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<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
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<tr>
<td>AIDS</td>
<td>Acquired Immune Deficiency Syndrome</td>
</tr>
<tr>
<td>BI</td>
<td>Boiler Inspector</td>
</tr>
<tr>
<td>C</td>
<td>Construction</td>
</tr>
<tr>
<td>CBI</td>
<td>Chief Boiler Inspector</td>
</tr>
<tr>
<td>CIF</td>
<td>Chief Inspector of Factories</td>
</tr>
<tr>
<td>CSO</td>
<td>Central Statistical Office</td>
</tr>
<tr>
<td>DMMU</td>
<td>Disaster Management and Mitigation Unit</td>
</tr>
<tr>
<td>EL-SAG</td>
<td>Employment and Labour Sector Advisory Group</td>
</tr>
<tr>
<td>Elec.</td>
<td>Electrical</td>
</tr>
<tr>
<td>EMA</td>
<td>Environmental Management Act</td>
</tr>
<tr>
<td>FFTUZ</td>
<td>Federation of Free Trade Unions of Zambia</td>
</tr>
<tr>
<td>FINNIDA</td>
<td>Finnish International Development Aid</td>
</tr>
<tr>
<td>FIOH</td>
<td>Finnish Institute of Occupational Health</td>
</tr>
<tr>
<td>FNDP</td>
<td>Fifth National Development Plan</td>
</tr>
<tr>
<td>FNV</td>
<td>Federation Dutch Labour Movement</td>
</tr>
<tr>
<td>GDP</td>
<td>Gross Domestic Product (GDP)</td>
</tr>
<tr>
<td>HIV</td>
<td>Human Immuno Virus</td>
</tr>
<tr>
<td>IF</td>
<td>Inspector of Factories</td>
</tr>
<tr>
<td>ILO</td>
<td>International Labour Organization</td>
</tr>
<tr>
<td>LFS</td>
<td>Labour Force Survey</td>
</tr>
<tr>
<td>LO-FTF</td>
<td>Danish Trade Union Council for International Development Cooperation</td>
</tr>
<tr>
<td>M &amp; E</td>
<td>Mechanical and Electrical</td>
</tr>
<tr>
<td>Mech.</td>
<td>Mechanical</td>
</tr>
<tr>
<td>MLSS</td>
<td>Ministry of Labour and Social Security</td>
</tr>
<tr>
<td>MMEWD</td>
<td>Ministry of Mines, Energy and Water Development</td>
</tr>
<tr>
<td>MoH</td>
<td>Ministry of Health</td>
</tr>
<tr>
<td>MoF</td>
<td>Ministry of Finance</td>
</tr>
<tr>
<td>MSD</td>
<td>Mines Safety Department</td>
</tr>
<tr>
<td>NELMP</td>
<td>National Employment and Labour Market Policy</td>
</tr>
<tr>
<td>NOSA</td>
<td>National Occupational Safety Association</td>
</tr>
<tr>
<td>OEL</td>
<td>Occupational Exposure Limit</td>
</tr>
<tr>
<td>OH</td>
<td>Occupational Hygiene</td>
</tr>
<tr>
<td>OHS</td>
<td>Occupational Health and Safety</td>
</tr>
<tr>
<td>OHSI</td>
<td>Occupational Health and Safety Institute</td>
</tr>
<tr>
<td>OSH</td>
<td>Occupational Safety and Health</td>
</tr>
<tr>
<td>OSHSD</td>
<td>Occupational Safety and Health Services Department</td>
</tr>
<tr>
<td>PIF</td>
<td>Principal Inspector of Factories</td>
</tr>
<tr>
<td>Abbreviation</td>
<td>Full Form</td>
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<tr>
<td>--------------</td>
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</tr>
<tr>
<td>RPA</td>
<td>Radiation Protection Authority</td>
</tr>
<tr>
<td>RISDIP</td>
<td>Regional Indicative Strategic Development Plan</td>
</tr>
<tr>
<td>SADC</td>
<td>Southern African Development Community</td>
</tr>
<tr>
<td>SAG</td>
<td>Sector Advisory Group</td>
</tr>
<tr>
<td>SBI</td>
<td>Senior Boiler Inspector</td>
</tr>
<tr>
<td>SHE</td>
<td>Safety, Health and Environment</td>
</tr>
<tr>
<td>SHEQ</td>
<td>Safety, Health, Environment and Quality</td>
</tr>
<tr>
<td>SI</td>
<td>Statutory Instrument</td>
</tr>
<tr>
<td>SIDA</td>
<td>Swedish International Development Agency</td>
</tr>
<tr>
<td>SIF</td>
<td>Senior Inspector of Factories</td>
</tr>
<tr>
<td>SWOT</td>
<td>Strengths, Weaknesses, Opportunities and Threats</td>
</tr>
<tr>
<td>TCLC</td>
<td>Tripartite Consultative Labour Council</td>
</tr>
<tr>
<td>UNZA</td>
<td>University of Zambia</td>
</tr>
<tr>
<td>WAHSA</td>
<td>Work and Health in Southern Africa</td>
</tr>
<tr>
<td>WCFCB</td>
<td>Workers Compensation Fund Control Board</td>
</tr>
<tr>
<td>WHO</td>
<td>World Health Organisation</td>
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<td>ZABS</td>
<td>Zambia Bureau of Standards</td>
</tr>
<tr>
<td>ZCTU</td>
<td>Zambia Congress of Trade Unions</td>
</tr>
<tr>
<td>ZEMA</td>
<td>Zambia Environmental Management Agency</td>
</tr>
<tr>
<td>ZFE</td>
<td>Zambia Federation of Employers</td>
</tr>
<tr>
<td>ZNAHI</td>
<td>Zambia National Association of Hearing Impaired</td>
</tr>
<tr>
<td>ZOHSA</td>
<td>Zambia Occupational Health and Safety Association</td>
</tr>
<tr>
<td>ZOOHS</td>
<td>Zambia Organisation for Occupational Health and Safety</td>
</tr>
<tr>
<td>ZS</td>
<td>Zambian Standard</td>
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ACKNOWLEDGEMENTS

The ILO is pleased to help publish the first edition of the National OSH Profile in Zambia.

Mr. George Mwiya Mukosiku, National Project Coordinator of the Project on Improving Safety and Health at Work through a Decent Work Agenda has compiled a report from the information provided by, among others, the following: Mr. Martin D. Chembe – Zambia Congress of Trade Unions; Mr. Harrington Chibanda – Zambia Federation of Employers; Mr. Kakoma M. Chivunda – Occupational Safety and Health Services Department, Ministry of Labour and Social Security; Mr. Mooya Lumamba – Mines Safety Department, Ministry of Mines Energy and Water Development; Mr. Lyson Mando – Federation of Free Trade Unions of Zambia; Mr. Doubt Muleya – Radiation Protection Authority; Dr. Victor Mutambo – University of Zambia; Ms. Ann Nyangu – Workers Compensation Fund Control Board; and Mr. Joseph Sindawa – Occupational Health and Safety Institute.

The draft profile was discussed by national stakeholders who approved the final version in March 2011.

Mr. Franklin Muchiri, Senior OSH Specialist – ILO, Ms Annie Rice, Senior OSH Specialist – ILO and Ms. Amelie Schmitt, Chief Technical Advisor – ILO Project on “Improving Safety and Health at Work through a Decent Work Agenda”, reviewed the draft report and provided comments and suggestions on the content and layout.

Ms. Mwansa Kawesha proof-read the document and provided assistance with the editorial work.

I would like to express my appreciation to all those who contributed to the development of the National OSH Profile in Zambia and I do believe that the Profile will serve as a useful tool for improving OSH in Zambia.

Martin Clemensson
ILO Director for Zambia, Malawi and Mozambique
ILO Lusaka Office
Zambia is a landlocked country in the southern part of Africa, it has a total surface area of about 752,000 sq km and it is divided into 10 provinces. The Capital City is Lusaka. The indigenous population constitutes about 73 different ethnic groups, and English is the official language. The major economic sectors in terms of percentage contribution to GDP by value addition are Industry (58 per cent), Agriculture (21 per cent) and Services (21 per cent).

Although, there is no express provision that has been made in the Constitution of Zambia for the safety and health of workers, Part 3 of the Constitution has laid a foundation by providing for the “Protection of the Fundamental Rights and Freedoms of the Individual”, and addressing issues of public health and public safety in general terms. Key pieces of legislation that have been enacted to provide for the safety and health of the working populace include: the Factories Act – only applicable to workplaces defined as factories; the Mining Regulations – only applicable to the mining industry; the Occupational Health and Safety Act – applicable to all sectors of the economy; the Ionizing Radiation Act – provides for the protection of the public and workers from dangers arising from the use of devices or materials capable of producing ionizing radiation; the Workers’ Compensation Act – provides for the establishment and administration of a Fund for the compensation of workers who are disabled by accidents, or diseases contracted by such workers, in the course of their employment.

Zambia became a member of the ILO immediately after gaining independence in 1964. To date Zambia has ratified 39 ILO Conventions including the core conventions. Apart from the Safety and Health in Mines Convention (1995), Zambia has not ratified the main conventions relating to Occupational Safety and Health.

Zambia does not have a national policy on Occupational Safety and Health. The National Employment and Labour Market Policy (NELMP) which was launched in 2005 is the closest there is to a National OSH Policy. Under item 7.5.3 of the NELMP, entitled “Occupational Health and Safety” it is stated that government’s objective with regards to occupational safety and health is to improve the safety and health of all employees at workplaces.

The Occupational Health and Safety (OSH) Board is the main national body set up for purpose of coordinating and collaborating occupational safety and health issues in Zambia. This is a legal body whose formation is provided for under the Occupational Health and Safety Act, No. 36 of 2010. Besides government representatives, the OHS Board also includes representatives of the Federation of Employers and the Trade Unions. The Tripartite Consultative Labour Council, established under the Industrial and Labour Relations Act of 1993, generally serves as a forum for dialogue on broader social and economic development issues that affect the labour market, including occupational safety and health. Other means of dialogue on OSH issues include collective bargaining, dispute settlement processes and enterprise-based safety and health committees.

There is no National OSH Management Systems that have been developed or adopted by OSH authorities for use in workplaces in Zambia. However, lots of guidelines have been published by the OSH authorities on machinery safety, chemical safety, construction safety, fire safety, noise, dust, first-aid etc. At enterprise level some individual enterprises have been using the management systems of the National Occupational Safety Association (NOSA) of South Africa. More recently, some enterprises have started implementing the OHSAS 18000 series relating to Occupational Health and Safety Management Systems.

The main national competent bodies charged with the responsibility of promoting and enforcing OSH include: Occupational Safety and Health Services Department – Ministry of Labour and Social Security;
Mines Safety Department – Ministry of Mines, Energy and Water Development; Radiation Protection Authority – Ministry of Health; and Occupational Health and Safety Institute – Ministry of Health. The role of the first three institutions is regulatory in nature while that of the Occupational Health and Safety Institute is to provide comprehensive, specialized occupational health care. In addition to providing occupational health care, the Occupational Health and Safety Institute also provides laboratory services and serves as a research institution on OSH.

The Workers’ Compensation Fund Control Board is the main public social security institution responsible for compensation of workers with regards to disablement caused by occupational accidents or diseases, or death arising from such accidents or diseases.

The University of Zambia’s School of Mines periodically offers various short-term training courses in OSH. The Environmental Health degree programme offered under the University of Zambia’s School of Medicine contains some modules on occupational safety and health.

The CIS Centre, housed under the Ministry of Labour and Social Security’s Department of Occupational Safety and Health Services is responsible for training and the collection and dissemination of information. The Centre is currently operating far below its optimum capacity.

The key Non-Governmental Organisations dealing with OSH issues include Zambia Occupational Health and Safety Association (ZOHSA), Zambia Organisation for Occupational Health and Safety (ZOOHS) and Zambia National Association of Hearing Impaired (ZNAHI). ZOHSA and ZOOHS deal with OSH issues in general while ZNAHI specializes in assisting workplaces in developing hearing conservation programmes by addressing workplace noise.

The main institutions responsible for the collection and compilation of data on occupational accidents and diseases are the Occupational Safety and Health Services Department, the Mines Safety Department and the Workers Compensation Fund Control Board. With regards to the first two institutions, there is gross underreporting of accidents by workplaces that fall under their respective jurisdictions. Reporting of accidents to Workers Compensation Fund Control Board, on the other hand, is far much better.

Although Zambia Federation of Employers (ZFE) does not have a model policy on OSH to serve as a guide for its members, various individual members of ZFE have their own enterprise based OSH policies. Zambia Congress of Trade Unions, on the other hand, has a policy on OSH.

Apart from the regular activities carried out by the OSH authorities in order to enforce the provisions of OSH legislation, one of the notable activities which are currently on-going is the implementation by the International Labour Organization’s European Union funded project on “Improving Safety and Health at Work through a Decent Work Agenda”.

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1.0 LEGISLATIVE FRAMEWORK

1.1 Constitutional Provisions for Occupational Safety and Health

There is no express provision made in the Constitution of Zambia for the safety and health of workers. However, under Part 3 of the Constitution which addresses the “Protection of the Fundamental Rights and Freedoms of the Individual”, issues of public health and public safety have been alluded to in general terms. Further, Article 14 provides for the protection of individuals from forced labour.

The only provision in the Constitution that is closely related to occupational safety and health is clause (1) of Article 24 which states that “A young person shall not be employed and shall in no case be caused or permitted to engage in any occupation or employment which would prejudice his health or education or interfere with his physical, mental or moral development…”.

1.2 Main laws on Occupational Safety and Health

1.2.1 The Factories Act, Chapter 441

This Act generally provides for the regulation of the conditions of employment in factories and other places as regards to the safety, health and welfare of persons employed therein. The Act specifically provides for: supervision of safety and health in factories; inspection of factories and certain plant and machinery by inspectors from the Occupational Safety and Health Services Department; and reporting and investigation of occupational accidents and diseases. Further, there are regulations under the Act that cover safety and health in the construction sector, electrical installations and woodworking machinery among others.

Employers and employees are assigned various duties in various sections of the Act. The Act's scope includes factories belonging to or in occupation of the Republic and building operations and works of engineering construction undertaken by or on behalf of the Republic. The mining sector and explosives manufacturing/assembling factories are excluded from its coverage because these sectors are covered by other Acts of Parliament. Because of the Act’s limited interpretation of a factory, a number of sectors such as the agricultural and service sectors are either partially covered or not covered at all.

1.2.2 Main Regulations under the Factories Act

Table 1.1 Main Regulations under the Factories Act

<table>
<thead>
<tr>
<th>Regulations</th>
<th>What Regulations Provide For</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Construction (Safety and Health) Regulations</td>
<td>These regulations provide for the regulation of safety and health in building operations and works of engineering construction.</td>
</tr>
<tr>
<td>The Factories (Electricity) Regulations</td>
<td>These regulations provide for the regulation of safety and health in the generation, transformation, distribution and use of electrical energy in any undertaking.</td>
</tr>
<tr>
<td>The Woodworking Machinery Regulations</td>
<td>These regulations apply to the safe use of woodworking machines in any undertaking.</td>
</tr>
<tr>
<td>The Factories (Benzene) Regulations</td>
<td>These regulations provide for safety and health in the use of benzene.</td>
</tr>
<tr>
<td>The Factories (First-Aid) (Prescribed Standard of Training) Regulations</td>
<td>These regulations provide for the standard of training in first-aid treatment for first-aiders.</td>
</tr>
<tr>
<td>The First-Aid Boxes Regulations</td>
<td>These regulations provide for the regulation of the contents of first-aid boxes or cases.</td>
</tr>
</tbody>
</table>

Source: Author’s compilation based on the Factories Act

Several other minor regulations dealing with various issues including prescribed forms, particulars and other documentation exist under the Factories Act.

1.2.3 The Mining Regulations

These regulations provide for the supervision of safety and health in mines, inspection of mines by inspectors from Mines Safety Department (MSD), reporting and investigation of occupational accidents, and the compilation and publication of statistics on accidents, occupational diseases and dangerous occurrences. These regulations also provide for the responsibilities, duties and conduct of mine owners/employers and workers.

The Mining Regulations are divided into fifteen parts, namely: Part I – Preliminary; Part II – Responsibility in Mines; Part III – Powers of Inspector; Part IV – General Duties and Conduct; Part V – Mine Plans; Part VI – Surface Protection; Part VII – Protection in Working Places; Part VIII – Outlets, Ladder ways and Travelling Ways Underground; Part IX – Ventilation and Air Pollution; Part X – Transport and Tramming by Vehicles; Part XI – Lighting; Part XII – First-Aid and Fire Fighting; Part XIII – Machinery; Part XIV – Wind-ing; Part XV – Steam Boilers, Steam Containers and Steam and Air Receivers; Part XVI – Accidents; Part XVII – Lifts; Part XVIII – Buildings and Construction; Part XIX – Electricity; Part XX – Diesel Units and Fuel Storage; and Part XXI – Miscellaneous.

The principal act under which the Mining Regulations fall is the Mines and Minerals Act. The application of the Mines and Minerals Act is specific to the mining sector, including quarrying.
1.2.4 The Occupational Health and Safety Act, 2010

This Act provides for the following: establishment of the Occupational Health and Safety Institute and its functions; establishment of health and safety committees at workplaces and for the health, safety and welfare of persons at work; the duties of manufacturers, importers and suppliers of articles, devices, items and substances for use at work; the protection of persons, other than persons at work, against risks to health or safety arising from, or in connection with, the activities of persons at work; and related matters.


In this Act, duties of employers, employees and other persons with a part in occupational safety and health have been spelt out in parts III and IV of the Act (see Boxes 1.1 and 1.2 below).

**Box 1.1: Duties of Employers**

- Establish a health and safety committee where he/she employees ten or more persons;
- Ensure the health, safety and welfare of the employees;
- Place and maintain an employee in an occupational environment adapted to the employee’s physical, physiological and psychological ability;
- Provide plant and systems of work that are safe and without any risks to human health and maintain them in that condition;
- Ensure that articles, devices, items and substances provided for the use of employees at a workplace are used, handled, stored and transported in a manner that is safe and without any risk to the health and safety of the employees at the workplace;
- Provide such information, instruction, training and supervision as is necessary to ensure the health and safety of employees at their workplace;
- Maintain a workplace under the employer’s control, in a condition that is safe and without any risk to the health and safety of employees at their workplace;
- Provide and maintain the means of access to, or exit from, a workplace that are safe and without any risk to the health and safety of employees using it;
- Provide and maintain a working environment for the employees that is safe and without any risks to their health and safety, and which is adequate as regards facilities and arrangements for their welfare at the workplace;
- Inform and consult with a health and safety representative on various OHS issues;
- Provide for measures to deal with emergencies and accidents, including adequate first-aid arrangements;
- Provide at the employer’s expense all appropriate protective clothing and equipment to be used in the workplace by employees, who in the course of employment, are likely to be exposed to the risk of bodily injuries, and adequate instructions in the use of such protective clothing or equipment.

Source: The Occupational Health and Safety Act, 2010, Part III Section 11, Part IV Section 16
### BOX 1.2: DUTIES OF EMPLOYEES

- Take reasonable care of the employee’s own health and safety and that of other persons who may be affected by the employee’s acts or omissions at the workplace;
- Not to operate any machine or engage in a process which is unsafe or is an imminent risk to the employee’s own health or safety and that of others;
- Cooperate with the employer or any other person in relation to any duty imposed on the employer or that other person, so far as it’s necessary to enable that duty or requirement to be performed or complied with;
- Where an employee has reasonable grounds to believe that any item, device, article, plant or substance, condition or aspect of the workplace is or may be dangerous to the employees’ occupational health or safety at or near the workplace, the employee shall immediately inform the employer and the committee or health and safety representative.

Source: The Occupational Health and Safety Act, 2010, Part IV, Section 17

#### 1.2.5 The Ionizing Radiation Act, Chapter 311

The purpose of the Ionizing Radiation Act is to protect the public and workers from dangers arising from the use of devices or materials capable of producing ionising radiation. The Act stipulates the Occupational Exposure Limits (OELs) for various categories of workers. It also regulates the possession, sell, disposal, importation and exportation of radioactive materials. Furthermore, it regulates the installation, servicing and maintenance of radioactive devices and radiation premises. This Act also requires that those who venture into prospecting and/or mining of radioactive minerals apply for a license prior to commencement of operations.

To operationalise its provisions, the Act has provided for the appointment of a Board and Radiation Protection Officers under a Radiation Protection Authority (RPA).

#### 1.2.6 The Workers’ Compensation Act, Chapter 271 (Act No. 10 of 1999)

This Act provides for the establishment and administration of a Fund for the compensation of workers who are disabled by accidents or diseases contracted by such workers in the course of their employment. It also provides for the payment of compensation to dependants of workers who die as a result of such accidents or diseases, and for the grant of pensions and allowances to certain dependants of workers who being in receipt of pensions for such disablement die from causes not connected with such accidents or diseases. The Act further provides for the payment of contributions to such a Fund by employers.

Regulations established under the Act include among other things, a schedule of occupational diseases and employers’ register of accidents to workers.

The Act excludes members of the public service and the Zambia Defence and Security Forces/Services from its application.
1.3 Related Occupational Safety and Health Laws

1.3.1 The Explosives Act, Chapter 115

The purpose of this Act is to regulate the manufacture, use, possession, storage, importation, exportation, transportation and destruction of explosives. For the administration of the Act, provision has been made for appointment of Inspectors of Explosives who ought to be public officers. The Act further empowers the Inspectors of Mines and Inspectors of Machinery, from Mines Safety Department, to carry out the duties of Inspectors of Explosives in explosives factories. Various parts of the Explosives Regulations, formulated under this Act, deal with various aspects of safety. Part 16 in particular deals entirely with the health, safety and welfare of persons employed in explosives factories. This part regulates, among other things, welding operations, provision of sanitary conveniences, provision of change house accommodation and personal protective equipment and clothing.

The Explosives Act’s application does not include the Zambia Defence and Security Forces.

1.3.2 The Public Health Act, Chapter 295

This Act provides for the prevention and suppression of diseases and generally regulates all matters connected with public health in Zambia. Some of the issues dealt with in the Act include the provision of sanitary conveniences in various workplaces. Further, some of the regulations under this Act deal with the control of habitation in factories, workshops and trade premises and their application extends to most of the Local Authorities in the country. Regulations dealing with the handling of meat products prescribe periodic medical examinations for those who work in this sector.

To enforce its provisions, the Act has provided for the appointment of Health Inspectors in the employment of the Government or any Local Authority. A Health Inspector also includes any person appointed by the Director of Medical Services to act as such within the district of one or more Local Authorities.

1.3.3 The Environmental Management Act, No. 12 of 2011

The Environmental Management Act provides for the protection of the environment and the control of pollution. Among the key issues addressed in this Act are those to do with air pollution, waste management, pesticides and toxic substances, noise and ionizing radiation. Apart from being addressed in the main text of the Act, some of these issues have also been addressed in regulations specific to them. Some of the regulations, such as the ones on pesticides and toxic substances, address safety and health matters including use of personal protective equipment and clothing in some detail.

To administer its provisions, the Act has provided for the establishment of an inspectorate and the appointment of inspectors to man the inspectorate.

1.3.4 The Employment Act, Chapter 268

This Act relates to the employment of persons and makes provision for the engagement of persons on contracts of service and also provides for the form of and enforcement of contracts of service. The Act further provides for the protection of wages of employees and the regulation of employment agencies.
Some of the safety, health and welfare related issues addressed in this Act include: medical examination of a worker to determine his/her fitness to undertake the work which he/she has been contracted to do; provision of an adequate supply of wholesome drinking water; continuous payment of wages, for up to 26 days, to a worker who becomes temporarily incapacitated in consequence of sickness or accident not occasioned by his own default.

Persons employed in the Defence and Security Forces (other than locally engaged civilian employees) are exempted from the coverage of this Act.

1.3.5 The Industrial and Labour Relations Act, Chapter 269

This Act provides for the formation of workers and employers representative organizations and the constitution of the Tripartite Consultative Labour Council (TCLC). The TCLC provides a national forum for employers, workers and government to discuss and resolve labour issues, including occupational safety and health, which may be affecting the labour market. The Act also provides for the formulation of recognition and collective agreements, settlement of disputes, strikes and lockouts. In the collective agreements, employers and workers reach consensus on various issues including those to do with occupational safety and health, such as provision of personal protective equipment and clothing.

Excluded from the coverage of this Act are: the Zambia Defence and Security Forces/Services and Judges; Registrars of the Court Magistrates; and Local Court Justices.

1.4 Ratified ILO Conventions on OSH and OSH-Related Issues

Zambia has ratified 39 ILO Conventions and denounced another 4 conventions, Annex 1. Although it has not ratified the key ILO Conventions on occupational safety and health apart from the Safety and Health in Mines Convention (1995), seven of the 39 Conventions it has ratified are related to occupational safety and health. The OSH and OSH-related Conventions that have been ratified include:

1.4.1 C12: Workmen’s Compensation (Agriculture) Convention, 1921

This Convention covers agricultural wage-earners and it provides for the compensation of workers, in this sector, for personal injury by accident arising out of or in the course of their employment.

The provisions of this Convention have been domesticated under the Workers’ Compensation Act, No. 10 of 1999.

1.4.2 C17: Workmen’s Compensation (Accidents) Convention, 1925

This Convention undertakes to ensure that workers, who suffer personal injury due to an industrial accident, or their dependants, are compensated.

This Convention’s provisions have been domesticated in the Workers’ Compensation Act, No. 10 of 1999. The specific area that gives effect to this Convention is Part 5 of the Act, Sections 41 -54, which deals with the right to compensation.
1.4.3 **C18: Workmen’s Compensation (Occupational Diseases) Convention (1925)**

This Convention provides for the payment of compensation to workers incapacitated by occupational diseases, or, in case of death from such diseases, to their dependants.

The national legislation which has domesticated the provisions of this Act is the Workers’ Compensation Act, No. 10 of 1999. Sections 91 – 96 of Part 9 of the Act, which deals with occupational diseases, give effect to the Convention.

1.4.4 **C19: Equality of Treatment (Accident Compensation) Convention (1925)**

Convention 19 undertakes to grant to the nationals of any other Member, which shall have ratified the Convention, who suffer personal injury due to industrial accidents happening in another Member’s territory the same treatment in respect of workers’ compensation as it grants to its own nationals. The Convention guarantees this equality of treatment to foreign workers and their dependants without any condition as to residence.

The provisions of this Convention have been domesticated in the Workers’ Compensation Act, No. 10 of 1999. An example is the Workers’ Compensation Reciprocal Arrangements (Zimbabwe) Rules.

1.4.5 **C124: Medical Examination of Young Persons (Underground Work) Convention, 1965**

This Convention stipulates that thorough medical examinations and periodic re-examinations at intervals of not more than one year, for fitness for employment, shall be required for the employment or work underground in mines, of persons under 21 years of age.

This Convention has been domesticated by way of adoption as a Schedule under the Mines and Minerals Act, Chapter 213 of the Laws of Zambia.

1.4.6 **C136: Benzene Convention, 1971**

The purpose of the Benzene Convention is to protect workers against hazards arising from benzene. It applies to all activities involving exposure of workers to benzene and products the benzene content of which exceeds 1 per cent by volume.

This Convention has been given effect by means of the Benzene Regulations that were formulated under the Factories Act.

1.4.7 **C148: Working Environment (Air Pollution, Noise and Vibration) Convention, 1977**

The Working Environment Convention requires national laws or regulations to prescribe measures to be taken for the prevention and control of, and protection against, occupational hazards in the working environment due to air pollution, noise and vibration.

The Mines and Minerals (Environmental) Regulations have given adequate effect to the Convention with regards to the prevention and control of air pollution, noise and vibration in the mining sector. The Factories Act, on the other hand has not given adequate effect to the Convention. Consequently, the sectors covered by the Factories Act do not have adequate, up-to-date legislation dealing with issues of air pol-
olution, noise and vibration within the working environment. Draft regulations have already been agreed upon with stakeholders, and what remains is to get Cabinet approval before they can be assented to by the Minister.

1.4.8 C176: Safety and Health in Mines Convention, 1995

This Convention stipulates that Members shall formulate, carry out and periodically review a coherent policy on safety and health in mines, particularly with regard to the measures to give effect to the provisions of the Convention.

The contents of this Convention have been domesticated in regulations that fall under the Mines and Minerals Act, particularly the Mining Regulations and the Mines and Minerals (Environmental) Regulations. Other aspects of the Convention have also been domesticated under the Explosives Act, Chapter 115 of the Laws of Zambia.
2.0 NATIONAL POLICY REVIEW

2.1 National OSH Policy

Currently, Zambia does not have a national policy covering the sphere of occupational safety and health.

The Ministry of Labour and Social Security, through its Department of Occupational Safety and Health Services, has been making efforts to bring stakeholders together in order to develop a national policy specifically addressing the subject of occupational safety and health. Funding proposals for this exercise were made and government subsequently allocated funds for this exercise in the 2011 budget.

The Ministry of Mines, Energy and Water Development, through its Mines Safety Department has also been considering the development of a policy addressing occupational safety and health. This process has however stalled due to other pressing demands on the Ministry.

Considering that there is in existence various institutions dealing with occupational safety and health matters, there is need to have a policy in place in order to harmonise operations and avoid unnecessary overlaps and duplication of efforts.

2.2 Related National Policies

2.2.1 National Employment and Labour Market Policy (NELMP)

The National Employment and Labour Market Policy (NELMP) which was launched in 2005, has dedicated a reasonable portion to the subject of occupational safety and health. Under item 7.5.3 entitled “Occupational Health and Safety”, Government recognizes that the majority of workers in Zambia have continued to face numerous occupational safety and health risks. The policy goes on to identify the mining, manufacturing, construction, electricity, forestry and agricultural sectors as being associated with more occupational safety and health risks. Significantly, the policy alludes to the exposure of workers in the informal economy to unsafe and unhygienic conditions coupled with lack of legislative coverage for this sector.

Towards the end of item 7.5.3, the policy states that government’s objective with regards to occupational safety and health is to improve the safety and health of all employees at workplaces. In concluding this part, the policy spells out three strategies to be pursued in realizing the objective of improving safety and health at work. The strategies constitute:

- Building capacity in occupational safety and health inspectorates;
- Reviewing occupational safety and health legislation to ensure relevancy to current situation; and
- Carrying out educational campaigns on occupational safety and health among stakeholders.¹

¹ National Employment and Labour Market Policy, Lusaka: Government of the Republic Zambia; 2004: 26-
3.0 STAKEHOLDER COORDINATION AND COLLABORATION MECHANISMS

3.1 Stakeholder Coordination and Collaboration Mechanism at National Level

3.1.1 Occupational Health and Safety Board

The Occupational Health and Safety Board is the main national body set up for purposes of coordinating and collaborating occupational safety and health issues. Section 7 of the Occupational Health and Safety Act has provided for the constitution of an “Occupational Health and Safety Board which shall comprise the following part-time members appointed by the Minister (of Health)”: 

(a) A representative of the Ministry responsible for agriculture; 
(b) A representative of the Ministry responsible for health; 
(c) A representative of the Ministry responsible for labour; 
(d) A representative of the Ministry responsible for livestock; 
(e) A representative of the Ministry responsible for mines; 
(f) A representative of the Attorney-General; 
(g) A representative of the Federation of Employers; 
(h) A representative of a trade union; 
(i) The Director (of the Occupational Health and Safety Institute), as ex-officio member; and 
(j) Two other persons.

Functions of the Board as outlined in Section 8 of the OHS Act are indicated in Box 3.1 below:

BOX 3.1: FUNCTIONS OF OCCUPATIONAL HEALTH AND SAFETY BOARD

- Carry out the functions of the Institute (Occupational Health and Safety Institute); 
- Coordinate all activities relating to occupational health and safety; 
- Set and maintain standards for the protection of the health and safety of employees at workplaces; 
- Inform and advice the Minister (of Health) on matters relating to occupational health and safety; and 
- Carry out such other functions as are necessary or conducive for the performance of its functions under this Act.

Source: The Occupational Health and Safety Act, 2010, Part II, Section 8

The schedule that outlines the proceedings of the Board stipulates that “The Board shall meet for the transaction of business at least once in every three months”. The proceedings further empower the Board to establish such committees as it considers necessary and delegate to any of those committees such of its functions as it considers fit. Furthermore, the proceedings state that the Board may appoint
as members of a committee, persons who are, or are not, members of the Board.

3.1.2 Tripartite Consultative Labour Council

The Tripartite Consultative Labour Council (TCLC) was established in the Industrial and Labour Relations Act of 1993 which introduced tripartitism.

The TCLC generally serves as a forum for dialogue on broader social and economic development issues affecting the labour market. The TCLC’s specific function is to advise Government on all issues relating to labour matters, human resource development and utilisation and any other matter that may be referred to it by Government.

The TCLC is composed of the Minister and such equal number of members representing the trade unions, the employers and the Government as the Minister may determine. The legal provision stipulates that the members shall not be less than twenty-one. Members representing trade unions and employers are nominated by their respective organisations registered under the Industrial and Labour Relations Act. Government representatives on the TCLC are nominated by the Minister. The Labour Commissioner serves as the secretary to the TCLC and any committee which may be formed by the TCLC. The TCLC is chaired by the Minister, or in his/her absence, the Deputy Minister. Further, two vice chairpersons, one nominated by the trade unions and the other nominated by the employers’ organisation, assist the chairperson in conducting the Council’s business.

From time-to-time tripartite committees have been set up under the TCLC to discuss specific OSH issues and make recommendations to the Council. Tabling OSH issues for discussion at the TCLC has not presented any difficulties because the Labour Commissioner, who is responsible for the administration of the Industrial and Labour Relations Act, is also currently responsible for the administration of the Factories Act.

3.2 Stakeholder Coordination and Collaboration Mechanism at Enterprise Level

The management of occupational safety and health at enterprise level is on a bipartite basis. This is through health and safety committees whose establishment has been provided for by the Occupational Health and Safety Act. Under section 11 of the Act, an employer of ten or more persons is required to establish a health and safety committee at his/her workplace.

The composition of a health and safety committee as stipulated under section 12 of the Occupational Health and Safety Act consists of an equal number of members, not less than two on each side, representing the employer and the employees. The Act further states that “the representatives of the employees shall be chosen by the employees or designated by a trade union”. Section 12 also states that the Committee’s meetings shall “be chaired by a person elected from amongst the employee representatives or by the employer or the senior most member of management on an alternating basis”.

Functions of the Health and Safety Committees as outlined in Section 13 of the OHS Act are indicated in Box 3.2 below:

**Box 3.2: Functions of Health and Safety Committees**

- Promote cooperation between the employer and the employees in achieving and maintaining healthy and safe working conditions;
- Share information about occupational health, safety and welfare with employees;
- Investigate and resolve any matter that may be a risk to the health and safety of employees at a workplace;
- Review the measures taken on the health and safety of employees at a workplace and
- Formulate, review and disseminate to the employees the standards, rules and procedures relating to health and safety to be carried out at the workplace.


### 3.3 Collective Bargaining

Zambia’s legislative framework has for long provided for the rights of workers’ organisations to organise for collective bargaining purposes in both the private and public sectors. According to the Industrial and Labour Relations Act, any group of 25 workers or more has the right to enter into a recognition agreement and bargain collectively on behalf of the workers.

Collective bargaining may be undertaken at two levels, namely:

- at the level of an undertaking, through negotiations between the management of the undertaking and the trade union representing the eligible employees; or
- at the level of an industry, through negotiations between the employers’ organisation and the trade union representing the eligible employees.

The process of collective bargaining primarily serves as a means for the determination of wages and conditions of employment at enterprise or industry level. Collective bargaining can be an effective tool in overcoming limitations in the country’s safety and health legislation. The collective bargaining process, however, has not been taken full advantage of by workers in Zambia to improve safety and health conditions in their respective workplaces due to inadequate awareness, knowledge and human resource capacity regarding occupational safety and health.

### 3.4 Settlement of Collective Disputes

A collective dispute exists when there is a dispute between an employer or an organisation representing employers on the one hand and the employees or an organisation representing the employees on the other hand, relating to terms and conditions of employment.
Where a dispute has arisen, the parties to the dispute may refer the dispute to either:

(i) a conciliator appointed by the parties to the dispute or

(ii) a board of conciliation composed of –

- a conciliator appointed by the employer or an organization representing employers;
- a conciliator appointed by the employees or an organization representing the employees; and
- a conciliator appointed by the employer or the organisation representing the employers and employees or the organisation representing employees, who shall be the Chairman.

When the parties to the dispute fail to appoint consensus conciliator(s), the Minister makes the appointment. Where a dispute is not settled through the means of conciliation outlined above, the dispute is taken to the Industrial Relations Court whose ruling is binding, except where a party appeals to the Supreme Court.
4.0 OSH MANAGEMENT SYSTEMS, STANDARDS AND GUIDELINES

4.1 OSH Management Systems

4.1.1 OSH Management Systems at National Level

There are no National OSH Management Systems that have been developed or adopted by OSH authorities for use in workplaces. However, there are lots of guidelines that have been published by the OSH authorities on machinery safety, chemical safety, construction safety, fire safety, noise, dust, first-aid etc. Though helpful and handy in providing guidance on how to carry out certain works in a safe and healthy manner that is in conformity with statutory provisions, the information contained in some of the guidelines has become irrelevant because they are very old and have not been reviewed in a long time. Further, most of the new enterprises are barely aware of the existence of these guidelines because there is very little publicity about them.

4.1.2 OSH Management Systems at Enterprise Level

Most enterprises in Zambia, particularly small and medium enterprises, have been relying on the Factories Act and the Mines and Minerals Act’s Mining Regulations in managing occupational safety and health issues in their respective enterprises. Some large corporate organizations on the other hand have developed their own in-house, industry-specific management systems. Recently, some corporate organizations have started making efforts to implement the OHSAS 18000 series Occupational Health and Safety Management System. For long, however, most corporate organizations in Zambia have been using the management systems of the National Occupational Safety Association (NOSA).

NOSA is a South African based company which has been offering consultancy services in occupational risk management within the Southern African Region for several years. It has established offices in Mozambique, Namibia, Swaziland and Zambia. It has also established its presence in Brazil and New Zealand. The NOSA management system has over the years evolved from just focusing on safety and health to Safety, Health and Environment (SHE) and more recently to Safety, Health, Environment and Quality (SHEQ).

The NOSA management system grades and certifies enterprises with regards to their performance on safety and health. The process of certification is as follows:

(i) **Baseline audit**: a baseline audit is conducted at the request of the client in order to identify deviations from the norm and make recommendations for improvements.

(ii) **Grading audit**: this audit is conducted to determine the status of a client’s risk management system and compliance with the standard. During the grading audit, specific safety and health indicators are measured. This audit is conducted at least once each year.
4.2 OSH Technical Standards

Several technical standards that are related to occupational safety and health have been developed by Zambia Bureau of Standards (ZABS), a statutory organisation established by an Act of Parliament (Chapter 416 of the Laws of Zambia) as the national standards organization of the Republic of Zambia. Some of the OSH-related ZABS standards stipulate specifications regarding the design, manufacture and performance of personal protective equipment and clothing including industrial safety footwear, industrial safety belts and harnesses, industrial safety helmets, industrial safety gloves, boiler suits, protective coats, lifejackets and buoyancy aids.

The technical standards developed by ZABS are of two types: voluntary standards and compulsory standards. The key ZABS technical standards related to occupational safety and health are attached as Annex 2.

4.3 International and Regional Guidelines on Occupational Safety and Health

Zambia belongs to both the International Labour Organization and the Southern African Development Community, international and regional organizations, respectively, that have developed various guidelines on OSH.

4.3.1 Guidelines on Occupational Safety and Health Management Systems (ILO-OSH 2001)

Zambia has not officially adopted the “Guidelines on Occupational Safety and Health Management Systems (ILO-OSH 2001)”. Further, there is very little awareness regarding these guidelines. Consequently, there are no enterprises that are known to be knowingly using the Guidelines on Occupational Safety and Health Management Systems (ILO-OSH 2001).

4.3.2 SADC Codes of Practice

The Southern African Development Community (SADC), the regional body to which Zambia belongs has developed codes of practice addressing various issues in the workplace. Some of the codes include the HIV/AIDS Code of Practice and the Code of Practice on the Safe Use of Chemicals. Though Zambia is party to these codes there is very little awareness about their existence, particularly the Code of Practice on the Safe Use of Chemicals.
5.1 OSH Enforcement Bodies

5.1.1 Occupational Safety and Health Services Department

The Occupational Safety and Health Services Department (OSHSD) falls under the Ministry of Labour and Social Security. It is responsible for the enforcement of the Factories Act, Chapter 441 of the laws of Zambia.

5.1.1.1 Mandate and Functions

Mandate

The Department's mandate is twofold:

(i) To administer and enforce the Factories Act in order to protect workers and to some extent the general public from occupational hazards; and

(ii) To promote occupational safety and health in the country.

Functions

To fulfil its mandate the Department carries out the functions outlined in Box 5.1 below:

**BOX 5.1: FUNCTIONS OF OCCUPATIONAL SAFETY AND HEALTH SERVICES DEPARTMENT**

- Inspection of workplaces covered by the Factories Act;
- Statutory inspection of certain plant and machinery including pressure vessels and lifting machinery;
- Investigation of occupational accidents and dangerous occurrences in workplaces;
- Scrutiny and approval of building plans for proposed new factories and proposed extensions to existing factories;
- Compilation of data on occupational accidents; and
- Promotion of occupational safety and health in the country through awareness raising activities.

Source: Author’s compilation based on brochure produced by Occupational Safety and Health Services Department.

5.1.1.2 Location, Establishment and Organisational Structure

Location

The Department has offices in 5 major industrial cities and towns in the country and these include Lusaka (Headquarters), Kabwe, Kitwe, Livingstone and Ndola.

Establishment

The Department has an establishment of 24 professional staff comprising the following: 1 Director; 3
Chief Inspectors of Factories; 1 Principal Inspector of Factories; 7 Senior Inspectors of Factories; 6 Inspectors of Factories; 1 Chief Boiler Inspector; 3 Senior Boiler Inspectors; and 2 Boiler Inspectors. Out of the 24 positions only 10 are currently filled, leaving 14 positions vacant. The low number of establishment positions that are filled is due to high staff turnover resulting from inspectors, particularly young and newly recruited staff, leaving for “greener pastures” in the private sector. Though no longer a concern, a high attrition rate, in the past, also contributed to low staffing levels in the Department.

Organisational Structure

OSHSD is headed by a Director who is based at the Headquarters in Lusaka. At Headquarters, the Department is divided into 3 specialised sections, namely: Construction; Mechanical and Electrical; and Occupational Hygiene Sections. Each of the Sections is headed by a Chief Inspector who reports to the Director.

The Ndola Office is headed by a Principal Inspector of Factories who also has oversight of the Kitwe Office.

The Kabwe, Kitwe and Livingstone Offices are each headed by a Senior Inspector of Factories. For administrative purposes, the heads of the Kabwe, Livingstone and Ndola Offices report to the Permanent Secretaries of Central, Southern and Copperbelt Provinces respectively. On professional matters relating to the administration and enforcement of the Factories Act, they each report to the Departmental Director in Lusaka.
In Figure 5.1 below is an organisational chart showing a detailed departmental structure, and reporting relationships, of the Occupational Safety and Health Services Department.
5.1.1.3 Government Budgetary Allocation to OSHSD

According to the Government Yellow Books for 2006-2011, the annual government budgetary allocation to Ministry of Labour and Social Security (MLSS) has seen a steady increase from just over 13 Billion Kwacha in 2006 to about 25.3 Billion Kwacha in 2011. Funding allocation to the Occupational Safety and Health Services Department (OSHSD), on the other hand, has not changed much having been at just over 2.5 Billion Kwacha in 2006 and about 2.7 Billion Kwacha in 2011. As a percentage of MLSS’ total budgetary allocation, the funding for OSHSD has had a steady decline from 19.4 percent in 2006 to 10.9 percent in 2011.

Table 5.1: Budgetary Allocation to OSHSD from 2006-2011

<table>
<thead>
<tr>
<th>Year</th>
<th>Annual MLSS Budget Allocation (ZMK)</th>
<th>Annual OSHSD Budget Allocation (ZMK)</th>
<th>OSHSD Budget as a Percentage of MLSS Budget</th>
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</thead>
<tbody>
<tr>
<td>2006</td>
<td>13,072,464,909</td>
<td>2,539,027,890</td>
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<td>2007</td>
<td>16,375,818,658</td>
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<td>2008</td>
<td>19,735,244,588</td>
<td>2,582,042,863</td>
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<td>2009</td>
<td>16,657,299,740</td>
<td>1,967,199,839</td>
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</tr>
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<td>2010</td>
<td>18,091,129,278</td>
<td>2,151,915,657</td>
<td>11.9</td>
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<td>2011</td>
<td>25,305,952,284</td>
<td>2,749,125,804</td>
<td>10.9</td>
</tr>
</tbody>
</table>

Source: Author’s compilation based on government yellow books from 2006-2011

5.1.2 Mines Safety Department

The Mines Safety Department (MSD) falls under the Ministry of Mines, Energy and Water Development. It is responsible for the enforcement of the Explosives Act and the following regulations that fall under the Mines and Minerals Act: Mining Regulations; and Mines and Minerals (Environmental) Regulations.

5.1.2.1 Mandate and Functions

Mandate

The Department’s mandate is twofold:

(i) Administer and enforce legislation regarding the safe and sustainable exploration and exploitation of mineral resources; and

(ii) Administer and enforce legislation regarding the safe manufacture, transportation, use, storage, destruction, exportation and importation of civil explosives.
Functions

To fulfil its mandate the Department carries out the functions outlined in Box 5.2 below:

**BOX 5.2: FUNCTIONS OF MINES SAFETY DEPARTMENT**

- Inspection of all mining operations and areas where explosives are manufactured and used throughout the republic;
- Carrying out blasting licence examinations for prospective candidates wishing to carry out blasting operations and for all those aspiring for supervisory duties in mining operations;
- Examination of people wishing to operate winding plant;
- Investigation of accidents and dangerous occurrences to establish the cause and recommend measures to prevent recurrence;
- Conducting awareness raising activities to enlighten mine personnel on the provisions of mining, explosives and environmental legislation;
- Holding inspectors’ courts to hear cases of contravention of mining and explosives regulations at mines;
- Accompanying explosives transporters from border posts to their final destinations to ensure compliance with the provisions of the Explosives Act and its accompanying regulations;
- Testing of machinery and pressure vessels used in mining operations and explosives manufacture to ensure compliance with approved codes of practice; and
- Carrying out regular monitoring of the mine environment to ensure adherence to standards.

Source: Author’s compilation based on brochure produced by Mines Safety Department

5.1.2.2 Location, Establishment and Organisational Structure

Location

The Department’s offices are located in the city of Kitwe, a major mining town on the Copperbelt Province. Apart from the Kitwe offices which serve as the headquarters, the Department does not have offices anywhere else in the country.

Establishment

The MSD has an establishment of 39 professional staff comprising the following: 1 Director; 2 Chief Inspectors; 8 Senior Inspectors; 20 Inspectors; 1 Senior Mining Technician; 2 Mining Technicians; 2 Research Assistants; and 3 Laboratory Assistants. Of the 39 positions, 19 are currently vacant.
Organizational Structure

The Department is composed of four technical sections including: Mining; Machinery; Explosives; and Environment.

In Figure 5.2 below is an organisational chart showing a detailed departmental structure, and reporting relationships, of the Mines Safety Department.

Figure 5.2: Organisational Chart for Mines Safety Department
5.1.2.3 Government Budgetary Allocation to MSD

According to the Government Yellow Books for 2006-2011, budgetary allocation for the Ministry of Mines, Energy and Water Development (MMEWD) has fluctuated from about 13.1 Billion Kwacha in 2006 to a peak of 42.2 Billion Kwacha in 2008, and 25.7 Billion Kwacha in 2011. As a percentage of the total allocation to MMEWD, the funding for MSD declined from 15.8 in 2006 to 11.7 in 2008 and started rebounding till it reached 15.3 in 2011.

Table 5.2: Budgetary Allocation to MSD from 2006-2011

<table>
<thead>
<tr>
<th>Year</th>
<th>Annual MMEWD Budget Allocation (ZMK)</th>
<th>Annual MSD Budget Allocation (ZMK)</th>
<th>MSD Budget as a Percentage of MMEWD Budget</th>
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<td>2007</td>
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<td>2008</td>
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<td>2010</td>
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</tr>
<tr>
<td>2011</td>
<td>25,727,996,933</td>
<td>3,943,434,291</td>
<td>15.3</td>
</tr>
</tbody>
</table>

Source: Author’s compilation based on government yellow books from 2006-2011

5.1.3 Radiation Protection Authority

The Radiation Protection Authority (RPA) is a semi-autonomous institution under the Ministry of Health. It serves as an adviser to the Minister of Health on issues of ionizing radiation.

5.1.3.1 Mandate and Functions

Mandate

The mandate of the RPA constitutes the protection of the public, workers and the environment from hazards arising from the use of devices or materials capable of producing ionizing radiation. It does this through enforcement of the Ionising Radiation Protection Act.
Functions

To fulfil its mandate the Radiation Protection Authority carries out the functions outlined in Box 5.3 below:

**Box 5.3: Functions of Radiation Protection Authority**

- Licensing and inspection of all radiation sources and facilities in the country;
- Ensuring safe use, handling, storage and disposal of radiological materials in the country;
- Setting occupational radiation dose limits in conformation to international standards;
- Determining extent of exposure to ionizing radiation;
- Determining levels of radiation in the country’s environment;
- Providing dosimetry services to all radiation workers;
- Maintaining a national register of radiation doses received by radiation workers;
- Maintaining a national register of radioactive waste materials in the country;
- Maintaining a national laboratory for routine monitoring of radioactivity in imported foodstuffs;
- Providing emergency preparedness for radiological accidents in the country; and
- Training of radiation workers and providing information on radiation-related issues.

Source: Author’s compilation based on the Ionizing Radiation Act

5.1.3.2 Location, Establishment and Organisational Structure

Location

The RPA’s offices are located in the city of Lusaka, Lusaka Province. Apart from the Lusaka offices which serve as the headquarters, the Authority does not have offices in any other part of the country.

Establishment

At present, the RPA does not have a fixed establishment. Rather, the Ionizing Radiation Protection Act provides for the Authority’s Board to appoint an Executive Director with the approval of the Minister. The Act further provides for the Board to appoint such other staff of the RPA as it may consider necessary for the performance of the RPA’s functions. The Board recently submitted proposals regarding an establishment, with accompanying conditions of service, to Cabinet Office. The proposal is still being considered by Cabinet Office.

Organizational Structure

The Authority currently has only 3 professional staff including the Acting Executive Director and 2 Radiation Safety Officers. Below is an organogram showing the Authority’s current structure and reporting relationships.

![Organisational Chart for Radiation Protection Authority](image-url)
5.1.3.3 Government Budgetary Allocation to RPA

The RPA is a grant-aided institution whose main source of funding is from the Ministry of Health. From 2006 to 2008, RPA’s grants rose steadily from about 636 Million Kwacha to just above 1 Billion Kwacha. Since then, however, there has been a steady decline to a grant of just over 903 Million Kwacha in 2011. These figures are as outlined in the Government Yellow Books of 2006-2011.

Table 5.3: Budgetary Allocation to RPA from 2006-2011

<table>
<thead>
<tr>
<th>Year</th>
<th>Annual MoH Grant Allocation (ZMK)</th>
<th>Annual RPA Grant (ZMK)</th>
<th>RPA Grant as a Percentage of MoH Grant Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006</td>
<td>37,580,511,029</td>
<td>636,527,838</td>
<td>1.7</td>
</tr>
<tr>
<td>2007</td>
<td>44,668,219,932</td>
<td>954,791,757</td>
<td>2.1</td>
</tr>
<tr>
<td>2008</td>
<td>36,870,662,722</td>
<td>1,002,531,345</td>
<td>2.7</td>
</tr>
<tr>
<td>2009</td>
<td>42,965,165,601</td>
<td>969,965,083</td>
<td>2.3</td>
</tr>
<tr>
<td>2010</td>
<td>37,209,951,243</td>
<td>917,987,712</td>
<td>2.5</td>
</tr>
<tr>
<td>2011</td>
<td>62,470,899,495</td>
<td>903,316,143</td>
<td>1.4</td>
</tr>
</tbody>
</table>

Source: Author’s compilation based on government yellow books from 2006-2011

5.2 National OSH Services

5.2.1 Occupational Health and Safety Institute

The Occupational Health and Safety Institute (formally Occupational Health, Safety and Research Bureau) is a semi-autonomous institution under the Ministry of Health. It serves as an adviser to the Minister of Health on occupational health and safety matters.

5.2.1.1 Mandate and Functions

Mandate

The Occupational Health and Safety Institute’s overall mandate is to provide comprehensive, specialized occupational health care of optimal quality, responsive to the needs of industry and work places in Zambia. Though its services were previously only offered to the mining industry, the institute’s services are now available to all industries and the general public.
Functions

The Institute’s functions as outlined under section 6 of the Occupational Health and Safety Act are listed in Box 5.4:

**BOX 5.4: FUNCTIONS OF OCCUPATIONAL HEALTH AND SAFETY INSTITUTE**

- Develop and implement programs that provide incentives for employers to implement measures that eliminate or reduce risks to health or safety or to improve occupational hygiene, occupational health and safety.
- Investigate and detect occupational diseases and injuries at workplaces;
- Conduct medical examinations for occupational health and safety purposes catering for all industries including agriculture and construction;
- Provide an occupational laboratory service;
- Promote studies and carry out investigations and research on occupational health and safety;
- Prepare and maintain statistics on employees’ morbidity and mortality;
- Conduct and encourage awareness educational programmes relating to the promotion of occupational health and safety; and
- Carry out such other functions as are necessary or incidental to the performance of its (the Institute) functions under the Act.

Source: The Occupational Health and Safety Act, 2010, Part II, Section 6

Some of the OSH-related medical examinations carried out by the institute include:

- Pre-employment examinations of prospective workers to determine their fitness to work in certain hazardous industries;

- Periodic or in-employment examinations to find out whether or not workers have contracted compensable occupational diseases and make the requisite certifications as prescribed in the Workers Compensation Act; and

- Post-employment examinations of former workers to determine whether they contracted any compensable occupational diseases during the course of their employment and make the requisite certifications as prescribed in the Workers Compensation Act.

5.2.1.2 Location

The Occupational Health and Safety Institute’s location has always been in the city of Kitwe, the heart of the Copperbelt Province’s mining industry. This is because in its earlier years the Institute’s main focus was to serve the occupational health needs of the mining industry, with particular focus on occupational lung diseases such as silicosis. Although only located in Kitwe, the Institute does carry out field missions to industries in other parts of the country when there is need.

Plans to open a new branch in the North-Western Province, an emerging mining and industrial area, are being considered.
5.2.1.3 Operational Funds for Occupational Health and Safety Institute (OHSI)

The Occupational Health and Safety Institute’s operational funds come from two main sources: government grants through Ministry of Health (MoH) and fees from the services it provides. The Government Yellow Books show that from 2006 to 2008, OHSI’s grants rose from just above 1.5 Billion Kwacha to about 3 Billion Kwacha. From 2009 the government grants began to decline till 2011 when the allocation was just above 2.1 Billion Kwacha. As a percentage of the total funds set aside for grant-aided institutions by Ministry of Health, there has been a steady decline for allocations to Occupational Health and Safety Institute.

Table 5.4: Budgetary Allocation to OHSI from 2006-2011

<table>
<thead>
<tr>
<th>Year</th>
<th>Annual MoH Grant Allocation (ZMK)</th>
<th>Annual OHSI Grant (ZMK)</th>
<th>OHSI Grant as a Percentage of MoH Grant Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006</td>
<td>37,580,511,029</td>
<td>1,526,443,654</td>
<td>4.1</td>
</tr>
<tr>
<td>2007</td>
<td>44,668,219,932</td>
<td>2,289,665,481</td>
<td>5.1</td>
</tr>
<tr>
<td>2008</td>
<td>36,870,662,722</td>
<td>2,291,955,146</td>
<td>6.2</td>
</tr>
<tr>
<td>2009</td>
<td>42,965,165,601</td>
<td>2,217,503,198</td>
<td>5.2</td>
</tr>
<tr>
<td>2010</td>
<td>37,209,951,243</td>
<td>2,198,674,192</td>
<td>5.9</td>
</tr>
<tr>
<td>2011</td>
<td>62,470,899,495</td>
<td>2,163,534,289</td>
<td>3.5</td>
</tr>
</tbody>
</table>

Source: Author’s compilation based on government yellow books from 2006-2011

5.3 OSH Research Institutions

Apart from offering occupational health and safety services, the Occupational Health and Safety Institute also serves as a research institution on OSH. To this extent, one of its functions as provided for under section 6 of the Occupational Health and Safety Act is to “Promote studies and carry out investigations and research on occupational health and safety”.

5.4 OSH Laboratories

Among the services offered by the Occupational Health and Safety Institute is an occupational laboratory service.

5.5 Poison Control Centre

There is no poison control centre in Zambia, and there are currently no plans to build one.

5.6 Technical Institutions Linked to OSH

5.6.1 Zambia Bureau of Standards (ZABS)

The Zambia Bureau of Standards (ZABS) is a statutory organisation established by an Act of Parliament (Chapter 416 of the Laws of Zambia) as the national standards organization of the Republic of Zambia.
The purpose of ZABS is to promote and enhance public safety. ZABS accomplishes its purpose by developing standards, and these standards are of two types – voluntary and compulsory standards.

Among the OSH-related standards are those that give specifications regarding: the design, manufacture and performance of personal protective equipment and clothing; safety in the operations and maintenance of electrical systems; safety and health in the handling, storage, transportation and distribution of petroleum products and their derivatives.

5.7 Emergency Preparedness Structures

The Disaster Management and Mitigation Unit (DMMU), a special unit under the office of the Republican Vice-President is the main emergency preparedness structure in the country. Its vision is “To provide a safety net for protection of the citizenry and their assets and the environment against disasters through a pro-active, community-based, developmental and multi-sectoral approach that combines disaster preparedness, prevention and mitigation and integrates disaster management into national development”.

5.8 Workers Compensation and Insurance Schemes

Prior to 1999, Zambia had two major public social security institutions dealing with issues of compensation for workers with regards to disablement caused by occupational accidents or diseases, or death arising from such accidents or diseases. The Workman’s Compensation Board was responsible for accidents and scheduled diseases arising in the course of employment while the Pneumoconiosis Compensation Board was responsible for lung diseases caused by silica in the mines. In 1999, the Workman’s Compensation Act and the Pneumoconiosis Compensation Act, the two Acts of Parliament that regulated the operations of the two social security institutions, were repealed and replaced with one piece of legislation – the Workers’ Compensation Act, No. 10 of 1999. Subsequently the two institutions were merged into one – the Workers’ Compensation Fund Control Board (WCFCB).

5.8.1 Workers’ Compensation Fund Control Board

The WCFCB is a social security institution established by Act No. 10 of the Laws of Zambia. The WCFCB is supervised by a Board of Directors that is responsible to the Minister of Labour and Social Security.

The WCFCB’s compensation scheme is financed by means of assessments that employers are required, by law, to remit periodically. Under the Workers’ Compensation Act, it is a statutory requirement for employers to submit statements of earnings annually to WCFCB for assessment purposes. As provided for under section 113 of the Act, the Board periodically fixes rates of assessment for various sectors of industry and publishes them in the Government Gazette.

The mandate of Workers’ Compensation Fund Control Board is threefold, namely:

(i) Management of contributions made by employers to the Fund;

(ii) Compensation of workers for disabilities suffered or diseases contracted during the course of employment; and

(iii) Payment of compensation to dependants of workers who die as a result of occupational accidents or diseases.
To help employers reduce occupational accidents and diseases in their workplaces, the Workers’ Compensation Fund Control Board provides free OSH programmes which include health & safety lectures, seminars, inspections and appraisal visits.

5.9 Training, Education, Information and Communication

5.9.1 Training and Education

5.9.1.1 University of Zambia - School of Mines

With the support of the Forgarty International Centre of the USA, and in collaboration with the USA-based University of Arizona and University of Michigan, the University of Zambia (UNZA)’s School of Mines has been offering short-term training courses in OSH since 2002. The objective of the programme is to build and enhance capacity among OSH personnel in the mining and related industries.

5.9.1.2 University of Zambia – School of Medicine

The Department of Community Medicine, under the University of Zambia’s School of Medicine offers a degree in Environmental Health. The Environmental Health degree programme contains some modules on occupational safety and health.

5.9.2 Information and Communication Structures

5.9.2.1 CIS Centre

The CIS Centre is housed under the Ministry of Labour and Social Security’s Department of Occupational Safety and Health Services. The centre was established with the help of the International Labour Organization which donated some information materials and data processing equipment.

The main activity that the CIS Centre is currently engaged in is the provision of information to university and college students carrying out research in OSH in fulfilment of requirements towards the award of degrees and diplomas by their respective educational institutions.

5.10 Non-Governmental Organisations involved in OSH

5.10.1 Zambia Occupational Health and Safety Association (ZOHSA)

The Zambia Occupational Health and Safety Association (ZOHSA) was formed in 2010. In its mission statement, ZOHSA commits itself to: work with regulatory institutions and both local and international stakeholders in order to enhance occupational health and safety; and raise awareness in order to inspire change in people’s attitudes towards occupational health and safety.
5.10.2 Zambia Organisation for Occupational Health and Safety (ZOOHS)

The Zambia Organisation for Occupational Health and Safety (ZOOHS) was very active in advocating for OSH in Zambia in the nineties. ZOOHS organized and successfully convened the first Pan-African Conference on Occupational Health in Lusaka, Zambia, in November 1992. Several participants from West, East and Southern Africa attended the conference. International organisations including the International Labour Organization, World Health Organisation, and International Commission on Occupational Health also attended the conference.

However, the Zambia Organization for Occupational Health and Safety is currently very inactive.

5.10.3 Zambia National Association of Hearing Impaired

Zambia National Association of Hearing Impaired (ZNAHI) has been helping industrial undertakings in developing hearing conservation programmes in their respective workplaces. ZNAHI’s main area of focus has often constituted audiometric tests of workers in working areas with high noise levels.
6.0 OCCUPATIONAL ACCIDENTS AND DISEASES

The International Labour Organization estimates that over 300 million occupational injuries and at least 320,000 fatal occupational injuries occur each year. A further 2 million cases of fatal work-related diseases are reported annually. Considering fatal occupational injuries and work-related diseases together, the global estimate of work-related deaths amounts to 2.3 million annually.

In Zambia, approximately 1,200 occupational accidents and diseases are reported from all industries annually while many others go unreported.

6.1 Notification and Recording of Occupational Accidents and Diseases

There are three key institutions responsible for the collection and compilation of data on occupational accidents and diseases. These are the Occupational Safety and Health Services Department, the Mines Safety Department and the Workers Compensation Fund Control Board.

6.1.1 Occupational Safety and Health Services Department (OSHSD)

Occupational Safety and Health Services Department's sources are accident reports submitted by all industries covered by the Factories Act. In workplaces that fall under the Factories Act, employers are required, by law, to record all accidents, dangerous occurrences and occupational diseases that occur in their workplaces in a prescribed manner.

Though employers are required to record all accidents that occur in their workplaces, it is not all accidents that they are supposed to report to the OSHSD. Reportable accidents are those that either cause loss of life to a person employed in a workplace or disable any such person for more than three days from performing the work for which he/she was employed. Other incidents that may not necessarily lead to death or disablement but cause damage to plant and/or property as outlined in the first schedule of the Act are considered reportable.

6.1.2 Mines Safety Department (MSD)

MSD's sources are mainly accident reports submitted by the mining industry.

Under the Mining Regulations the Mine Manager is required to give notice of any accident specified in the regulations, on a form prescribed, and inform an inspector immediately, by the quickest means available, of any such accident. In addition to the specified accidents, those accidents in which any person injured is incapacitated from performing his/her usual work for more than three days, excluding the day of the accident but including weekends or official holidays, are also to be reported to the Department. Whether personal injury is caused or not, certain incidents that are outlined in the regulations are required to be reported to the Department within 24 hours of their occurrence.

In the case of an occupational fatality, the manager is required to immediately notify the Police by the quickest means possible and to also inform the nearest magistrate in writing.

6.1.3 Workers Compensation Fund Control Board

WCFCB’s sources include data based on workers’ accident compensation insurance benefits. This data includes accidents that are reportable to both OSHSD and MSD.

The Workers’ Compensation Act (Number 10 of 1999), administered by WCFCB, requires that as soon as an employer gains knowledge of the occurrence of an accident or incidence of a disease, he/she reports the same, in a prescribed form, to the Commissioner within three days. Upon receipt of the written report, the Claims Manager forwards the report to the Manager Health and Safety. The Manager Health and Safety then extracts some information from the report and records it in an accident register for statistical purposes. The accident register maintained by the Manager Health and Safety includes details such as sex and age of victim, time and day of accident, nature of injury etc.

6.2 Schedule of Occupational Diseases

Both the Factories Act and the Workers’ Compensation Act (Number 10, of 1999) contain schedules of occupational diseases.

6.2.1 Schedule of Occupational Diseases under the Factories Act

The list of occupational diseases under the Factories Act appears under Schedule 2 of the Principal Act. The total number of diseases considered occupational is 15 and most of them are attributed to chemical poisoning.

Provisions of the Factories Act regarding notification of accidents also apply to occupational diseases. However, the prescribed form for reporting of occupational diseases is separate from that of occupational accidents.

Section 78 (1) of the Factories Act obligates “Every medical practitioner who attends any patient whom he believes to be suffering from any disease specified in the Second Schedule contracted as a result of his employment in a factory...” to forthwith report the matter to an inspector. However, few, if any, medical practitioners are aware of this provision and the schedule of occupational diseases. Further, there is a critical shortage of medical personnel trained in occupational medicine thus making the identification and subsequent notification of occupational diseases very difficult.

6.2.2 Schedule of Occupational Diseases under the Workers’ Compensation

Under the Workers’ Compensation Act, the list of occupational diseases also appears under schedule 2 of the Principal Act. The total number of diseases considered occupational under this schedule is 42.

6.3 Mechanisms for Periodic Review of list of Occupational Diseases

6.3.1 Mechanisms for Periodic Review under the Factories Act

With regards to the list of diseases under the Factories Act, the only provision that appears close to a review mechanism for occupational diseases is what is provided for in Section 79 (a) of the Act. This section empowers the Minister to extend legal provisions regarding the scheduled diseases to any disease that may not have been specified in the schedule by way of regulations.
6.3.2 Mechanisms for Periodic Review under the Workers’ Compensation Act

As far as the schedule of occupational diseases under the Workers’ Compensation Act is concerned, the review mechanism is not clearly outlined. However, the generally accepted approach is to review and update the schedule whenever the ILO amends its “List of Occupational Diseases” under Recommendation 194. Once reviewed, the list is expected to be issued as a Statutory Instrument (SI) by the Minister of Labour and Social Security. Currently, however, the two schedules of occupational diseases have not been reviewed in line with the ILO’s reviewed Recommendation 94.

6.4 Data on Occupational Accidents and Diseases

6.4.1 Accident Classification by Type of Industry and Degree of Disablement

According to WCFCB’s annual reports for the period 2003 – 2007, a total of 5,758 occupational accidents and diseases were recorded in all industries. The eight industries that registered the highest number of occupational accidents were: Mining and Quarrying (1,492); Agriculture and Forestry (730); Building Construction (487); Iron and Steel Industry (461); Textile Industry (385); Personal Services, Hotels etc (374); Chemical Industry (360); Food, Drink and Tobacco Industry (327).

<table>
<thead>
<tr>
<th>INDUSTRY TYPE</th>
<th>DEGREE OF DISABLEMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FATAL</td>
</tr>
<tr>
<td>Agriculture &amp; Forestry</td>
<td>52</td>
</tr>
<tr>
<td>Banking Finance &amp; Insurance</td>
<td>3</td>
</tr>
<tr>
<td>Building Construction</td>
<td>58</td>
</tr>
<tr>
<td>Charities, Religious, Political</td>
<td>6</td>
</tr>
<tr>
<td>Chemical Industry</td>
<td>59</td>
</tr>
<tr>
<td>Educational Services</td>
<td>5</td>
</tr>
<tr>
<td>Food, Drink &amp; Tobacco</td>
<td>35</td>
</tr>
<tr>
<td>Glass, Brick Site &amp; Asbestos</td>
<td>0</td>
</tr>
<tr>
<td>Iron, Steel Industries, etc</td>
<td>39</td>
</tr>
<tr>
<td>Leather Industries, etc</td>
<td>3</td>
</tr>
<tr>
<td>Local Authorities</td>
<td>10</td>
</tr>
<tr>
<td>Medical Services</td>
<td>1</td>
</tr>
<tr>
<td>Mining, Quarrying Industries</td>
<td>96</td>
</tr>
<tr>
<td>Personal Services, Hotels, etc</td>
<td>35</td>
</tr>
<tr>
<td>Professional Services, etc</td>
<td>1</td>
</tr>
<tr>
<td>Publishing, Printing, Paper</td>
<td>1</td>
</tr>
<tr>
<td>Textile Industries</td>
<td>9</td>
</tr>
<tr>
<td>Trade &amp; Commerce, etc</td>
<td>31</td>
</tr>
<tr>
<td>Transport, etc</td>
<td>41</td>
</tr>
<tr>
<td>Entertainment</td>
<td>0</td>
</tr>
<tr>
<td>Wood, Furniture Industries</td>
<td>10</td>
</tr>
<tr>
<td>Unregistered</td>
<td>17</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>512</td>
</tr>
</tbody>
</table>

Source: Author’s compilation based on Annual Reports of Workers’ Compensation Fund Control Board from 2003-2007
6.4.2 Accident Classification by Cause and Degree of Disablement

WCFCB’s annual reports for 2003 – 2007 show that the largest number of recorded accidents during this period was due to unspecified causes at 2,141. Apart from unspecified causes, the major causes of accidents were: Struck by Falling Objects (857); Vehicles, Excel Hand Trucks (703); Caught on or between (648); Falling (462); Explosions (182); Use of Hands (163); Machines (125).

<table>
<thead>
<tr>
<th>CAUSE OF ACCIDENT</th>
<th>DEGREE OF DISABLEMENT/INJURY</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FATAL</td>
</tr>
<tr>
<td>Prime Movers (Steam, Gas &amp; Other Engines)</td>
<td></td>
</tr>
<tr>
<td>Lifting Machinery</td>
<td></td>
</tr>
<tr>
<td>Use of Hands</td>
<td></td>
</tr>
<tr>
<td>Struck by Falling Object</td>
<td>49</td>
</tr>
<tr>
<td>Falling</td>
<td>13</td>
</tr>
<tr>
<td>Caught on or Between</td>
<td>11</td>
</tr>
<tr>
<td>Stepping on or Struck Against</td>
<td>8</td>
</tr>
<tr>
<td>Trans - Shafting</td>
<td>0</td>
</tr>
<tr>
<td>Machines - Bolts, Ropes, Pulleys &amp; Gearing</td>
<td>1</td>
</tr>
<tr>
<td>Metal-milling Machinery</td>
<td>1</td>
</tr>
<tr>
<td>Power Press</td>
<td>1</td>
</tr>
<tr>
<td>Circular Saws - All Types</td>
<td>0</td>
</tr>
<tr>
<td>Wood-planning Machinery</td>
<td>0</td>
</tr>
<tr>
<td>Machinery - Vertical Spindle Moulding</td>
<td>1</td>
</tr>
<tr>
<td>Railways (Locomotives &amp; Rolling Stock)</td>
<td>5</td>
</tr>
<tr>
<td>Vehicle (Exel Hand Trucks)</td>
<td>126</td>
</tr>
<tr>
<td>Electricity</td>
<td>12</td>
</tr>
<tr>
<td>Explosions</td>
<td>73</td>
</tr>
<tr>
<td>Fire</td>
<td>2</td>
</tr>
<tr>
<td>Gassing</td>
<td>1</td>
</tr>
<tr>
<td>Other</td>
<td>220</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>530</strong></td>
</tr>
</tbody>
</table>

Source: Author’s compilation based on Annual Reports of Workers’ Compensation Fund Control Board from 2003-2007

6.4.3 Accident Classification by Injury Description and Degree of Disablement

The largest number of injuries due to occupational accidents fell in the unclassified category at 1,901. Of the injuries that were classified, the largest numbers were recorded in the following categories: Contusions, Abrasions (1,646); Fracture (914); Amputation (754); Burns (247). This accident data is in accordance with WCFCB’s annual reports for 2003 – 2007.
Table 6.3: Accident Classification by Injury Description and Degree of Disablement, 2003-2007

<table>
<thead>
<tr>
<th>INJURY DESCRIPTION</th>
<th>DEGREE OF DISABLEMENT/INJURY</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FATAL</td>
</tr>
<tr>
<td>Amputation</td>
<td>1</td>
</tr>
<tr>
<td>Burns</td>
<td>9</td>
</tr>
<tr>
<td>Contusions, Abrasions, Cuts</td>
<td>44</td>
</tr>
<tr>
<td>Dislocation</td>
<td>3</td>
</tr>
<tr>
<td>Fracture</td>
<td>12</td>
</tr>
<tr>
<td>Internal Injuries</td>
<td>12</td>
</tr>
<tr>
<td>Sprain</td>
<td>0</td>
</tr>
<tr>
<td>Concussion</td>
<td>1</td>
</tr>
<tr>
<td>Asphyxiation</td>
<td>0</td>
</tr>
<tr>
<td>Hernia</td>
<td>2</td>
</tr>
<tr>
<td>Electric Shock</td>
<td>3</td>
</tr>
<tr>
<td>Unclassified</td>
<td>442</td>
</tr>
<tr>
<td>TOTAL</td>
<td>529</td>
</tr>
</tbody>
</table>

Source: Author’s compilation based on Annual Reports of Workers’ Compensation Fund Control Board from 2003-2007

6.4.4 Accident Classification by Age Group and Degree of Disablement

WCFCB’s annual reports for 2005 – 2007 showed that the highest number of accidents by age were recorded in the following age groups: 30 – 34 (698); 25 – 29 (612); 35 -39 (603); 45 – 49 (449); 40 – 44 (440)

Table 6.4: Accident Classification by Age Group and Degree of Disablement, 2005-2007

<table>
<thead>
<tr>
<th>Age Group</th>
<th>DEGREE OF DISABLEMENT/INJURY</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FATAL</td>
</tr>
<tr>
<td>19 &amp; Below</td>
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<td>60 &amp; Above</td>
<td>14</td>
</tr>
<tr>
<td>TOTAL</td>
<td>316</td>
</tr>
</tbody>
</table>

Source: Author’s compilation based on Annual Reports of Workers’ Compensation Fund Control Board from 2005-2007
6.5 Estimate of Underreporting of Accidents

Underreporting of accidents to both Occupational Safety and Health Services Department (OSHSD) and Mines Safety Department (MSD) appears high in comparison to the number of accident reports often sent to Workers’ Compensation Fund Control Board (WCFCB). Accident reports sent to both OSHSD and MSD are fewer than the actual occurrences due to perceptions, on the part of most employers, that such reports may subject them to punitive measures from the enforcement authorities. On the other hand, a lot of employers report accident occurrences in their workplaces to WCFCB because of the motivation for compensation.
7.0 POLICIES AND PROGRAMMES OF EMPLOYERS’ AND WORKERS’ ORGANISATIONS

7.1 Policies and Programmes of Employers’ Organisations

7.1.1 Zambia Federation of Employers (ZFE)

The Zambia Federation of Employers (ZFE) is the main umbrella organisation for employers in Zambia. ZFE was established in 1966 for the purpose of promoting and protecting the interests of employers. ZFE’s existence is recognized in the Industrial and Labour Relations Act which provides for the formation of employers’ representative organisations.

As an employers’ representative organisation, ZFE has representation on the national Tripartite Consultative Labour Council whose constitution is provided for under section 79 of the Industrial and Labour Relations Act.

7.1.1.1 OSH Policy of ZFE

Zambia Federation of Employers does not have a model policy on OSH to serve as a guide for its members. However, various individual members of ZFE have their own enterprise based OSH policies.

7.1.1.2 OSH Programmes of ZFE

ZFE has over the years been organising awareness-raising and training programmes, in OSH, for its members. Awareness raising activities have been centred on the World Day for Safety and Health at Work and the annual award-giving ceremony for enterprises that perform very well in various categories including OSH. The award-giving ceremony is, among other things, used to showcase the best practices of local enterprises in areas such as OSH in order to motivate other enterprises to make improvements.

In conjunction with the Occupational Safety and Health Services Department and the International Labour Organization, ZFE has been periodically holding training programmes in OSH for its members. The focus of the training programmes has been to build capacity among its members.

7.2 Policies and Programmes of Workers’ Organisations

There are only two labour federations in Zambia, namely Federation of Free Trade Unions of Zambia (FFTUZ) and Zambia Congress of Trade Unions (ZCTU).

7.2.1 Federation of Free Trade Unions of Zambia (FFTUZ)

The Federation of Free Trade Unions of Zambia (FFTUZ) was registered in 1998 and presently has 12 affiliate trade unions. Being a representative organisation for workers, FFTUZ is always represented on the national Tripartite Consultative Labour Council.
7.2.1.1 OSH Policy of FFTUZ

Though FFTUZ does not have an OSH policy, it has committed itself to safeguarding and promoting the safety and health of workers in its organisational objectives. One of its stated objectives is “To promote industrial health, safety and the social security of workers”.

7.2.1.2 OSH Programmes of FFTUZ

FFTUZ does not have formal programmes aimed at promoting OSH. However, the organisation has been actively advocating for improvements in OSH in Zambia’s workplaces at various fora.

7.2.2 Zambia Congress of Trade Unions (ZCTU)

ZCTU was established in 1965, and it has 32 affiliate national unions. In its mission statement, ZCTU has committed itself to the promotion and protection of the interests and rights of workers in Zambia.

7.2.2.1 OSH Policy of ZCTU

ZCTU has a policy on OSH which was developed with the assistance of the Danish Trade Union Council for International Development Cooperation (LO-FTF) and the Federation Dutch Labour Movement (FNV) of Denmark and the Netherlands respectively. The policy’s aim is “To create a safer and healthier workplace environment that will enhance worker productivity and contribute effectively to sustainable development”.

The objectives of ZCTU’s OSH policy include:

- To lobby government to formulate a national OSH policy and enact and update the existing legislative framework and ratify relevant international treaties;
- To mainstream OSH issues in collective bargaining process (so that they become integral components of collective agreements – access to OSH at no cost to workers);
- To spearhead formation of OSH workplace committees through which information can be communicated;
- To foster the involvement of workers’ representatives and management in OSH inspections, monitoring and audits;
- To promote research related to OSH issues; and
- To develop and implement OSH education and training programmes.

7.2.2.2 OSH Programmes of ZCTU

ZCTU has been organising awareness-raising and training programmes in OSH, for its members, for

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3 Profile, Lusaka: Federation of Free Trade Unions of Zambia; 3
4 Occupational Health and Safety Policy. Lusaka: Zambia Congress of Trade Union; 9-10
several years.

In order to raise awareness on OSH issues, ZCTU has been participating in events such as the observance of the World Day for Safety and Health at Work, and the Zambia Federation of Employers’ annual award-giving ceremony to deserving enterprises.

Since 2008 ZCTU has been participating in the implementation of a project on “Decent Work and Poverty Alleviation in Southern Africa”. The project has generally been focusing on OSH and corporate social responsibility. The specific areas of focus have been on the development of OSH policies, capacity building, training and development of service packages. The capacity building aspect of the project has had a strong emphasis on workers’ rights to enable them press for and safeguard their entitlements. To this effect, 36 people from affiliate trade unions have been trained as OSH facilitators and workplace representatives. The training programmes have in some instances also targeted management.
8.0 REGULAR ACTIVITIES AND INITIATIVES IN THE AREA OF OSH

8.1 National Activities and Initiatives

The Occupational Safety and Health services Department (OSHSD) and the Mines Safety Department (MSD) have continued to carry out the regular activities that fall within their respective mandates. These activities include:

- Inspecting workplaces to enforce OSH laws;
- Investigating occupational accidents and industrial incidents;
- Collecting and compiling accident statistics;
- Disseminating OSH information;
- Training of staff in workplaces on OSH issues; and
- Reviewing of OSH legislation.

Initiatives undertaken by both OSHSD and MSD in the recent years include proposals for the development of a national policy on OSH. To this extent OSHSD has developed a working draft of the policy.

8.2 Employers’ Organisations’ Activities and Initiatives

The Zambia Federation of Employers (ZFE) has continued to carry out awareness-raising and training activities in OSH for its members.

In 2009 ZFE held its first Employer of the Year Award Ceremony at which deserving employers were given awards for putting in place policies and programmes aimed at enhancing production. In 2010 the award for excellence in Environment, OSH, Corporate Social Responsibility and Staff Training and Development was added to the list of awards.

8.3 Trade Union Activities and Initiatives

Zambia Congress of Trade Unions has, with increased frequency, been carrying out awareness-raising activities on safety and health at work among its members. It has also been advocating for government to improve the capacity of enforcement agencies such as the Occupational Safety and Health Services Department and the Mines Safety Department.

Among the key initiatives that ZCTU has carried out in the recent past include the commissioning of a situation analysis of occupational safety and health in Zambia, and the eventual development of a policy on OSH. Other initiatives taken by ZCTU focus on promoting corporate social responsibility in industry.

8.4 Non-Governmental Organisations’ Activities and Initiatives

8.4.1 Zambia Occupational Health and Safety Association (ZOHSA)

The Zambia Occupational Health and Safety Association (ZOHSA) was established in late 2010 with the
ultimate goal of providing advocacy on occupational safety and health so as to promote positive changes
in people’s attitudes towards OSH. ZOHSA actively participated in the 2011 World Day for Safety and
Health at Work commemoration. ZOHSA is currently on a recruitment drive of OSH professionals in
Zambia.

8.4.2 Zambia Organisation for Occupational Health and Safety (ZOOHS)

The Zambia Organisation for Occupational Health and Safety (ZOOHS) was very active in advocating for
OSH in Zambia in the nineties. ZOOHS organized and successfully convened the first Pan-African Con-
ference on Occupational Health in Lusaka, Zambia, in November 1992. Several participants from West,
East and Southern Africa participated in the conference. International organisations including the Inter-
national Labour Organization, World Health Organisation and the International Commission on Occupa-
tional Health also participated in the conference. Since the late nineties ZOOHS has been quite inactive

8.4.3 Zambia National Association of Hearing Impaired (ZNAHI)

Zambia National Association of Hearing Impaired (ZNAHI) has been helping industrial undertakings in
developing hearing conservation programmes in their respective workplaces. ZNAHI’s main area of focus
constitutes audiometric tests of workers in working areas with high noise levels.

8.5 International Cooperation

8.5.1 ILO

The support that Zambia has received from international cooperating partners in the area of OSH has
predominantly come from the International Labour Organization. However, of the four sectors of focus
in the Zambia Decent Work Country Programme, the Social Protection Sector, under which OSH falls,
has had one of the least shares of technical support from the ILO since Zambia joined the body in 1964.
The Social Protection Sector’s share of ILO technical support since 1964 accounts for only 5.5 percent.5

The ILO has over the years helped to build capacity in the area of OSH among the tripartite constituents.
The assistance has mostly been through training programmes offered at the ILO’s training centre in Turin,
Italy. Other forms of assistance have been channelled through OSH projects or OSH-related projects. In
the past, a large portion of these projects often comprised logistical support such as motor vehicles and
data processing equipment.

In 2010, the ILO embarked on the implementation of a project entitled “Improving Safety and Health at
Work through a Decent Work Agenda”. The project’s overall objective is “to contribute to a more inclu-
sive society through a reduction in occupational accidents and work-related diseases”. The project’s
expected results include: establishment of a national dialogue process on OSH; adoption of a national
OSH programme; development of advocacy tools for promoting OSH.

8.5.2 WHO

In 2001 the World Health Organisation (WHO) in conjunction with the Ministry of Health commissioned a

Labour Organization; 2010: 14
study to review developments in preventive occupational health, safety and care in Zambia.

Some of the key observations made in the report were that: there seemed to be no clear occupational health policy and strategic plan in Zambia; and there was no centralised system of epidemiological data collection and analysis on occupational diseases, injuries and deaths.6

Key recommendations that arose from the report included the following:

- Stakeholders should define their roles, functions and activities and share among themselves and agree on division of areas of responsibility in occupational health in order to avoid duplication, overlapping and conflict of interests particularly between MoH and MLSS;
- A “Preventive Occupational Health and Care” policy and strategic plan be formulated;
- Inter-sectoral efforts be made to establish a National Occupational Health Advisory Council whose main purpose should be to advise stakeholder ministries and institutions on matters of OSH and care to foster inter-sectoral collaboration among stakeholders.7

8.5.3 Fogarty International Centre

With the support of the Fogarty International Centre of the USA, and in collaboration with the USA-based University of Arizona, the University of Zambia’s (UNZA) School of Mines offered short-term courses in OSH and the environment to the mining and related industries from 2002 till 2007 when the University of Arizona’s cooperation programme came to an end.

Upon the departure of the University of Arizona in 2007, another US based university, the University of Michigan took over collaborative activities with UNZA School of Mines under the Fogarty International Centre. The focus under the University of Michigan has been on building capacity in training and research in the field of OSH and environment.

8.5.4 Finnish Institute of Occupational Health

The Finish Institute of Occupational Health (FIOH) has been publishing and distributing the African Newsletter on Occupational Health and Safety for several years. The production of the newsletter has been under the African Safety and Health Project supported by the Finnish International Development Aid (FINNIDA) and the ILO. Zambia is one of the countries that have over the years been receiving copies of the newsletter which has served as a valuable source of information on contemporary issues regarding OSH for most OSH practitioners, particularly the regulatory authorities.

8.5.5 Swedish International Development Agency/Southern African Development Community

In 2004, the Southern African Development Community (SADC) began implementation of a 12 year “Programme on Work and Health in Southern Africa” (WAHSA). The programme was developed in accordance with the ILO’s principal Conventions on OSH, the SADC Regional Indicative Strategic Development Plan (RISDIP) and the SADC Charter of Fundamental Social Rights. Funding for the implementation of

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the programme came from the Swedish International Development Agency (SIDA). The main purpose of the programme was to contribute to the protection of workers from hazards, in both formal and informal economies, and to the reduction and ultimate elimination of work-related injuries, illness, diseases, incidents and deaths and improving the work environment for high productivity.

The first four years of the programme from 2004-2008 had several activities planned which included the establishment of resource centres. Under the programme, Zambia’s Occupational Health and Safety Institute was designated as a resource centre on silicosis.

8.5.6 World Day for Safety and Health at Work

Each year on 28 April, the international community commemorates the World Day for Safety and Health at Work.

Active observance of the World Day for Safety and Health at Work, in Zambia, begun in 2005 with the presentation of speeches by representatives of tripartite constituents. From 2007-2010 the observance of the day included a full day exhibition by providers of OSH and OSH-related goods and services. From 2005-2009, most of the activities relating to the observance of the day took place in Lusaka with the support of ILO and MLSS. From 2010 to 2011, however, the exhibition to commemorate the day took place in Kitwe, Copperbelt Province. These efforts seem to be bearing fruits as each year has registered an increase in the number of undertakings organising in-house events to commemorate the World Day for Safety and Health at Work.
## 9.0 SITUATION ANALYSIS OF THE NATIONAL OSH SYSTEM

### Table 9.1: SWOT Analysis of OSH System in Zambia

<table>
<thead>
<tr>
<th>STRENGTHS</th>
<th>WEAKNESSES</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Availability of legislative framework</td>
<td>• High turnover of professional staff in OSH institutions</td>
</tr>
<tr>
<td>• Availability of draft regulations on key OSH issues</td>
<td>• Critical shortage of trained personnel</td>
</tr>
<tr>
<td>• Availability of institutional framework</td>
<td>• Lack of national OSH policy</td>
</tr>
<tr>
<td>• Availability of an OSH information centre (CIS)</td>
<td>• Lack of coordination among OSH institutions</td>
</tr>
<tr>
<td>• A core of committed personnel in the OSH institutions</td>
<td>• Limited coverage of workplaces by OSH laws</td>
</tr>
<tr>
<td></td>
<td>• Inadequate human resource and logistical capacity</td>
</tr>
<tr>
<td></td>
<td>• Lack of research in OSH</td>
</tr>
<tr>
<td></td>
<td>• Inadequate OSH information management</td>
</tr>
<tr>
<td></td>
<td>• Some legislative overlaps and subsequent institutional overlaps in the execution of some functions</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>OPPORTUNITIES</th>
<th>THREATS</th>
</tr>
</thead>
<tbody>
<tr>
<td>• OSH being offered as a module in some training programmes at some local, higher institutions of learning</td>
<td>• Low awareness levels about OSH legislation and role of OSH institutions among stakeholders</td>
</tr>
<tr>
<td>• Availability of some local and regional donor funded OSH training programmes</td>
<td>• A large and growing informal sector</td>
</tr>
<tr>
<td>• Availability of state-of-the-art laboratories at sister institutions such as ZABS</td>
<td>• A large, young and inexperienced workforce</td>
</tr>
<tr>
<td>• Expression of concerns about the state of OSH in the country by political leadership and other stakeholders</td>
<td>• New investors with poor or no commitment to OSH</td>
</tr>
<tr>
<td>• Rising pressure for companies to demonstrate corporate social responsibility</td>
<td>• Large number of employers not registered with employers’ organisation</td>
</tr>
<tr>
<td>• Recent headline grabbing incidents of poor OSH and labour practices in some undertakings</td>
<td>• Underreporting of accidents by employers</td>
</tr>
<tr>
<td></td>
<td>• Diminishing share of funding to OSH institutions</td>
</tr>
<tr>
<td></td>
<td>• Inadequate capacity among stakeholders</td>
</tr>
<tr>
<td></td>
<td>• Inadequate capacity among existing advocacy groups</td>
</tr>
</tbody>
</table>
10.0 GENERAL INFORMATION ABOUT ZAMBIA

10.1 Introduction
Zambia is a landlocked country in the southern part of Africa. It has a total surface area of 752,000 sq km and it is divided into 10 provinces. The indigenous population constitutes about 73 different ethnic groups, and English is the official language. The Capital City is Lusaka.

10.2 Administrative Arrangement and Governance
The Government of the Republic of Zambia exercises its powers through the Executive, the Judicature and the Legislature. These organs derive their powers from the Republican Constitution which is the Supreme law of the land.

10.2.1 The Executive
The Executive power is vested in the President who is the head of State and of the Government and is the Commander-in-Chief of the Defence and Security Forces. The President exercises his power directly or indirectly through subordinate officers.

Besides the President, the Vice-President, Ministers and Deputy Ministers are members of the executive. All members of the Executive are also members of Parliament and, with the exception of Deputy Ministers, are also Members of the Cabinet, the highest policy making organ of the Executive.

10.2.2 The Judicature
The Republic’s Judicial Power is vested in the Judicature. According to Article 91(1) of the Constitution the Judicature of the Republic of Zambia is composed of:

(a) The Supreme Court of Zambia;
(b) The High Court of Zambia;
(c) The Industrial Relations Court;
(d) The Subordinate Courts;
(e) The Local Courts; and
(f) Such lower Courts as may be prescribed by an Act of Parliament.

10.2.3 The Legislature
The legislative power of the Republic is vested in Parliament which comprises the President and the National Assembly.

The National Assembly is vested with power to make laws, approve public expenditure and taxation
measures and oversee Government administration which includes scrutinising Government action and holding the Executive accountable to the people. These responsibilities are exercised through a Parliamentary Committee Structure.

The Bills passed by the National Assembly only become laws upon being assented to by the President.

The National Assembly consists of:

(a) The Speaker of the National Assembly who is elected by Parliament;
(b) One Hundred Fifty (150) members elected by universal adult suffrage; and
(c) Not more than eight (8) members nominated by the President.

10.3 Demographic Data

According to the 2008 Labour Force Survey (LFS) Report, the population of Zambia was estimated to be around 12.3 million, of which females constituted 50%. Of the total population, 66% resided in rural areas while 34% lived in urban areas. Those aged below 15 years accounted for 45 percent of the population, while those above the age of 64 years accounted for only 3 percent. The population of youths aged 15-24 years accounted for 21 percent of the population.

10.3.1 Economically Active and Inactive Population

In 2008, out of 6.7 million persons aged 15 years and above, 74.5 percent were economically active while 25.5 percent were economically inactive. Of the males and females the percentages of those who were economically active were 78.8 and 70.3 respectively. The LFS report further showed that 81.1 percent of the rural population was economically active as compared to 63 percent in urban areas. Furthermore, both rural and urban areas had more males than females that were economically active.

10.3.2 The Employed Population

According to the 2008 Labour Force Survey, the total employment to population ratio for Zambia was 68.6 percent for the working age population. Males registered 72.4 percent employment to population ratio as compared to 64.9 percent for females. Further, rural areas had a higher percentage ratio (78.3 percent) than urban areas (51.7 percent).

10.3.3 Distribution of Employed Persons by Industrial Sector

The percentage distribution of employed persons, by industrial sector, starting with the highest was as follows: Agriculture, Forestry and Fishing – 71.3 percent; Wholesale and Retail Trade – 9.2 percent; Community, Social and Personal Services – 8.4 percent; Manufacturing – 3.5 percent; Transport and Communication – 2.1 percent; Mining Quarrying – 2.0 percent; Construction – 1.7 percent. The rest of the sectors each accounted for less than 1 percent of the employed population. This data is according to the 2008 LFS.
10.3.4 Distribution of Employed Persons by Occupation

The percentage distribution of employed persons by occupation, as indicated in the 2008 LFS, was as follows: Agriculture, Forestry and Fisheries – 71.3 percent; Production and Related – 7.6 percent; Sales – 7.2 percent; Service – 6.6 percent; Professional, Technical and Related – 5.0 percent; Clerical and Related – 1.3 percent; Administrative, Managerial – 0.7 percent. Those not stated accounted for 0.3 percent.

10.3.5 Informal Employment

The 2008 LFS showed that out of the total number of 4.6 million employed persons, 4.1 million (89 percent) were in informal employment compared to 511,336 (11 percent) in formal employment. The majority of people in informal employment were in rural areas. Of the employed rural population 96 percent were in informal employment whereas four percent were in formal employment. In urban areas 29 percent of employed persons were in formal employment.

10.3.6 Literacy Levels

According to the CSO, literacy rates generally refer to the proportion of the population aged 5 years and above who can read and write in any language.

In the year 2000, the literacy rate for the population aged 5 years and above was 55.3 percent.

The official primary school attendance in Zambia is 7 to 13 years. And according to the 2000 census results, the national average for school attendance for this category was 62.2 percent. The urban areas, particularly Copperbelt and Lusaka Provinces registered high attendance rates in the range of 73 to 84 percent. The national average for male and female school attendance was at 61.8 percent and 62.6 percent respectively.

The national average of literacy rates for persons between 15 to 24 years was 70.1 percent. Adult literacy, for persons aged 15 years and above, stood at a national average of 67.2 percent.

10.4 Economic Data

According to the World Bank’s World Development Indicators database of December 2010, the Gross Domestic Product (GDP) of Zambia in 2009 was 12.75 billion US dollars. The annual GDP growth rate for the same year stood at 6.3 percent, while annual inflation was at 9.9 percent.

World Bank statistics showed that the major economic sectors in terms of percentage contribution to GDP by value addition were Industry (58 percent), Agriculture (21 percent) and Services (21 percent). As a percentage of GDP, exports of goods and services stood at 30 percent while imports of goods and services were at 31 percent.
## Annex 1: List of ILO Conventions Ratified by Zambia

<table>
<thead>
<tr>
<th>CONVENTION</th>
<th>RATIFICATION DATE</th>
<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>C5 Minimum Age (Industry) Convention, 1919</td>
<td>02:12:1964</td>
<td>denounced on 19:06:1976</td>
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<tr>
<td>C11 Right of Association (Agriculture) Convention, 1921</td>
<td>02:12:1964</td>
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<tr>
<td>C12 Workmen's Compensation (Agriculture) Convention, 1921</td>
<td>02:12:1964</td>
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<tr>
<td>C17 Workmen's Compensation (Accidents) Convention, 1925</td>
<td>02:12:1964</td>
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<td>C18 Workmen's Compensation (Occupational Diseases) Convention, 1925</td>
<td>22:02:1965</td>
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<td>C19 Equality of Treatment (Accident Compensation) Convention, 1925</td>
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<td>C26 Minimum Wage-Fixing Machinery Convention, 1928</td>
<td>02:12:1964</td>
<td>ratified</td>
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<tr>
<td>C29 Forced Labour Convention, 1930</td>
<td>02:12:1964</td>
<td>ratified</td>
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<tr>
<td>C50 Recruiting of Indigenous Workers Convention, 1936</td>
<td>02:12:1964</td>
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<td>C64 Contracts of Employment (Indigenous Workers) Convention, 1939</td>
<td>02:12:1964</td>
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<td>C65 Penal Sanctions (Indigenous Workers) Convention, 1939</td>
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<td>C86 Contracts of Employment (Indigenous Workers) Convention, 1947</td>
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<td>C87 Freedom of Association and Protection of the Right to Organise Convention, 1948</td>
<td>02:09:1996</td>
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<td>C95 Protection of Wages Convention, 1949</td>
<td>23:10:1979</td>
<td>ratified</td>
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<tr>
<td>C97 Migration for Employment Convention (Revised), 1949</td>
<td>02:12:1964</td>
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<td>C98 Right to Organise and Collective Bargaining Convention, 1949</td>
<td>02:09:1996</td>
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<td>C100 Equal Remuneration Convention, 1951</td>
<td>20:06:1972</td>
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<td>C103 Maternity Protection Convention (Revised), 1952</td>
<td>23:10:1979</td>
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<td>C105 Abolition of Forced Labour Convention, 1957</td>
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<td>C111 Discrimination (Employment and Occupation) Convention, 1958</td>
<td>23:10:1979</td>
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<tr>
<td>C117 Social Policy (Basic Aims and Standards) Convention, 1962</td>
<td>02:12:1964</td>
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<td>C122 Employment Policy Convention, 1964</td>
<td>23:10:1979</td>
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<td>C124 Medical Examination of Young Persons (Underground Work) Convention, 1965</td>
<td>10:03:1967</td>
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<td>C131 Minimum Wage Fixing Convention, 1970</td>
<td>20:06:1972</td>
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<td>C135 Workers’ Representatives Convention, 1971</td>
<td>24:05:1973</td>
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<td>C136 Benzene Convention, 1971</td>
<td>24:05:1973</td>
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<td>C138 Minimum Age Convention, 1973</td>
<td>09:02:1976</td>
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<td>C141 Rural Workers’ Organisations Convention, 1975</td>
<td>04:12:1978</td>
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<td>C149 Nursing Personnel Convention, 1977</td>
<td>19:08:1980</td>
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<td>C150 Labour Administration Convention, 1978</td>
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<tr>
<td>C151 Labour Relations (Public Service) Convention, 1978</td>
<td>19:08:1980</td>
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<tr>
<td>C154 Collective Bargaining Convention, 1981</td>
<td>04:02:1986</td>
<td>ratified</td>
</tr>
<tr>
<td>C158 Termination of Employment Convention, 1982</td>
<td>09:02:1990</td>
<td>ratified</td>
</tr>
<tr>
<td>C159 Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983</td>
<td>05:01:1989</td>
<td>ratified</td>
</tr>
<tr>
<td>C176 Safety and Health in Mines Convention, 1995</td>
<td>04:01:1999</td>
<td>ratified</td>
</tr>
<tr>
<td>C182 Worst Forms of Child Labour Convention, 1999</td>
<td>10:12:2001</td>
<td>ratified</td>
</tr>
</tbody>
</table>

Conditional Ratification: 0  Declared Applicable: 0  Denounced: 4
### Annex 2: Key Technical Standards Related to Occupational Safety and Health

<table>
<thead>
<tr>
<th>STANDARD NO.</th>
<th>STANDARD NAME</th>
<th>PROVISIONS OF STANDARD</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZS 402: 2006</td>
<td>Classification of Hazardous Locations and the Selection of Apparatus for Use in such Locations - Code of Practice</td>
<td>Classifies locations in which fires or explosions may occur owing to the presence of flammable gases, vapours, dusts, or fibrous material in the air, in order to permit the proper selection of electrical apparatus and mechanical equipment such as diesel engines to be used in such locations.</td>
</tr>
<tr>
<td>ZS 418, Part 2: 2003</td>
<td>Electrical Safety Code - Code of Practice</td>
<td>Provides guidance on safety in the operations and maintenance of electrical systems. It covers the basic provisions for safeguarding of persons, domestic animals, property and the environment from hazards from the installation, operations or maintenance of electrical equipment.</td>
</tr>
<tr>
<td>ZS 604, Part 1: 2006</td>
<td>The Petroleum Industry - Code of Practice</td>
<td>Provides guidance on fire precautions and fire prevention in oil refineries and bulk storage installations having an aggregate storage capacity exceeding 10,000 m³.</td>
</tr>
<tr>
<td>ZS 604, Part 2: 2006</td>
<td>The Petroleum Industry - Code of Practice</td>
<td>Stipulates the precautions to be observed during the cleaning of fixed bulk storage tanks operating at near atmospheric pressure, of the types commonly encountered in petroleum refineries, installations, depots and terminals.</td>
</tr>
<tr>
<td>ZS 604, Part 3: 2006</td>
<td>The Petroleum Industry - Code of Practice</td>
<td>It is for the guidance of users of equipment operating over a wide range of pressure and temperature, together with their associated protective safety devices.</td>
</tr>
<tr>
<td>ZS 604, Part 4: 2006</td>
<td>The Petroleum Industry - Code of Practice</td>
<td>Provides basic examination and test procedures based on petroleum industry practices that, through operating experience, have proved to be both necessary and beneficial for safe and economic operation as well as for protection of the environment.</td>
</tr>
<tr>
<td>ZS 604, Part 5: 2006</td>
<td>The Petroleum Industry - Code of Practice</td>
<td>It defines procedures for the monitoring of permanently installed protective instrumentation to ensure that its fitness for the purpose is maintained. It does not cover testing of such items as safety valves, bursting discs and mechanical over-speed trips on machinery.</td>
</tr>
</tbody>
</table>
Annex 3: Recommendations from the Stakeholders Meeting (on the Development of a National Occupational Safety and Health Programme for Zambia) that was held at Golfview Hotel, in Lusaka, from 09 – 11 March 2011

In order to enhance occupational safety and health in Zambia it was recommended that the following steps be implemented:

(a) The legislation dealing with OSH, particularly the Factories Act, is reviewed to extend coverage to key sectors such as the agricultural and service sectors. Available data shows that the highest proportion of employed persons is in the agricultural, forestry and fisheries sector and that this sector poses a lot of hazards to workers. Despite this, the agricultural, forestry and fisheries sector and others such as the service sector are not covered.

(b) The various pieces of legislation dealing with OSH are harmonized in order to provide clear guidance and avoid ambiguity. A case in point is the existence of different schedules of occupational diseases under both the Factories Act and the Workers’ Compensation Act. The schedule under the Factories Act only constitutes 15 occupational diseases while the schedule under the Workers’ Compensation Act has 42.

(c) The prescribed accident report forms administered by OSH institutions are reviewed to avoid the ambiguity that is associated with a lot of accident reports that are usually sent to these institutions by workers and employers. Enhanced and more accurate reporting of accidents will provide better information which can serve as the basis for better planning of interventions.

(d) Collaboration and information exchange among institutions that deal with OSH and related issues should be enhanced in order to avoid duplication and improve service delivery. Memoranda of understanding that have been agreed upon between the Mines Safety department and Zambia Environmental Management Agency on issues of common interest relating to the environment serve as an example of means of expanding and deepening collaboration.

(e) Institutions such as Mines Safety department and Radiation Protection Authority should engage employers’ and workers’ representative organisations more as they have a key stake in the type of work carried out by these institutions. In particular, the Radiation Protection Board should have the representation of both employers’ and workers’ representative organisations because the Ionising Radiation Act principally deals with issues of the safety and health of workers with regards to use and handling of radioactive materials and sources.

(f) The committee that has been set up at Zambia Bureau of Standards to look into the possible adoption of OSH Management System, BS OHSAS 18001 – 2007, should incorporate all the key OHS institutions and the employers and workers representative organisations. This is important to ensure that the concerns of all the key stakeholders are taken on board and the management system to be produced by this process receives national acceptance.

(g) Enterprises that are being newly set or renewing their operating licenses should be captured and registered at source in order to ensure up-to-date registers of undertakings operating within the republic. An up-to-date register would help ensure better planning and wide coverage of OSH services. Institutions such as Zambia Development Agency should be engaged to help capture new investors.

(h) Education and awareness rising should be stepped up with a focus on changing attitudes towards OSH among both employers and workers. New investors should receive particular attention to alert
them to the OSH laws that they ought to comply with as they set shop in the republic.

(i) OSH institutions should demonstrate their relevance and the importance of the services they offer in order to raise their profiles and attract the needed resources for their operations. This will require that the concerned OSH institutions do honest assessments of their individual performances and institute measures to improve their performances and images.
Annex 4: List of Important, Relevant Websites

11. http://www.zfe.co.zm - official website for Zambia Federation of Employers (ZFE)
12. http://www.zambiamining.co.zm - website hosting mining-related institutions
REFERENCES
