Status of Occupational Health and Safety in Kenya

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The Presenter

- UNESCO/UNIDO/IUPAC Trainee in October, 2003
- Host Company – BP Chemicals, USA
- Training provided a first real experience of a comprehensive Health, Safety and Environment Program in a company
- First exposure to effective Team Work in HSE and the linkage to Cleaner Production
In Kenya, the Occupational, Health and Safety issues are anchored in the Ministry of Labour and Human Resource Development.

The Directorate of Occupational Health and Safety Services (DOHSS) a department within the Ministry, has the mandate of enforcing the Factories and Other Places of Work Act, Cap 514 of the Laws of Kenya.
The Factory’s Act Cap 514

- The factories Act Cap 514 which came into operation on 1st Sept. 1951, makes provision for the health, safety and welfare of persons employed in factories and other places of work.
- Under the Act, all workplaces should be safe to work with respect to:
  - ventilation, overcrowding, lighting, drainage floor, sanitary convenience, prime movers, transmission machinery, dangerous parts of machines, general construction & maintenance, training & supervision of untrained workers, pressurized machinery, prevention of fire, personal protective equipment and welfare facilities.
The Factory’s Act CAP 514

Thus,

- The Act is predominantly socio-economic in nature and focuses on the shop floor conditions of the factory, safety devices, machine maintenance, safety precautions in case of fire, gas explosions, electrical faults, provisions of protective equipment e.t.c.
The Factory’s Act Cap 514

Rules enforced under Cap 514:

- The Factories (Building and Works of Engineering Construction) Rules
- The Factories (Electric Power) Rules
- The Factories (First-aid) Rules
- The Factories (Docks) Rules
- The Factories (Eyes) protection Rules
- The Factories (Safety and Health committee) Rules
Regulations under development

- Noise prevention and control rules (revised)
- Medical examination rules
- Fire reduction rules
Subsidiary legislation

- In 2004, a subsidiary legislation (legal Notice No.30) was enacted to provide for the formation of Safety Committees by the occupier of every factory or other workplaces.
- The Committees are responsible for all health and safety issues of enterprises including undertaking safety audits.
- However, less than 10% of enterprises already have these Committees in place.
- Where present, these Committees are not adequately trained and/or skilled.
Ratification and Domestication of OSH Conventions

- Workman’s compensation) - 13/01/1960 (accidents
- Marking of weight (packages transported by vessels) - 9/02/1971
- Protection against accidents - 13/1/1964
- Labour inspection convention - 13/1/1964
- Prevention of accidents (sea fearers) - 6/6/1990
- Worst forms of child labour - 7/5/2001
- Medical examination of young persons
Registration of Workplaces

- Under Kenyan law, all factories and other places of work including the informal sector should be registered with DOHSS as per the provisions of Cap 514.
- At the end of year 2004 number of premises registered were 11,387 (DOHSS, 2004) out of the more than 1.4 million micro-small-medium and large enterprises.
Inspection of Workplaces

- 21% of the registered firms inspected
- This is about 0.2% of the total no. of establishments
## Provincial Distribution of Compliance Officers

<table>
<thead>
<tr>
<th>Provinces</th>
<th>Area (Km²)</th>
<th>Officers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rift Valley</td>
<td>173,868</td>
<td>12</td>
</tr>
<tr>
<td>Nyanza</td>
<td>16,162</td>
<td>6</td>
</tr>
<tr>
<td>Western</td>
<td>8360</td>
<td>3</td>
</tr>
<tr>
<td>N. Eastern</td>
<td>126,902</td>
<td>2</td>
</tr>
<tr>
<td>Eastern</td>
<td>159,891</td>
<td></td>
</tr>
<tr>
<td>Coast</td>
<td>83,603</td>
<td>6</td>
</tr>
<tr>
<td>Nairobi</td>
<td>684</td>
<td>8</td>
</tr>
<tr>
<td>Central</td>
<td>13,176</td>
<td>6</td>
</tr>
<tr>
<td>DOHSS HQ Nairobi</td>
<td>Specialized divisions</td>
<td>12</td>
</tr>
</tbody>
</table>
Accidents

- The Ministry of Labour and Human Resource Development reports that more than half of the industrial accidents and injuries in Kenya go unreported.

- Most of those reported are those seeking compensation under the Workman’s Compensation Act.
Accidents

- No data on industrial hygiene related cases
- This is treated casually by both the employer and employees
Accidents

Injuries, by age group - 2003

- Below 20 years: 24%
- 20 to 29 years: 44.40%
- 30 to 39 years: 6.60%
- 40 years & above: 25%
Job hazards often overlooked

- **Ergonomic Hazards** - lifting, holding, pushing, walking, and reaching

- **Physical Hazards** - ionizing and non-ionizing electromagnetic radiation, noise, vibration, illumination, and temperature.

- **Chemical Hazards** - solids, liquids, gases, mists, dusts, fumes, and vapors exerting toxic effects by inhalation (breathing), absorption (through direct contact with the skin), or ingestion (eating or drinking).

- **Air Contaminants** - particulate or gas and vapor

- **Biological Hazards** - bacteria, viruses, fungi, and other living organisms
OHS Challenges in Kenya

- Low level of registration of enterprises
- Few and inadequately trained Compliance Officers as well as Safety Committees
- Inability to anticipate, identify and evaluate hazardous conditions and practices
- Inadequately informed working population
- Insufficient data and coverage of occupational health and safety issues
- Unsafe methods of working practices
- Inadequate guidelines for prevention of occupational diseases and injuries
The role of the KNCPC

- The Kenya National Cleaner Production Centre (KNCPC) is a capacity building Centre for Cleaner Production and Eco-efficiency
- It is one of the UNDP/UNEP/UNIDO 35 NCPCs in the World
- Undertakes awareness-raising, training, demonstration projects, policy advice. Guided by:

  “CP is the application of a preventive environmental strategy applied to processes, products and services to improve efficiency reduce risks to humans and the environment, UNEP”
Global network of National Cleaner Production Centres: Eco-efficiency Service Centres

Cleaner enterprises are more competitive enterprises
The role of the KNCPC cont’d

- Occupational Health and Safety has been incorporated in the services offered by the Centre:
  - 3 days’ training in OHS
  - OHS policy dialogue
  - A component of the 6 – month Cleaner Enterprise Program (CEP) - *A learning-by-doing*

- Under the CEP, detailed training of industry (mainly HSE Committees) and consultant trainees is done followed by detailed assessments of waste reduction options and OHS improvement (9 modules)
## The Cleaner Enterprise Program

<table>
<thead>
<tr>
<th>Module</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Module 1</td>
<td>Cleaner Production Principles</td>
</tr>
<tr>
<td></td>
<td>Occupational Health and Safety</td>
</tr>
<tr>
<td>Module 2</td>
<td>Policy &amp; Regulatory Framework</td>
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<tr>
<td>Module 3, 4</td>
<td>Material Flows</td>
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<tr>
<td>Module 5</td>
<td>Energy Management</td>
</tr>
<tr>
<td>Module 6</td>
<td>CP/OHS options generation</td>
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<tr>
<td>Module 7</td>
<td>Implementation of identified options</td>
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<tr>
<td>Module 8</td>
<td>Report writing</td>
</tr>
<tr>
<td>Module 9</td>
<td>Review of Reports and company-wide CP Implementation Plan</td>
</tr>
<tr>
<td></td>
<td>Certificate &amp; CP Award</td>
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</tbody>
</table>
Scope of training for the Safety Committees

- Analysis of root causes of OHS (process inputs; production process; good housekeeping; employee skills/knowledge; regulations; work procedures etc)
- Risk reduction and provision of PPEs
- Documentation and record keeping of accidents & incidents
- Anticipating, identifying and evaluating hazardous conditions and practices.
- Developing hazard control methods, procedures and programs.
- Measuring, auditing and evaluating the effectiveness of hazard controls and hazard control programs.
Coverage since 2003

- A total of **33** Cleaner Production and Safety Audits have been done including:
  - Hospitals – 2
  - Printing – 4
  - Pesticide – 2
  - Electroplating – 1
  - Edible Oil – 4
  - Soap – 4
  - Textile – 4
  - Natural products extraction – 1
  - Paper Converter – 1
  - Chemical – 2
  - Abattoirs – 3
  - Municipality – 1
  - Wood processing - 2
Lessons learnt

Job hazards often overlooked

- **Ergonomic Hazards** - lifting, holding, pushing, walking, and reaching
- **Physical Hazards** - ionizing and non-ionizing electromagnetic radiation, noise, vibration, illumination, and temperature.
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Current industry projects

- Nairobi Hospital – Audit completed; EHSMP being implemented
  - Expanding Infection Control Committees
  - Medical Waste Management etc
- Telkom Kenya
  - Audit on-going throughout Kenya
- Mater Hospital
  - Designing EHSMP
Current industry projects cont’d

- Working with the Stockholm Convention National Focal Point to:
  - Develop National Implementation Plan for persistent organic pollutants (POPs)
  - Developing Industrial, Medical and Municipal Waste Management Programs to reduce and/or eliminate the generation and release of unintentionally produced POPs
Worker carrying plated articles- notice acidic fumes from the bucket
Edible Oil Refinery

Leakages – a safety hazard
Mr. Kelvin Khisa of KNCPC conducting an in-house HSE training
In-house company training

- Root cause analysis
Soap plant

Industry staff undertaking a self-audit after training by KNCPC
Chemical industry

Plant safety compromised by poor housekeeping practices
Suggestions

- Increasing support for more national and regional training especially of ToTs
- Involvement of regional organizational blocks e.g. East African Community; African Ministerial Conference and Environment
- Curriculum development in educational institutions at all levels – working with UNESCO Education for Sustainable Development
The end

Thanks for your attention!