



**FEDERAL UNIVERSITY OF TECHNOLOGY
MINNA**

**OCCUPATIONAL SAFETY AND HEALTH ACT:
A NECESSITY IN NIGERIA WORKPLACE -
A GLANCE AT MALAYSIA ACT**

**BY:
QS PROF YAKUBU DANASABE MOHAMMED**

B.Tech (FUT Minna), M. Tech (FUT Minna), PhD (UPM)
MNIQS, MISPON, RQS, RSP
Professor of Quantity Surveying

**INAUGURAL LECTURE
SERIES 130**

16TH JULY, 2026



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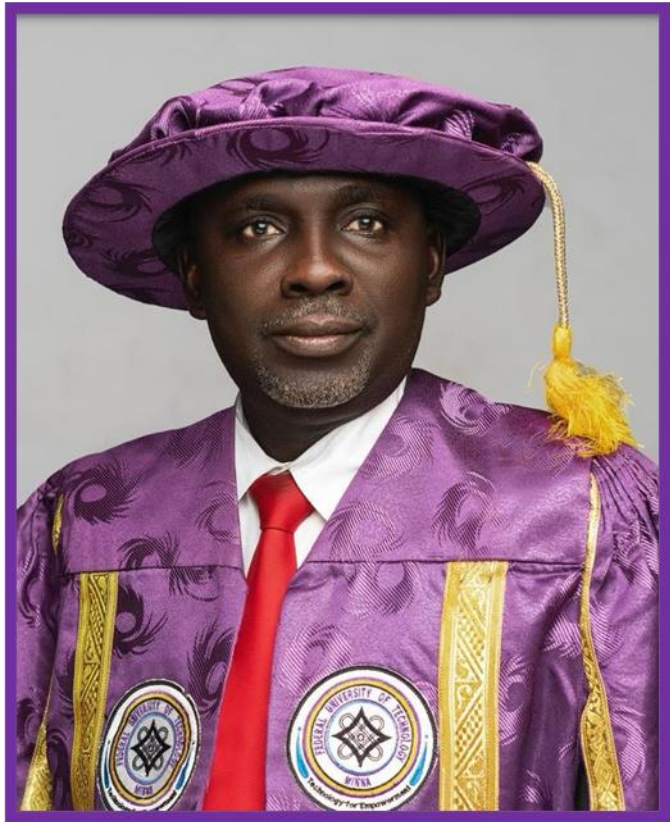
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INAUGURAL LECTURE SERIES 130

THURSDAY 16TH JULY, 2026



Prof. Faruk Adamu Kuta
B.Sc. (UDUS), M.Tech. (FUTMIN), PhD (ATBU)
Vice-Chancellor



QS Prof Yakubu Danasabe Mohammed
B.Tech (FUT Minna), M. Tech (FUT Minna), PhD (UPM)
MNIQS, MISPON, RQS, RSP
Professor of Quantity Surveying

PREAMBLE

The spiritual foundation of this Inaugural lecture is

O Mankind we created you from a single (Pairs) of Male and Female and made you into nation and tribes that ye may know each other (not that ye may despise each other)

Q 49:13

Consequently my precise and simple safety knowledge interpretation of this Qur'anic verse is that as a nation both its employer and employee need to provide a safe workplace through practising of effective occupational safety and health standard. This is because both the employer and employee are responsible for ensuring that the workplaces remain free of any form of injuries or illness.

Mr. Chairman Sir, this inaugural lecture focuses on advocating the practise and implementation of an occupational safety and health at workplace through the promulgation of an act called Occupational Safety and Health Act (OSHAct) at Nigerian workplace. Mr. Chairman Sir, I have observed and did a lot of research finding as regard to issues of occupational safety and health at Nigerian workplace. So today am presenting them before you as my contribution to knowledge in a form of inaugural lecture.

The Vice Chancellor Sir, Deputy Vice Chancellors, Registrar, Bursar, University Librarian, all Principal officers, Deans, Directors, members of the Senate, Head of Department, Professors, all the members of the university community, our great students, invited guests, gentlemen of the press, distinguished gentlemen and ladies. I welcome you as you listen to this inaugural lecture.

1.0 INTRODUCTION

Occupational safety and health is a practise that deals with the safety, health, welfare and well-being of people when they are at the workplace. Providing a safe working environment for staffs is a legal responsibility. With OHS standard implemented every workers in the workplace should be able to function in their role in a safe and secure

environment free from any form of hazards be it physical, biological or chemical.

Workplace or place of work means premises where person work. The person that own that place is refer to as employer. For example a construction site is place of work or workplace. At the workplace, there is need for the employer to promote an occupational environment for people at the work which is adapted to their physiological and psychological needs. Employers have to comply with OSH laws and regulations. But management of occupational safety and health is not only a question of legal compliance. There is a business case for safety and health at work. Good OSH performance can help ensure business continuity, preventing high levels of absence and avoiding losses of skilled workers. It can raise productivity and competitiveness as well as lead to reductions of insurance premiums. Additionally, health and safety investments can be justified on strategic grounds such as maintaining strong reputation to attract talent and preferred supply chain relationships. Finally, managing OSH issues can be an opportunity to improve workplace cooperation and dialogue, boosting employee engagement.

At the same time, employers are not the only ones involved in securing safety and health in the workplace. Workers and their representatives should cooperate with employers by taking reasonable care of their own safety, complying with the instructions given regarding safety and health, using protective equipment correctly and reporting any hazardous conditions or events and accidents. To promote compliance and good OSH performance, it is also key that employers are provided with support and guidance from relevant authorities. This is emphasised in the ILO Conventions 155 and 187. Micro and SMEs in particular may need help in complying with legal obligations and in developing OSH management processes.

Mr. Chairman Sir, the overarching goal of Occupational Safety and Health (OSH) programs is to foster a safe and healthy work environment. This not only protects employees but also extends to co-workers, family members, employers, customers, and other

stakeholders who might be impacted by the workplace environment. The main focus areas in occupational health include:

- i. Maintenance and Promotion of Workers' Health and Working Capacity: Ensuring that employees remain healthy and capable of performing their tasks effectively
- ii. Improvement of the Working Environment: Creating a workspace that is conducive to safety and health, thereby minimizing risks and enhancing overall work conditions.
- iii. Development of Work Organizations and Cultures: Cultivating organizational cultures that prioritize health and safety, which in turn promotes a positive social climate and can enhance productivity.

1.1 Why is OSH Important at Workplace

It is good to understand the benefit and importance of implementing occupational safety and health at workplace. The benefits or importance include;

- i. It is morally right to ensure your workers return home safe and healthy at the end of every working day.
- ii. By protecting your workers you reduce absences. Ensuring that your workplace is more efficient and productive
- iii. Research shows that workers are more productive in workplace that are committed to safety and health
- iv. reducing down – time caused by illness and accidents means less disruption and saves organisation money
- v. In some countries, health and safety legislation is criminal law and you are legally obliged to comply with it. Legal breaches can results in prosecution, fines and even imprisonment of senior executives
- vi. To attract investors and partnership you may need to demonstrate your commitment to sustainability and corporate responsibility, including how you protect your workers
- vii. Increasingly, customers want to buy products and services that are produced ethically. You also need to think about the work practices

throughout your supply chain and deal only with ethical supplies that protect their workforce

- viii. A good health and safety record is a source of competitive advantage. It builds trust in your reputation and brand. However, poor health and safety performance will directly affect profitability and can result in loss of trade or even closure of the business
- ix. Good health and safety at work secures long – term benefit for you, your business and the wider community.

2.0 ORIGIN OF OCCUPATIONAL SAFETY AND HEALTH ACT

2.1 American Occupational Safety and Health Act

There is one law in US that affects the nearly every individual who works for an employer. The law is Occupational Safety and Health Act (OSHA) of 1970 which established for the first time a national policy on safety and health. Until that time no uniform comprehensive provision existed on a national basis to protect employees from workplace safety and health hazard.

In developing the provision of the OSHA in 1970 the congress was presented with statistics of accidents and illness at workplace then the congress passed the Occupational Safety and Health Act of 1970..... to ensure so far as practicable every working man and woman in the nation safe and healthful working condition. The OSHA was signed in to law by President Richard Nixon on December 29 1970 and took effect on April 28 1971. The goal of the law was simple to improve safety and guarantee safer working condition for all workers regardless of their job or industry.

The act also established the Occupational Safety and Health Administration (OSHA) to pass health and safety standard as well as the National Institute for Occupational Safety and Health (NIOSH) to act as a research body on OSHA's behalf under the umbrella of the Centre for Disease Control.

OSHA is also known as Public Law and it is sometimes referred to as William's Steiger Occupational Safety and Health Act of 1970. OSHA has a responsibilities (under OSHA Standard and Regulation) to develop and enforce safety and occupational health standard which may

require employers to adopt or used practice or processes considered reasonably necessary to protect workers on the job. Under the Act it is an employer's responsibilities to become familiar with standards, applicable to their business and to ensure that employee have. Also it is virtually impossible to identify and write a set of standard for every job or industry, where no specific standard have been developed under the Act, the General Duty clause requires that employers comply with OSHA's standard and provide a work environment free "from recognized hazards that are causing or likely to cause death or serious physical harm" to employees. Where there is no specific standard OSHA will used the General Duty clause for the insurance of citation and fine. The General Duty clause can be find in Section 5(a)(1) of the OSHA of 1970 (USA).

2.2 Health and Safety of Workers at Work Act in UK in 1974

Occupational safety and health management system in UK was driven by two parallel forces; their origins are

- i. Self-regulatory legislation in the United Kingdom (1974)
- ii. Quality Management Movement

The system meets resistance from trade unions especially because some organisations implement the system exclusively. Part of the resistance is because the system now turned full circle and identifies workers as the focus of attention just like Heinrich did in the 1930s. Some accuse Heinrich of been racist. The system appears to concentrate on workers at the expense of hazard at the workplace or management's contribution to it. Also incentives and reward system did not always work as desired and appears to manipulate human beings. Lord Robens, Chairman of Royal Commission Report in 1972 noted that there were several characteristics of legislation at the time, they were;

- a. too many OSH legislation
- b. fragmented
- c. limited in coverage (specific hazards and workplace)
- d. out of date and difficult to update
- e. inflexible (prescriptive)

f. people though that safety was what government inspectors enforcement the law

In the reports finding Lord Ruben's recommended that the legislation in the United Kingdom should be based on "Self – regulation". The outcome of the report resulted in the Health and Safety of Workers at Work Act in the UK in 1974.

Legislation in the United State of America for example is still based on the concept of "command and control" system where government provides detailed regulations and industry has to comply with it under severe penalties non – compliance. At United Kingdom legislation was successful and similar was enacted in Australia in 1984. Malaysia enacted a similar type of legislation in 1994 after the 1992 Bright Sparkler accidents in Sungai Buloh

The features of "Roben Style" legislation are

1. General Duties of care by
 - i. employers and self – employed person, Designers, Manufacturers and supplier and employees.
 - ii. Duties of employer to make the workplace safe
2. Consultation with employees through safety and health committees
3. Safety and health officer as adviser and coordinator
4. Improvement and prohibition notices.

There were many serious industrial accidents after the health and safety of workers at work Act in the UK in 1974. These accidents shaped some of the thinking in the safety management after that. For example, the flixborough accident (1970) in England resulted in Control of Industrial Major Accidents and Hazard Regulation. This Regulation requires certain categories of organisation to establish a proper management system to control hazards. Among the requirements are to conduct risk assessments, system coordinator, audits, emergency response and etc. The Bhopal accident in India (1984) prompted the industry, in particular the chemical industry, to start industry initiative such as "Responsible Care" which industry agree among them to abide by certain management standards of conduct.

Lord Cullen, Chairman of the Royal Commission of Inquiry after the Piper Alpha oil platform accident (1988) recommended that organisation consider adopting a safety management system similar to that already adopted for quality management system.

From the above, it can be seen that there is a convergence of need between the public, the government and the industry in terms of quality management of occupational safety and health. As a result occupational safety and health management system standard begin to appear since 1996.

3.0 MALAYSIAN OCCUPATIONAL SAFETY AND HEALTH ACT 1994.

3.1 Post-scripts on OSHA

The introduction of a comprehensive Occupational Safety and Health Act (OSHA) 1994 was in response to the need to cover a wider employee base and newer hazards introduced in the workplace. Developed countries such as Japan had enacted such legislation in 1972, United Kingdom in 1974 (the Health and Safety At Work Act 1974), United State of America in 1970 (the Occupational Health & Safety Act 1970) and in Sweden and Norway, the Act was called Internal Control Regulation. The OSHA 1994 is enforced by the Department of Occupational Safety and Health (DOSH) (previously known as Factory and Machinery Department. The name was changed to reflect changes in coverage) under the Ministry of Human Resources. The Act was derived from the philosophy of the Roben's Commission and Health & Safety at Work Act 1974 in UK, emphasizing on self-regulation and duties of employer, employee and designer/manufacturer. The employer's duties include the provision of a safe system of work, training, maintenance of work environment and arrangement for minimizing the risks at low as reasonably practicable. In short, the responsibility on OSH is made to rest on those who create the risks (employers) and those who work with the risk (employees). The Act is referred as a reflexive-type of Act which was less prescriptive, cover all workers except those in armed forces and those who work aboard ship (which were covered by other legislations). The

Act also emphasis on duties of care by individual thus empowering the participation of all person in OSH.

Under the OSH Act 1994, National Council for Occupational Safety and Health was established. This Council comprised of 15 council members with tripartite representation from Government, employers, employees and OSH professionals (with at least one woman member). The legislation also contains provision for formulating regulations and Code of Practices (COPs), which indicates “what should be done” and thus assists the employer to comply with the Act.

This means that the Act aims at safeguarding almost everybody at any place of work be it the employees themselves or any other persons besides the employees. The phrase “person at a place of work other than persons at work” (Section 4b) appears to include licensees, invitees or visitors.

OSHA also encompasses a broader scope when the provisions made it applicable to industries specified in the First Schedule. This includes a wide range of categories such as the manufacturing sector; mining and quarrying; construction; agriculture, forestry and fishing; utilities (electricity, gas, water and sanitary services); transport, storage and communication, wholesale and retail trades; hotel and restaurants; finance, insurance, real estate and business services; public services and statutory authorities.

Thus the coverage includes almost everybody leaving only those working on board ships who are governed by the Merchant Shipping Ordinance 1952 and the Merchant Shipping Ordinance 1960 (Sabah and Sarawak) and the armed forces.

The application of the Act also extends to all employers, employees, self-employed persons, manufacturers, designers and suppliers who are given specific duties to promote a better place to work in as contain in section 15 of the OSH Act.

This is one of the aspects which make OSHA a better legislation compared to FMA because it realizes and acknowledges the fact that

everybody requires a safe and healthy work place irrespective from which industries they come from. Workers will be happier, more contented and probably will be more loyal (stay longer) in an organization which takes pain in ensuring that their (workers) safety is well taken care of throughout their daily working activities. Employers, self-employed persons, designers, manufacturers and designers are compulsorily urge to come together and contribute to a safer place to work. This extensive approach is hoped to achieve its ultimate goal in creating a healthy and safe working culture among all employers and employees.

All employers and self-employed persons employing more than five employees are required to have safety policies [Occupational Safety and Health (Employers' Safety and Health General Policy Statements) (Exception) Regulations 1995].

In *Osborne v Bill Taylor of Huyton Ltd.* (1982) IRLR 17, the defendant company was served with an improvement notice requiring them to prepare a written safety policy. Subsequently when they were charged with an offence of ignoring the notice, they argued that they were within the exception regulations. The company owned and controlled 31 betting shops but at the shop which was the subject of the notice, they employed only two full-time and one part-time member of staff. The justices accepted that the betting shop was a distinct place of work and fell under the exception regulation. On appeal, it was held that the justices had correctly applied the regulations in that the test was not how many employees were on the payroll but how many were at work at any one time; provided no more than five workers worked at one time an undertaking was exempted.

No specific guideline is provided by the Act as to how the policy should be formulated. Thus the employer and self-employed person are free to use their own creativity in preparing one. This job is not a difficult one but many parties to whom this responsibility is put upon them, especially the self-employed person, fail to comply with this

requirement. Perhaps they are not aware of this provision or if they do, they do not have the expertise or experience to formulate one. This should not be an excuse as it can be done by getting some advice from any relevant department like the Department of Safety and Health, Ministry of Human Resource or samples can be obtained from companies which have one.

Any person who contravenes this provision is guilty of an offence and on conviction can be fined up to a maximum of RM50, 000 or can be imprisoned for a term not exceeding two years or both. OSHA requires the policy to be brought to the attention of all the employees. No guideline is being provided as to how this should be done but different companies have different ways of doing it. Some companies posted the safety policy at strategic places in the organizations using big clear words while other companies circulate one copy to each of their workers or provide them with one when they first register for work. If the employees do not understand the language used in the policy, appropriate steps must be taken to highlight the policy to them. The employers are obliged to revise the policy within a reasonable time and a period of one year seems to be suitable to do so to allow them to take into account any suggestions that are made by anyone at the organisations to improve the policy.

The law of occupational safety and health has two origins; the first is the American origin known as Occupational Safety and Health Act (OSHA) and the British origin known as Health and Safety of workers at work Act in the UK in 1974.

3.2 Background of the Act

The occupational safety and health Act (OSHAct) was enacted on 25 February 1994 by the Duli Yang Maha Mulai Seri Paduka Yang di – Pertuan Agong with the advice and consent of Dewan Negara and Dewan Rakyat in parliament assembled, and by the authority of the same as follows;

a. To secure the safety, health and welfare of person at work

- b. To protect others against risk to safety and health in connection with the activities of person at work.
- c. To establish the National Council for Safety and Health
- d. Other related matters.

3.3 Important of the Act

The Occupational Safety and Health Act (OSHA) is crucial for legally requiring safe workplace, preventing accidents/diseases, and setting uniform standards, benefitting workers by protecting their lives and health, and benefitting businesses through higher productivity, reduced cost (insurance, absenteeism), better reputation, and talent attraction, creating a fundamental framework for both workers well – being and business continuity. The Act is necessary to overcome the limitation of the Factories and Machinery Act of 1967 (FMA, 1967) in the following aspects;

A. Scope of Application

The scope of FMA 1967 only covers 24% of the total labour workforce nationwide. Those protected are workers in the sectors defined as factory namely a. Manufacturing b. Mining and quarrying and c. Construction

B. Prescriptive Provision

The factories and Machinery Act 1967 (FMA, 1967) provides prescriptive provision of which over time became irrelevant. The provisions in details provide the necessary actions to be taken to prevent occurrence of accidents. For example, the provision requires all Machinery parts to be strictly guarded according to the specification stated under the factories and machinery (fencing of machinery and safety) Regulation 1970.

C. Approach

The approach of the Act was based on the traditional method of using a checklist system which put emphasis on workers, system of work, machineries and working environment by preventing accidents and industrial diseases. This approach gave the impression that the responsibilities of occupational safety and health purely lies in government control; resulting in industries becoming too depend on the government regulations. At the same time, accidents statistics in other

sectors were high not covered under the FMA, 1967 recorded alarming rates especially fatality and permanent disability cases. This urged the government to draft an additional pace of law in order to control these activities.

D. Philosophy and Principles

The philosophy and the Principles of this Act differ from the prescriptive nature of the Factories and Machinery Act (FMA). The Act addresses the responsibility to ensure a safe and healthy workplace lies with those who create the risk and those who work with the risk. The philosophy advocates three principles; a. Self – regulation b. Consultation and c. Workers cooperation and participation.

E. Content of the Act

The OSHA 1994 consists of fifteen (15) parts;

Table 1 Part of OSHA 1984

PART	TITLE	PART	TITLE
1	Preliminary	8	Notification of accidents, Dangerous Occurrence, Occupational Poisoning and Occupational Diseases and inquiry
2	Appointment of officers	9	Prohibition against use of Plant and Substance
3	National Council for Occupational safety and health	10	Industrial Code of Practise
4	General Duties of Employers and self – employer person	11	Enforcement and Investigation
5	General Duties of Designers, Manufactures and Suppliers	12	Liability for Offences
6	General Duties of Employees	13	Appeals
7	Safety and health organisation	14	Regulation
		15	Miscellaneous

Source: OSHA 1994

F. Regulation made under OSHA 1994.

Table 2 showed the regulations made under OSHA 1994

Regulation	Year
Employer's Safety and Health General Policy Statement (Exception)	1995
Control of Industrial Major Accident Hazards	1996
Safety and Health Committee	1996
Classification, Packaging, and Labelling of Hazardous Chemicals	1997
Safety and Health Officer	1997
Safety and Health Officer, Order	1997
Prohibition of Use of Substance	1999
Use and Standards of Exposure to Chemicals, Hazardous to Health	2000
Notification of Accident, Dangerous Occurrence, Occupational Poisoning and Occupational Disease	2004

Source: OSHA, 1994.

G. Guidelines and Code of Practices made under OSHA 1994

The table 3 showed the Guideline and Code of Practice made under OSHA 1994

Table 3 Guidelines and Code of Practices made under OSHA 1994

Regulation	Year
Guidelines for Public Safety and Health at Construction Site	1994
Guidelines for First Aid Facilities in the Workplace	1996
Guidelines on Occupational Safety and Health in the Office	1996
Guidelines for the Classification of Hazardous Chemicals	1997
Guidelines for Labelling of Hazardous Chemicals	1997
Guidelines for the Formulation of a Chemical Safety Data Sheet	1997
Guidelines on Control of Exposure to Dust in the Wood Processing Industry	1998
Guidelines on Safety and Health in the Wood Processing Industry	1998
Guidelines on Reduction of Exposure to Noise in the Wood Processing Industry	1998
Guidelines on Occupational Safety and Health in Tunnel Construction	1998

Guidelines for the Preparation of Demonstration of Safe Operation Document (Storage of Liquefied Petroleum Gas in Cylinder)	2001
Guidelines on Medical Surveillance	2001
Approved Code of Practice for Safe Working in a Confined Space	2001
Approved Code of Practice on HIV/AIDS in Workplace.	2001
Guidance for the Prevention of Stress and Violence at the Workplace	2001
Code of Practice on Prevention and Management of HIV/AIDS at the Workplace	2001
Guidelines on Occupational Safety and Health for Standing at Work	2002
Guidelines on Occupational Safety and Health in Agriculture	2002

Source: OSHA, 1994

H. Prevailing Law

As contain in the preliminaries of the OSHA 1994 in Part 1 Section 2(1 – 2) is the prevailing law. The law in the section 1 stated that the provision of the Act shall be in addition to and not in derogation of the provision of any other written law relating to Occupational safety and health. Section 2 of the preliminaries act stated that in event of any conflict or inconsistency between the provisions of the act and that of any other written law pertaining to occupational safety and health. The provision of this act shall prevail and the conflicting or inconsistent provision of such other written law shall to the extent of conflict or inconsistency be superseded.

4.0 OCCUPATIONAL SAFETY AND HEALTH ACT IN NIGERIA

In recent years, the subject of occupational health in Nigeria has gained more daily audiences with both employees and their employers. Workplace wellness isn't any longer a choice. This aspect is essential for ensuring maximum productivity and preserving lives and property. Today's organizations face challenges that impact profitability, consumer base, productivity, and employee wellness. Occupational

wellness is vital in this environment since employees are the most prominent part of the organization. Occupational health and safety cover the physical, mental, and social well-being of people at work, including issues such as stress prevention, human resource development, and rehabilitation. The country has a regulatory framework that comprises laws and regulations enacted by the Federal Government regarding occupational health and safety. As an affirmation that safe working conditions are essential to attaining social justice and economic growth, the Federal Government of Nigeria ratified International Labour Organization's ILO Convention No. 155 on Occupational Safety, Health, and Working Environment in 1994. According to Article 17.3.c of the 1999 Nigerian Constitution (as amended), the government ensures and protects the health, safety, and welfare of all employees; the National Industrial Court of Nigeria Act and the OSH Policy make this law.

4.1 Major legislation that has been enacted to provide for the safety and health of the workforce include:

1. Employees' Compensation Act, 2010: The employees' Compensation Act, Cap. It makes comprehensive provisions for the payment of compensation to workers who are injured at work or suffer occupational diseases. It provide a comprehensive social security scheme for workers, replacing older laws to offer fair compensation for work – related injuries, diseases, disabilities or death covering incidents, on the way to/from work, mental stress and occupational illness managed by Nigeria Social Insurance Trust Fund (NSITF) and funded by employer contribution. Its core aim is a robust accessible system ensuring employees receive benefits and rehabilitation, promoting safety, and holding employers accountable for their duty care with penalties for non – compliance.

The objectives of the Act are to

a) Provide for an open and fair system of guaranteed and adequate compensation for all employees or their dependants for any death, injury, disease or disability arising out of or in the course of employment

- b) Provide rehabilitation to employees with work-related disabilities as provided in the Act
- c) Establish and maintain a solvent compensation fund managed in the interest of employees and employers
- d) Provide for fair and adequate assessments for employers
- e) Provide an appeal procedure that is simple, fair and accessible with minimal delays
- f) Combine efforts and resources of relevant stakeholders for the prevention of workplace disabilities, including the enforcement of occupational safety and health standards.

The Act has nine (9) Parts as follows: Part I – Preliminary provisions; Part II – Procedure for making claims; Part III – Compensation for death, injury or disease; Part IV – Scale of compensation; Part V – Powers and functions of the Board; Part VI – Employer’s assessment and contributions; Part VII – Financial provisions; Part VIII – Establishment of the investment committee; and Part IX – Miscellaneous provision.

The First Schedule of this Act contains the lists of the schedule of occupational health diseases in the country, with the Second Schedule detailing the percentage disability caused by various types of occupational health diseases or trauma.

2. Nigerian Minerals and Mining Act, 2011:

This is an Act that repeals The Nigerian Mineral and Mining Act CAP 912, LFN 2004 for the purposes of regulating all aspects of the exploration of solid minerals in Nigeria. In Nigeria, they divided the Solid Mineral Exploration Act into four (4) Chapters with different Numbers of Parts guiding different aspects of the exploration of solid minerals. The thematic areas of the different Chapters are
Chapter 1 –Minerals, prospecting, mining, and quarrying;
Chapter 2 – Small scale mining;
Chapter 3 – Possession and purchase of minerals; and
Chapter 4 – Environmental considerations and rights of host communities.

This Act does not explicitly make provisions for the enforcement of occupational safety and health for practitioners in the field. The only section that remotely has a connection with occupational safety and health can be found in Part VIII of the Act.

This Part gives guidance in the area of inquiry into accidents as a result of workplace exposure. It states the duty of the holder of the mining license to report the occurrence of the accident as soon as possible, as well as the accident investigation steps and penalties

3. The Nuclear Safety and Radiation Protection Act CAP N142, LFN 2004

This is an Act enacted to establish the Nigerian Nuclear Regulatory Authority (NNRA) whose functions shall include the control and regulation of the use of radioactive substances, material and equipment emitting and generating ionising radiation.

The Act comprises of nine (9) Parts, with Section 25 of Part VII relating to the control of ionising radiation. This Section requires the Authority (NNRA) to ensure that:

- a) No practice is adopted, unless its introduction produces net benefit
- b) The dose equivalent to individual shall in no way exceed the established limits prescribed by the Authority

Similarly, Section 26 stipulates the recording of emergency exposures to workers in this industry while Section 27 deals with the establishment of an intervention plan to deal with any foreseeable situation and the demonstration of the efficiency of the planned counter measures. Section 28 provides guidelines for the establishment of ideal working conditions for workers in the industry.

The other Sections speak to a variety of issues from categories of radioactive substances to guidelines for issuing exploration license and the process for inspection of facilities utilising radioactive substances. There are also enacted laws that guide occupational safety and health in the country, including:

- 1. Nigeria Basic Ionising Radiation Regulations, 2003:** This Regulation guides implementing the Nigerian Nuclear Safety and Radiation Act, 1995. It specifically speaks to the prevention of excessive doses of exposure to sources of ionizing radiation by workers who work in facilities using these substances. Part II of this Regulation provides for arrangements for the management of radiation protection in the workplace. Part IV, on the other hand requires the provision of designated areas in workplaces making use of ionising radiation sources; dose monitoring; specific measures to prevent spread of contamination; and selection, maintenance and testing of equipment used for monitoring of exposure. Regulations 54 –60 of Part V of this Regulation also stipulates the provision of medical surveillance services to employees exposed as well as keeping of health records for this group of workers. It also provides for the appointment of a Medical Adviser for organisations with the risk of ionising radiation exposure for the purposes of fitness certification.
- 2. Nigerian Radiation Safety in Nuclear Regulations, 2006:** This Regulation provides for regulating exposure in using radiation in Nuclear medicine in Nigeria. Part IV of this Law provides guidance for managing occupational exposure in the workplace primarily by stating radiation protection requirements, responsibilities and conditions of services as well as monitoring of exposure in the workplace, health surveillance and record keeping. Part VII provides for the regulation of potential exposure and existence of emergency plans in the workplace, while Part VIII states the responsibility of the License owner during the transportation of radioactive materials. Provisions are also contained in this Regulation for measures in place to penalise and discourage infractions.
- 3. Minerals Oils (Safety) Regulations, 1962:** This is a regulation that guides the conduct of work operations in a drilling site for crude oil exploration. This regulation is key Nigerian law regulating safety in

the oil and gas industry covering licenses/lessee duties, manager responsibilities, employee safety, machinery guards, restricted areas for fires/smoking and ensuring proper firefighting equipment, all under the broader petroleum act to safeguard personnel and prevent accidents in drilling production and handling of petroleum. These regulation set standards for construction, maintenance, operations and training to promote safe practice in oilfield operation.

4. Lagos State Safety Commission Law, 2011:

This is a Law enacted by the Lagos State Government in 2011 to establish the Lagos State Safety Commission (LSSC) and for other connected matters.

The Law has 22 Sections which provides for the establishment of the Commission, arrogates functions and powers to it and also gives guidance regarding its composition and conduct of the Commission's statutory functions.

It particularly in Section 15 empowers the Commission's officers to enter and inspect facilities for compliance with the provisions of the Law, and similarly, in Section 19 the Law gives the Commission the powers to make Regulations for the purpose of the Law in accordance with the provisions of the Regulations Approval Law CAP. R5, Vol. 6, of 2001 of Lagos State. It also prescribes penalties for infractions against the provisions of the Law.

Mr. Chairman Sir, despite safety and health regulations in most countries, high rates of injuries and fatalities persist, a new report by International Labour Organisation (ILO) has revealed that work – related accidents and diseases kill three million employees yearly (The Guardian 28 November 2023). According to the ILO, this development underscores the need to safeguard health and safety of workers globally. Also, according to the organisation most of the deaths totalling 2.6 million stem from illnesses, while accidents account for some 330,000 fatalities. Circulatory diseases, malignant neoplasms and respiratory ailments rank among the top three causes of work-related deaths. Together, ILO said these three categories contribute more than three-quarters of total work-related mortalities.

The procedures intended to prevent such accidents are usually mandated by the appropriate occupational safety authority in each country, (Gee & Saito., 1997); (Haupt, 2001).

Scholars and professionals within the construction industries recognize that legislations and regulations by themselves are not enough to bring about the desired goals to zero accidents and incidents on construction sites, (Centre to protect workers' right, 1993), (Ratay, 1997), (Haupt 2001). Though, by complying with those legislations and regulations, safety on construction sites can be improved, if reasonable in philosophy, adequate in detail and worded without ambiguity. Legislations and Regulations provided a basis for employment and enforcement of good construction practices, (Haupt, 2001). Also, (Ratay1997) and (Haupt 2001) argued that a good code of standard i.e legislations and regulations can improve construction safety at minimal or no extra cost. On the other hand, poor codes and standard i.e legislations and regulations can contribute to increase cost and disputes with little or no impact on construction safety.

Many researchers like, (Shafai-Sahrai., 1971), (Cohen, *et al.*, (1975), (Smith, 1975), (Cohen, 1977), (Griffiths, 1985), (Shannon, *et al.*, (1997), (DePasquale & Geller, 1999), Mohammed, (2015), Mohammed, *et al.*, (2023), revealed that organizations with lower accident rates were characterized by a few of the following factors: safety officers held high rank; management showed personal involvement in safety activities; superior training for new employees; frequent training for existing employees; display of safety posters for identifying hazards; well defined procedures for promotion and job placements; daily communication between workers and supervisors about health and safety; frequent safety inspections; higher priority for safety in meetings and decisions concerning work practice; thorough investigation of accidents; more frequent attendance of senior managers at health and safety meetings and empowerment of the workforce.

Therefore, Mr Chairman Sir, the degree to which management value safety is expressed in its style and level of assumable risks, thus employees participation and involvement are vital, the accountability

and responsibility in the safety and health at construction sites is the function of the senior management as required by the Occupational Health and Safety Act of 1994 (Mohammed, 2015). It had been proven by (Mohammed, 2015) that companies with good safety and health culture have employees with positive pattern of attitude toward safety and health practices. Companies need to gather safety-related information, measure safety performance and bring people together to learn how to work more safety. According to Suraji, *et al.*, (2001), that in Hong Kong, all the safety officers of companies have been re-designated as safety advisors. This change was in part to remove the inference of “policing” that is associated with the word “officer” and more important to reflect that the responsibility for safety lies firmly with the Project Director, Project Manager, and their line managers. And that the Safety Advisor is there to provide advice on actions to be taken in order to ensure a safer working environment. Such type of action by the company indicates that safety management has now been integrated in to project management. Jaselskis *et al.*, (1996) indicated that management commitment and involvement in safety is the most important factor for a satisfactory safety program. In order to be successful in safety program implementation, (James & Roughton., 2008) said that there must be an understanding of the operation “linking pin” of the management commitment, leadership, and the employee participation. The work place is not linear, where one action, or decision lead directly to another. Having good intention is not enough as there are many professional disciplines that are always demanding the attention, time and budget of management.

5.0 MY CONTRIBUTION TO THE FIELD OF OCCUPATIONAL SAFETY AND HEALTH

In modern workplaces accident injuries and illness are inevitable. As such there is need for effective occupational safety and health act and regulation that can addresses all issues of occupational injuries and illness at workplace.

Mr. Chairman Sir, in some workplaces, like the construction industry the nature of injuries and illness is moving the construction industry from 3D (Dirty, Difficult and Dangerous) to 4D (Dirty, Difficult, Dangerous and Death). That why the industry as well as other industries need an Occupational Safety and Health Act and Regulation. Mr. Chairman Sir, as an academician and a safety practitioner train among the leading National Institute of Safety and Health (NIOSH) Malaysia, I have seen, observed and did a lot of research finding on issues of occupational safety and health in Nigeria and other countries for at least two decade. Most of those observation and research finding are reported in conference papers, journal papers, articles, and even in public lectures and are now abstracted and compile to be presented as inaugural lecture.

The following sub headings gives insights in to my observation and research finding most especially in Nigeria that will help in development and implementation of an effective occupational safety and health act and regulation in Nigeria.

5.1 Law and Legislation enacted in Nigeria as regards to Occupational Safety and Health (OSH)

Mr. Chairman Sir, just as I have said as an academician, Quantity surveyor and a safety practitioner I have the right to look at those laws and regulation. Sir I have no objections to those laws and regulation or even the contents of the laws and regulation. Mr. Chairman Sir, the laws and legislation did not outline in details what to be put in place before the commencement of the work as detail out in the employer's responsibilities, employees responsibilities as contain in Occupational

safety and health acts of 1994. Also the laws are silent as regard to accidents investigation before a compensation to be made to the employees as in the case of employer's compensation act of 2010. The Nigeria Mineral and Mining Act 2011 do not explicitly make provision for enforcement of OSH, even the OSH laws and regulation are not adequate only Part VIII of the law gives guidance in the area of inquiry in to accident as results of workplace exposures. The Nuclear Safety and Radiation Protection Act CAP N142 LFN 2004. Only sections 28 provide guideline for the establishment of ideal working condition for workers in the industry.

Mr. Chairman Sir, only the Lagos state Safety Commission law of 2011 that has like of the OSHAct, in its Section 15 empowers the Commission's officers to enter and inspect facilities for compliance with the provisions of the Law, and similarly, in Section 19 the Law gives the Commission the powers to make Regulations for the purpose of the Law in accordance with the provisions of the Regulations Approval Law CAP. R5, Vol. 6, of 2001 of Lagos State. It also prescribes penalties for infractions against the provisions of the Law. In all the laws no provision for safety of others other than the working employees as they may also be affected the work. Also in some no prescribe penalties and fine of any form for violation of the acts.

5.2 My Studies on factories

Part 1 Preliminary Section 2(1) and b (i – xi) define Factory as

- a. a premises or part of premises where persons are employed in manual labour in any process for or connected with an incidental to the making, altering, repairing, ornamenting, sorting, finishing, cleaning, washing, breaking, demolishing, constructing, reconstructing, fitting, refilling, adjustment or adapting of any article or part thereof and
- b. the said work is carried on by way of trade for the purposes of gain or incidentally to any business so carried on i – xi but does not include;
 - i. any premises used for the purpose of housing, locomotives or vehicles where only cleaning, washing, repairs or minor adjustment are carryout or

- ii. any premises where five or less persons carry on any work in which machinery is not used notwithstanding that the premises, by virtue of the work would constitute a factory within the meaning of this section.

Also Mr Chairman Sir, Part II Section 25(1)(a)(i – ii) stated that in respect of any factories the following provision relating to welfare of person shall apply;

- a. there shall be provided and maintained for the use of persons employed therein-

- i. adequate and suitable accommodation for clothing not worn during working hours, and

- ii. such arrangement as are reasonably practicable for during that clothing.

Under Regulation 32(a)(i) provision of working clothes which shall be in good fit and there shall be no loose flaps or strings, loose aprons, loose, torn, or ragged garments and neckties. Key chains or watch chain shall not be worn near moving part of machinery. Regulation 32(a)(i – vi) outline the procedures of operation as well as the precaution measures that need to be taking as regards to working clothes, personal protective clothing and appliance.

Mr. chairman Sir, as a safety practitioner am sensitive to any flow of safety rules at workplace. My work as regard to factories is as a result of my experience with some factories workers. In which I was able to do a 2 years research on them and their provision of working clothes. My results shows that 85% of the factories do not comply with section 25(1)(a)(i – ii), and regulation 32(a)(i – vi) of the Factories and Machinery Act with Regulation (FMA).

5.2 My Studies on Hotels

Mr. Chairman Sir, Hotels are not cover under FMA, but are cover under OSHAct. But under the Malaysia OSHAct of 1994 there exist a clauses that required the employers to reasonably care for his employees, such clauses include;

1. Part IV Section 15(1 – 2) general duties of employers and self – employed person, while 15(3) of the act defined who is an employee
2. Part IV Section 17(1 – 2) general duties of employees and self – employed persons to persons other than their employees
3. Part IV Section 19 provide for penalties for any one that contravenes section 15 and 17 of the part stated.

Also OSHAct cover Hotels as stated in the first schedule section1 (2) of the act. Part 1 Section 4(c) of the OSHAct deals with to promote an occupational environment for persons at work which is adapted to their physiological and psychological needs. This work is three (3) years i.e studying welfare provision in Nigeria hotels. The emphasis of the study is Abuja. The study is as a result of my observation in many hotels in the nation capitals. Mr, Chairman Sir, based on my finding I was able the conclude that 65% of medium sizes hotels do not comply with simple rules of occupational safety for their employees.

5.3 My Studies on Construction Workers

Under FMA, Part II (General Provision) Application of factories and machinery (Fencing of Machinery and Safety) Regulation 12 stated that all alkalis acid and other corrosive toxic or hazardous substances shall be so stored and used as not to endanger employees. Suitable protective equipment for use of such substance shall be provided. Clean water or appropriate cleaning materials shall be readily available for washing off spillage of any corrosive substance on employees. The following Regulation under the FMA deals with protection of employees at workplace.

1. Part II Section 11 – Dust and gases
2. Part II Section 13 – Eye protection
3. Part II Section 14 – Respirators
4. Part II Section 24 – Use of Safety helmet
5. Part II Section 27(1 – 3) – Safety committees

Mr. Chairman Sir, all those regulations were enacted to protect the employees (construction workers) against any form of injuries and

illness while at workplace (construction site). Part II Section 27(1 – 3) is about having safety committee. The function of the committee is to address purely issues concerning workers safety and health at workplace. The study on construction site is based on my observation and it necessitates the reason for the research on the construction site. Mr Chairman Sir, the finding of the work reveal that many construction employers do not provide adequate personal protective equipment (PPE) for their workers while on site. In another research conducted and reported by Mohammed et al (2022) on the provision of PPE material for occupational diseases, the results show that 55% of small and medium sizes construction firms within Minna and its environment do not provide PPE material for prevention of construction work diseases such as dermatitis, respiratory illness and injuries. This means employers of small and medium sizes construction companies do not comply with the instruction of Part II Section 11, 13, 14 24 and 27 of the factories and machineries act and regulation.

5.4 Analysis of Accident Records from Nigeria Social Insurance Trust Fund (NSITF)

The Nigeria Social Insurance Trust Fund (NSITF) mode of operation is by collecting contributions or fees from employers based on a percentage of employees' monthly payroll. These contributions collected fund the Employees' Compensation Scheme (ECS), which provides the benefits.

In accordance to the ECA 2010 Act, the core mandate of NSITF to any employee, whether or not in a workplace, who suffers any disabling injury arising out of or in the course of employment, shall be entitled to payment of compensation. Compensation covers the various occurrences as stipulated below:

1. Compensation for Injury – An employee is entitled to payment of compensation with respect to any accident sustained while on the way between the place of work.

2. Compensation for Mental stress – An employee shall be entitled to compensation for mental stress not resulting from an injury for which the employee is otherwise entitled to compensation.
3. Compensation for Occupational diseases.
4. Compensation for hearing impairment – Where an employee suffers from hearing impairment of non-traumatic origin, but arising out of or in the course of employment under the ECA 2010 Act, the employee shall be entitled to compensation.
5. Compensation for injuries outside normal workplace – Where the injury to an employee occurs while the employee is working outside the normal workplace which would otherwise entitle the employee to compensation under this Act if the injury occurred in the workplace.
6. Compensation in fatal cases – Where death results from the injury of an employee.
7. Compensation relating to enemy warlike actions – Where death, injury, disability or disease of an employee occurs in the course of the employment as a direct result of enemy warlike action or counteraction and provision has been made for compensation in respect of such action for the employee or the deceased employee's dependents by the Government, the employee, or his or her dependents are entitled to compensation under this Act only when the compensation provided by the Government is less than that provided by the Act, and shall be only to the extent of the difference.
8. Compensation for permanent and temporary disability – if a permanent total disability results from the injury of an employee, NSITF shall pay to the employee compensation that is a periodic payment equal to 90 per cent of the remuneration of the employee.

In its financial report, the NSITF reveal a total contribution of N257.6 billion from various organisations from July 2011 to June 2023 (Aghogho, 2023). During the period the fund registered 142,510 employers. the Managing Director of the NSITF also stated that for the year 2023(January –June) the contribution is N17, 972, 408,907.33 while the total number of employers registered for the same period is 7,146. In another development, the MD stated that “*On claims and*

compensation, the fund has paid benefits to all deserving employees promptly as at when due, we have made 99,678 claims and compensation in payment from inception July 2011 – June 2023”.

The NSITF mode of operation is by collecting contributions or fees from employers based on a percentage of employees’ monthly payroll. These contributions collected fund the Employees’ Compensation Scheme (ECS). Government is only contributing as an employer of labour, while no contribution is expected from the employees.

5.5 A Circular from Office of the Head of the Civil Service of the Federation (OHCSF)

Mr. Chairman Sir, the Office of the Head of Civil Service of the Federation is under the Presidency and the circular below is from the OHCSF. Circular 1 was issues on 6th July 2022 and the Circular 2 was issues on 1st August 2022.



**THE PRESIDENCY
OFFICE OF THE HEAD OF THE CIVIL SERVICE OF THE FEDERATION**

PERMANENT SECRETARY, SERVICE WELFARE OFFICE
Room 204, Block A 2nd Floor, Phase II, Federal Secretariat Complex,
Shehu Shagari Way, Three Arms-Zone, Abuja FCT.
swo@ohcsf.gov.ng, Tel: 0805 176 9827

OHCSF/OHSE/H.021/S.1214/II/254

6th July, 2022

CIRCULAR

All Permanent Secretaries
Chief Executives/Directors-General

**ESTABLISHMENT OF OCCUPATIONAL SAFETY AND HEALTH (OSH)
DESKS IN MINISTRIES, DEPARTMENTS AND AGENCIES**

In line with the National Occupational Safety and Health (OSH) Policy approved by the Federal Executive Council, the Office of the Head of the Civil Service of the Federation (OHCSF) is to ensure the provision of safe, conducive and healthy work environment for workers by all Ministries, Departments and Agencies of Government.

2. The welfare of staff, including the prevention of work place injury and provision of a conducive work environment is one of the statutory mandates of the Occupational Health, Safety and Environment Department in the OHCSF.

3. To achieve this mandate, there is need for the establishment of functional Occupational Safety and Health (OSH) Desks in all MDAs, to be manned by staff who will be trained to discharge the responsibilities of coordinating the implementation of OSH activities in the MDAs.

4. Consequently, all MDAs are to establish or resuscitate the OSH Desk and forward the names of the Desk officers and their phone numbers to this Office for coordination of OSH programmes Service-wide.

Dr Ngozi Onwudiwe
Permanent Secretary, Service Welfare Office
For: Head of the Civil Service of the Federation

for the well-being of Civil Servants, by Civil Servants

Figure 1. Circular 1



Office of the Head of Service of the Federation

THE PRESIDENCY

Federal Secretariat, Phase II, Shihu Shagari Way, Maitama, Abuja, P.M.B. 240, Tel: 09-2348284

CIRCULAR

HSCF/SPSO/ODD/NCE/CND.100/S.8/98

1st August, 2022

Chief of Staff to the President, C-In-C,
Deputy Chief of Staff to the President, Office of the Vice President,
Honourable Ministers/Ministers of State,
Secretary to the Government of the Federation,
Clerk of the National Assembly,
Chief Registrar of the Supreme Court of Nigeria,
Permanent Secretaries,
National Security Adviser,
Special Advisers/Senior Special Assistants,
Service Chiefs/Inspector-General of Police,
Governor, Central Bank of Nigeria,
Chairman, Federal Civil Service Commission,
Chairman, Police Service Commission,
Chairman, Code of Conduct Bureau,
Chairman, Code of Conduct Tribunal,
Chairman, Federal Character Commission,
Chairman, Revenue Mobilization, Allocation and Fiscal Commission,
Chairman, Federal Inland Revenue Services,
Chairman, Independent National Electoral Commission,
Chairman, National Population Commission,
Chairman, Independent Corrupt Practices and other Related Offences
Commission,
Chairman, Economic and Financial Crimes Commission,
Chairman, National Drug Law Enforcement Agency,
Chairman, National Salaries, Incomes & Wages Commission,
Chairman, National Assembly Service Commission,
Secretary, National Judicial Service Commission,
Accountant-General of the Federation,
Auditor-General for the Federation,
Surveyor-General of the Federation,
Directors-General/CEOs/Executive Secretaries/Managing Director



Head of Service of the Federation

HSCF/SPSO/ODD/NCE/CND.100/5.8/98

1st August, 2022**CREATION OF OCCUPATIONAL SAFETY OFFICER**

The National Council on Establishments (NCE) at its 43rd Meeting held from 24th - 28th January, 2022 at Abuja, FCT approved the creation of Occupational Safety Officer and Executive Officer (Occupational Safety) Cadres in the Public Service.

2. The new structures of the Cadres are as follows:

A: Occupational Safety Officer Cadre

	Post	Salary
i	Occupational Safety Officer II	Grade Level 08
ii	Occupational Safety Officer I	Grade Level 09
iii	Senior Occupational Safety Officer	Grade Level 10
iv	Principal Occupational Safety Officer	Grade Level 12
v	Assistant Chief Occupational Safety Officer	Grade Level 13
vi	Chief Occupational Safety Officer	Grade Level 14
vii	Assistant Director Occupational Safety	Grade Level 15
viii	Deputy Director Occupational Safety/Director (States)	Grade Level 16
ix	Director Occupational Safety	Grade Level 17

B: Executive Occupational Safety Cadre

	Post	Salary
i	Assistant (Executive) Occupational Safety Officer	Grade Level 06
ii	Executive Occupational Safety Officer	Grade Level 07



Head of Service of the Federation

iii	Higher (Executive) Occupational Safety Officer	Grade Level 08
iv	Senior (Executive) Occupational Safety Officer	Grade Level 09
v	Principal (Executive) Occupational Safety Officer II	Grade Level 10
vi	Principal (Executive) Occupational Safety Officer I	Grade Level 12
vii	Assistant (Executive) Occupational Safety Officer	Grade Level 13
viii	Chief (Executive) Occupational Safety Officer	Grade Level 14

3. This approval shall be reflected in the subsequent edition of the Schemes of Service.

4. The Circular takes effect from 28th January, 2022, the date of Council's approval.

Dr. Folasade Yemi-Esan
Head of the Civil Service of the Federation

Figure 2. Circular 2

Mr. Chairman Sir, Circular 1 was address to all Permanent Secretaries, Chief Executive/Directors urging them to established Occupation Safety and Health (OSH) desk in Ministries, department and Agencies in line with OSH Policy approved by the Federal Executive Council. This is to ensure the provision of safe, conducive and healthily work environment. In other to achieve the mandate of Federal Executive Council, according to the Circular there is need for the establishment of functional Occupational Safety and Health (OSH) desks in all MDA's to be manned by staffs who will be trained to discharge the responsibilities of conducting the implementation of OSH in the MDA's. The Circular also mandated all MDA's to establish or resuscitate the OSH Desk and forward the name of the Desk Officer and their Phone number to the office of Head of Civil Service of the Federation for proper coordination of OSH programmes. The circular was signed by the Permanent Secretary, service welfare office on behave of the Head of Civil Service of the Federation.

Mr. Chairman Sir, Circular 2 was address to all MDA's see circular 2. The circular is based on creation of Occupational Safety Officer. The National Council of Establishment (NCE) at it its 43th meeting held from 24th – 28th January 2022 at Abuja, FCT approved the creation of Occupational Safety Officer and Executive Officer (Occupational Safety) Cadres in the public service. The new structures Cadres are as contain in the circular 2 in figure 2. The Circular takes effect from 28th January, 2022, the date of Council approved. The circular was signed by Dr, Folasade Yemi – Esan the then Head of Service of the Federation.

Mr. Chairman Sir, the big question here is that how many MDA's comply with the directive as contain in the circular? Even those that try to comply did not comply with the setting of a Occupational Officer Cadre as contain in the Circular 2.

6.0 CONCLUSION AND RECOMMENDATION

6.1 Conclusion

Having a comprehensive Occupational Safety and Health Act (OSHAct) is not only a question of legal compliance. There is a business case for safety and health at work. Good OSH performance can help ensure business continuity, preventing high levels of absence and avoiding losses of skilled workers. It can raise productivity and competitiveness as well as lead to reductions of insurance premiums. Additionally, health and safety investments can be justified on strategic grounds such as maintaining strong reputation to attract talent and preferred supply chain relationships. Occupational Safety and Health Act is necessary to overcome the limitation of Factories and Machinery Act. In addition to this the high rate of non – compliance to safety rules in many sectors workplace.

It can be concluded that Occupational Safety and Health Act is really an act of necessity in Nigerian Workplace. The Act is an indispensable element of modern workplace management, dedicated to creating safe, healthy, and productive environments for employees. By understanding

and implementing the Act, businesses not only protect their workforce but also reap economic benefits, enhance their reputation, and foster a positive organizational culture. Also the Act provides a holistic approach to employee well-being, ensuring that workplaces are not only safe but also supportive and conducive to long-term success.

Investing in Occupational Safety and Health Act is not just a regulatory requirement but a strategic initiative that can drive organizational growth, innovation, and resilience in an ever-evolving business landscape. Embracing the Act is essential for building a thriving, sustainable workplace where employees can perform their best without compromising their well-being.

6.2 Recommendation

The following were drawn from the conclusion of the work that is the need for Occupational Safety and Health Act in Nigeria Workplace.

1. for proper understanding of the need for OSHAct there is need for creation of a body of employers and employees or their representative to champion the course of the OSHAct in Nigeria Workplace
2. the National Assemble need to collaborate with the body in other to work of the proposed Occupational Safety and Health Act before passing it.
3. the government on it part should make sure that the National Assemble pass the law on the establishment of the OSHAct and sign it into law without delay.
4. there is need to have a body like Occupational Safety and Health Administration (OSHA) or Department of Occupational Safety and Health (DOSH) or the DOSH in the federal ministry of labour and productivity can be strengthen, such body can act as an enforcer of the Act.
5. the government should ensure that the circular it send to various ministries, departments and agencies are complied with as it will help in strengthening compliance to the Act.

6. National Social Insurance Trust Fund (NSITF) should conduct accident investigation before any payment is made and also the NSITF should ensure that employers the OSHAct.
7. there should be strong compliance with the act most especially the creation of the Council of Occupational Safety and Health, which is the council that oversee the practice and implementation of the safety activities in the nation.
8. the employers should ensure that their employees are aware and conversant with the basic content of the OSHAct.

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To my family members, I thank you so much for always being there for me through thick and thin, I have always enjoyed perfect working environment from my wife Mrs Salamatu Yakubu my children Khadijat, Mohammed and Hauwa. Thank you very much for your care, love, patience and understanding. The children of Late Mamman Etusgaie most especially my senior sister who is here with us Hajiya Hauwa Yawo Muhammed and her Husband, and the grand children I say I really appreciate you all. Generally I duly acknowledge and appreciate everybody within and outside the university that are too numerous to be mention and have greatly contributed to my success in life may Allah reward you.

Mr. chairman sir, ladies and gentlemen, I have done my best in trying to prove to you the need for Occupational Safety and Health Act for Nigeria Workplace, but is not everyone in Nigeria hear me today but I will like the audience and other who attended this lecture or come across this lecture in print to pass my word to others may be others may understand me better. Be my witness Ya Allah that i have tries to send the message of the need of Occupational Safety and Health Act in Nigeria Workplace to the relevant bodies.

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BRIEF PROFILE OF THE INAUGURAL LECTURER

Yakubu Danasabe Mohammed was born in Minna to the family of Late Alhaji Mohammed Mamman Etsugaie (Turaki Agaie) and Late Malama Khadijat Mamman Emibunu. Yakubu Danasabe Mohammed is from Agaie Local Government of Niger state he is married to Malama Salamatu Yakubu and was blessed with lovely children (Khadijat, Mohammed and Hauwa), after his primary and secondary education in Minna, he preceded to Federal University of Technology Minna. Yakubu Danasabe Mohammed is a self-motivated leader with a strong passion for humanitarian services, who interest span range of human development domains. Currently serving as a Professor in the Department of Quantity Surveying at the School of Environmental Technology. Federal University of Technology Minna. Prof. Y.D Mohammed is recognised as a prominent voice in his field. His significant expertise and unwavering commitment to sustainable development and education have earned him as an inspiration for the next generation of professionals and scholars. Prof. Y.D Mohammed academic journey is distinguished by a strong commitment to public health and environmental sustainability. He holds a Bachelor of Technology (B.Tech) in Quantity Surveying and a Master of Technology (M.Tech) in Construction Management both from Federal University of Technology Minna, and also a PhD in Environmental Management and Planning from Universiti Putra Malaysia. Prof. Y.D Mohammed is a certified member of National Institute of Occupational Safety and Health (NIOSH) Malaysia having completed a certificate programme for safety and health officer. Additionally, he holds an International Computer Driving Licence (ICDL) from Federal University of Technology Minna. Prof. Y. D Mohammed holds several Professional Certifications; including being a Professional Member Institute of Quantity Surveyors, a Registered Member of the Quantity Surveyors Registration Board (QSRBN) of Nigeria, and Prof. Y D Mohammed is also a Member of Institute of Safety Professional of Nigeria (ISPON) and a Registered Safety Professional (RSP). He is also an Associate Member of Chartered Institute of Purchasing and Supply Management of Nigeria. Prof. Y D Mohammed contribution to

environmental sustainability, education and professional development continue to inspire and shape the global Public Health and environmental management landscape, solidifying the status as a distinguished leader and academic. Prof. Y D Mohammed major research areas are Measurement and Estimation of Contract, Planning and Managing of Osh for Construction activities, Ergonomic in Office, Environmental Impact Assessment (EIA) and Accident Investigation and Reporting.

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