Convention, 1964 (No. 120)
- Employment Injury Benefits Convention, 1964 (No. 121)
- Labour Inspection (Agriculture) Convention, 1969 (No. 129)
- Occupational Cancer Convention, 1974 (No. 139)
- Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)
- Occupational Safety and Health (Dock Work) Convention, 1979 (No. 152)

- Occupational Safety and Health Convention, 1981 (No. 155)
- Occupational Health Services Convention, 1985 (No. 161)
- Asbestos Convention, 1986 (No. 162)
- Safety and Health in Construction Convention, 1988 (No. 167)
- Chemicals Convention, 1990 (No. 170)
- Prevention of Major Industrial Accidents Convention, 1993 (No. 174)
- Safety and Health in Mines Convention, 1995 (No. 176)
- Protocol of 1995 to the Labour Inspection Convention, 1947 (No. 81)
- Safety and Health in Agriculture Convention, 2001 (No. 184)
- Protocol of 2002 to the Occupational Safety and Health Convention, 1981 (No. 155)

#### Recommendations

- Labour Inspection Recommendation, 1947 (No. 81)
- Labour Inspection (Mining and Transport) Recommendation, 1947 (No. 82)
- Protection of Workers' Health Recommendation, 1953 (No. 97)
- Welfare Facilities Recommendation, 1956 (No. 102)
- Radiation Protection Recommendation, 1960 (No. 114)
- Workers' Housing Recommendation, 1961 (No. 115)
- Hygiene (Commerce and Offices) Recommendation, 1964 (No. 120)
- Employment Injury Benefits Recommendation, 1964 (No. 121)
- Labour Inspection (Agriculture) Recommendation, 1969 (No. 133)
- Occupational Cancer Recommendation, 1974 (No. 147)
- Working Environment (Air Pollution, Noise and Vibration) Recommendation, 1977 (No. 156)
- Occupational Safety and Health (Dock Work) Recommendation, 1979 (No. 160)
- Occupational Safety and Health Recommendation, 1981 (No. 164)
- Occupational Health Services Recommendation, 1985 (No. 171)
- Asbestos Recommendation, 1986 (No. 172)
- Safety and Health in Construction Recommendation, 1988 (No. 175)
- Chemicals Recommendation, 1990 (No. 177)
- Prevention of Major Industrial Accidents Recommendation, 1993 (No. 181)
- Safety and Health in Mines Recommendation, 1995 (No. 183)
- Safety and Health in Agriculture Recommendation, 2001 (No. 192)

## 8.2 Role of (National) Government

In Nigeria expresses its concern for workers safety by enacting relevant laws to protect both the interest of the employers which include itself and the employees. There are many laws that protect these interests. They include the general law of contract of appointment which has many dimensions and the factory Act. Besides this Nigeria government has doing the following.

- Observance and Enforcement of ILO Conventions and Recommendations. Nigeria is signatory to ILO convention, as a result she is bound to observe and enforce labour standard that will guarantee safety workplace.
- Enforcement of Labour Standard in Industries and places of work.
- Routine Checks and Inspection of workplace
- Imposition of sanction to erring organisations
- Provision of Healthy workplace

In all, the Federal Ministry of labour and Productivity is saddled with the responsibility of ensuring that labour standard is maintained. Specifically, the Ministry has Inspectorate Department, however, the extent the Department doing its duties in a matter of concern considering the fact that foreign firm and even the indigenous ones usually violate labour standards at will that have resulted in industrial accidents and even death, yet these companies have not be brought to book.

### 8.2.1 Role of Employers/Management

It is heart warming to know that whereas some employers have taken the issue of safe working environment very seriously, some are still foot-dragging on the matter. Considering the fact that the cost of accident is most borne by the employer/management, then, it is responsibility of employers/management to ensure that work place is safe for production or services to take. An organisation known for industrial accident may experience high labour turnover, thereby losing most of its competent staff. This has the tendency to disrupt the operations of the firm and affect it in many negative ways. In the previous lecture, it was established that in employers are always at the receiving end when accidents occur in terms of amount of money paid out as compensation, the employers should enforce labour standards through the following;

- Establishing Responsibility for Safety
- Provision of Safety Education and Training
- Enforcement of Safety Regulations
- Provision of Healthful work Environment e.g. eye goggles, hand gloves, ear plugs, head helmet, adequate ventilation etc
- Availability of adequate Medical Treatment
- Rehabilitation of the Injured
- Establishing of counseling unit to handle such cases as drug addiction and alcoholism of addicted staff

### 8.2.2 Role of Labour/Workers Unions

Labour Unions in organisations where trade Union activities are permitted are equally stakeholder in occupational health and safety project. Labour Union is a collectivity of workers working in the same organisation. Their interest should not be focus on economic or welfare issues; it should be concerned with issues relating to occupation

health and safety if it must continue to command the respect of its members. They (i.e. unions) should do the following in promoting of occupational health and safety in the work place.

- Use of Collective Agreement to promote Occupational Health
- Enforcement of Health and Safety Standard
- Enlightenment and Education of Members
- Collaborating with Government, and Employers to promote Occupational Health
- Sanctioning recalcitrant erring members
- Provision of counseling Units for members
- Promotion of Occupational Health consciousness among the members

### **8.2.3 Role of individual Employees/Workers**

Every employee is a major stakeholder in creating healthy and safe working environment for production or services to take place. When an accident or injury occurs, an employee is at the receiving end as much the employer. In Nigeria economic environment with saturated labour market, an employer who has the prerogative of hire and fire can always replace any workers whether healthy or not. For an employee, this is not always easy. Consequently, every employer should ensure that he does his utmost in creating healthy and safety working environment through the following;

- Imbibing Healthy and Safety Standard
- Maintaining personal Hygiene
- Maintaining Self discipline
- Obeying safety rules at all times
- Continuous self improvement

### **Summary for Study Session 8**

In Study Session 8, you have learned that:

In this very last study session, you would know by discussing what should be the roles of stakeholders in promoting occupational health and safety in the workplace with special emphasis on Nigeria. The major stakeholders discussed in this session are; the ILO, the government, the employers, the labour unions and the employee. The session discussed what each of these stakeholders had done or should do to ensure that workplace is healthy and safe for smooth production and services to take place.

### **Self-Assessment Question (SAQs) for Study Session 8**

Now that you have completed this study session, you can assess how well you have achieved its Learning outcomes by answering the following questions. Write your answers in your study Diary and discuss them with your Tutor at the next study Support Meeting. You can check your answers with the Notes on the Self-Assessment questions at the end of this Module.

#### **SAQ 8.1 (Tests Learning Outcomes 8.1)**

What roles have the ILO and National Government played in Promoting Occupational Health and Safety?

**SAQ 8.2 (Tests Learning Outcomes 8.2)**

In case of accident or injury at work, the employer is at the receiving end as much as the employee. What do you think should be their various roles in keeping workplace healthy and safe for production and services to take place?

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