

# National situation on osh in liberia



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Proposals for the improvement the national situation on OSH in Liberia

## Introduction

To protect workers' health and safety, a system has to be in place to ensure that the health and safety of the employees are consistently protected void of type and class of work. This system must enforce workers' protection independent of the employers' will, i. e. the system must ensure that the employers doesn't act at his/her will and pleasure even if it endangers the health and safety of the employees.

Currently, there exist no recognized structure/policy in Liberia; however, there are specialist organizations and government bodies with direct functions in specific OSH disciplines. Unfortunately, even these bodies are dormant.

As the government is meant to protect its citizenry, they must take the lead in the protection of employees. As a significant responsibility, government is to ensure decent work for all workers which include safe work. This is not unique to Liberia; it is included in the ILO Convention on Occupational Health Services No. 161 describes the occupational health service as an integrated, comprehensive, multidisciplinary team entrusted with essentially preventive functions and responsible for advising employers, workers and their representatives in undertakings on improving health at work, improving the working environment, promoting workers' health, adapting work to the physical and mental capabilities of workers, and the overall development of

the structural and managerial aspects of the workplace needed for health and safety (Introduction to the National OSH System, 2015).

The government of Liberia being a signatory to the Convention 155 and Recommendation 164 of Occupational Safety and Health, 1981 of the ILO must therefore develop a policy consistent with best practice and strongly supported by law and used it to enforce OSH best practice in the country. This policy must have the support most preferably of all branches of the government: an act endorse by parliament and signed into law, explained by the judiciary and enforced by the executive. In such way, the highest office i. e. the office of the President supports the document thereby giving it the much needed enforcement.

Strength and weaknesses of current OSH structure of Liberia:

Strength

Currently, there are a number of government ministries responsible to execute various OSH duties in the Liberia. These ministries are supported by law to organized specialist teams that will assist the improvement of specific sector through engagement and enforcement. They are empower to varying extend depending on the body and task they have to perform. Some even have powers of arrest- Ministry of Gender and development has the power to arrest individuals involved in child labor practices and turn the culprit over to the Ministry of Justice for prosecution, while others have powers to issue stop order like those issued by the Ministry of Health and Social Welfare, and the Ministry of Labor.

## Weakness

Unfortunately, there is little that has been done by each of these organizations. They are either dormant or lack the manpower and technical knowhow to execute their responsibilities. Also, the support from government is lacking in some areas.

A major challenge in the current structure is the definition of scope and responsibilities. Several ministries tend to repeat similar roles. This is worsened by very poor communication between line ministries on cross-functional subjects. This results in unnecessary repetition like during inspections, and multiple instructions to businesses in the implementation of OSH.

Proposed structure:

## Foundation

“Policy” is commonly defined as a specific, deliberate course of action adopted by a government or public body to help fulfil its mandate. Any policy must be anchored in, and derive its authority from, formal legal powers and obligations and is thus an important instrument for decision-making processes. (National OSH Governance, 2015 edition), considering this definition, OSH must be enacted as the genesis for the formation of the system all that follows. This act will be aimed at strengthening its derivatives- the resulting policies and procedure. This act will be implemented through the established structure within the national framework. There must be agencies with responsibilities to perform different

roles and develop regulations and Code of practices. With the support of the act, agencies can be held liable for not implementing these regulations or failure to meet best practice as prescribe in the Code of practice. Overtime, there will be collective bargaining which will further aid the full implementation of the policy and where necessary, technical standards to will be given by the responsible agency/authority to ensure bottle-necks are remove.

### Stakeholders' structure

Liberia has numerous ministries with OSH responsibilities, these ministries must be properly coordinated through a " Competent Authority (CA)" this CA must be legislated and made semi-autonomous to ensure that it acts with neither fear nor favor. The body should be so constituted and empower to countercheck the activities of line ministries responsible for the enforcement of OSH related issues in the country. For instance, in as much as health related subject falls within the ambit of the Ministry of Health and Social Welfare (MOHSW), the CA should have the overall responsibility to check the ministry and ensure that agencies are complying with regulations. Same must apply to the ministry of Labor which oversees labor related issues.

The CA will oversee a tripartite council constituted by line ministries with OSH duties, private companies and workers' council; also either as a part of the workers' council or subsidiary bodies are the insurance and Traditional representation. This body- tripartite council will meet at regular intervals to discuss national OSH issues, whenever such meetings are held, the CA will chair and ensure proper documentation are stored with the authority.

Other major bodies:

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### Insurance bodies

Although not directed regarded when naming the tripartite council, insurance plays a cardinal role in the overall establishment and maintenance of the OSH system in a country. Naturally, proper OSH management tends to greatly benefit insurance agencies by reducing compensation they pay out and increase their income. Therefore, when insurance agencies pay special attention to OSH by supporting proactive projects- prevention projects/campaigns, there will be marked improvement in the overall OSH system of the country.

### Traditional bodies

To achieve realistic compliance to OSH policies, it is only wise to involve stakeholders having direct impacts on both the formal and informal occupational sector. In Liberia, farming is done basically through traditional methods and involves illiterate farmers using local methods. The importance of having this group represented cannot be overemphasized. Any council without a full representation of this group is incomplete because it excludes a significant number of workers hence it is not a proper representation of the overall workforce. Moreover, formulation of effective guidelines can only be done if the nature of the problem is fully understood. To understand the problem, there must be consultation which cannot be actualized without the involvement of local farmers; therefore, it is best to have the fullest representation of those carrying on the task when reviewing issues and making decisions.

Rules and directives must be applicable to the people in the region for which they are design. If the tools use by a particular group of people is not known, how does a person risk assessing the task know the hazards inherent in such task?

Benefits of the competent authority:

Ambiguity

The CA will remove ambiguity among ministries by deciding their scope and limitations in OSH. Quite frequently, line ministries do not fully know the limitations of their OSH duties as other ministries have similar functions. For instance, the Ministry of Labor (MOL) is responsible to ensure that working conditions are decent for all workers, this also is the responsibility of the MOHSW who is responsible to ensure health care is optimum the workplace and that the working conditions doesn't hamper the health of the workers.

Coordination

A CA will ensure better coordination through joint projects and optimizing specialist skills when and where necessary. For instance, although decent work involves both MOHSW and MOL, where health is a key indicator of decent work, better coordination between these two line ministries will assist in deciding that MOHSW takes the lead due to their specialist skills in health.

Unnecessary repetition and inspection

CA will define the roles and limitations of each ministry. Since ministries have repeated or closely similar roles, some inspections are carried out more

than once, this result to apprehension amongst businesses and industries at which these inspections are carried out, hence much lack of cooperation.

#### Define reporting structure

As a basic responsibility of the CA, it will collect reports on a timely basis and follow-up on gaps in various agencies. This define structure will regulate line ministries and agencies in complying with established guidelines. Also, reporting will aid during auditors to cross checked what is reported against what exist in the workplace. By this means, greater focus will be placed on the needed areas and removed the need for unnecessary attention.

#### Technical services

This body must be so constituted to have the necessary technical experience to facilitate training and provide assistance to various entities on OSH related subjects.

Trainings should not be limited to technical services (working at height, use of PPE, lifting rigging and slinging, manual handling etc.); it should also include administration and structure in OSH.

As the OSH program is relatively new in Liberia, this body must have the needed funding from government to provide 75-90% of the training free. This will encourage greater participation of organizations especially profit making ones who view OSH as additional expenditure.

#### Conclusion:



In Liberia to achieve and maintain an OSH system, a policy must be formed and controlled by a CA. This can be achieved by forming a tripartite council which meets regularly to establish and review national OSH framework and develop a plan of action. This council headed by the CA will also be supplemented by other bodies which will have full rights- these bodies must include Insurance and Traditional bodies.

Said council must be supported by an act of legislation, fully constituted by all the relevant stakeholders and have the needed technical experience to properly guide the implementation of established guidelines and code of practices. This will create a fertile environment for a fast growing OSH culture where there will be more voluntary compliance. Although voluntary compliance is sought, the overall priority is to protect workers from harm physically or mentally, therefore, the CA should be given enforcement powers to act without warning when necessary. All should be done with a basic rule " Decent/safe work for all employees".

#### Bibliography:

Occupational safety and health module 6. 1 "-2015 edition

Occupational safety and health module 6. 2 "-2015 edition