



Government of Malawi

NATIONAL OCCUPATIONAL SAFETY AND HEALTH POLICY

2025 - 2030

MINISTRY OF LABOUR

NATIONAL OCCUPATIONAL SAFETY AND HEALTH POLICY

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MAY 2025

FOREWORD

This first National Occupational Safety and Health (OSH) Policy aims to reduce occupational accidents and work-related diseases by minimizing, so far as is reasonably practicable, the hazards inherent in the working environment. According to the International Labour Organisation's (ILO) 2019 report on 'Safety and Health at the heart of the future of work', it is estimated that occupational diseases and accidents represent a loss of almost 4% of the global Gross Domestic Product (GDP). The issue is exacerbated in many sub-Saharan African countries, including Malawi, due to a lack of robust Occupational Safety and Health management systems at most workplaces. The huge economic burden that arises due to loss of income, compounded by ill health, is experienced first and foremost by workers and their families, but also enterprises that may have to recruit and train new staff, and the nation as a whole through lost productivity.

Improving the safety and health of workers through this Policy will significantly increase productivity in workplaces, encourage more investments, enhance job creation, boost worker morale, and offer job satisfaction. It will reinforce the Malawi Decent Work Country Programme and contribute to the attainment of an inclusively "wealthy and self-reliant nation", as envisaged in Malawi 2063. Prevention of occupational safety and health risks is also key to achieving the Sustainable Development Goals (SDGs), particularly SDG Target 8.8, which advocates for the protection of labour rights and promotion of safe and secure working environments for all workers by 2030; and Goal 3 on "healthy lives and promotion of well-being for all, at all ages".

Realisation of this Policy will result in an improved legal framework governing occupational safety and health, improved national capacity building of all key players for its implementation; increased awareness and information dissemination complemented by increased research efforts. With the adoption of this Policy, the Malawi Government remains committed towards safeguarding the safety and health of all categories of workers in all sectors of the economy. This includes workers in micro, small and medium-sized enterprises (MSMEs) and the informal economy. The Policy will also enable Malawi to domesticate and implement the provisions of the OSH Conventions of the ILO.

The implementation of this Policy will contribute significantly to achievement of a safe and healthy workforce. I call upon all stakeholders to embrace this Policy so that together we reduce the risk of injury and illness to our workers, and attain the goal of high productivity and economic growth envisaged in Malawi 2063.



Honourable Peter Dimba, M.P.

Minister of Labour

PREFACE

The country faces numerous challenges in the delivery of occupational safety and health (OSH) services. Key among these are: an inadequate legal framework for streamlining service delivery; inadequate financial and human resource capacity to implement programmes; low levels of awareness of occupational safety and health issues; lack of a preventive safety and health culture; inadequate data and information management systems. These challenges are more prevalent within the Micro, Small and Medium Enterprises (MSMEs) and the informal economy. These challenges impact negatively on the country's quest to promote decent work and sustainable economic development.

The Policy has been formulated through an extensive and consultative process involving Government, social partners and other key stakeholders. It has been developed in the context of Malawi 2063, and Malawi Decent Work Country Programme II (2020-2023). Furthermore, the Policy has considered some aspects of ILO-OSH Convention 155 on Occupational Safety and Health, Convention 187 on the Promotional Framework for Occupational Safety and Health, and Convention 184 on Safety and Health in Agriculture, all of which were ratified by Malawi in 2019. The policy has identified six (6) priority areas which are: OSH legislative and regulatory framework; Capacity building; Social dialogue and stakeholder co-operation; Data and information management; Risk assessment; and Cross-cutting issues on which to focus action in order to achieve the desired results.

The Policy comes at an opportune time when the Government is reviewing legislation aimed at strengthening the OSH legal framework to ensure increased effectiveness in enforcing OSH in all workplaces in the country. This Policy therefore provides a framework for various reforms aimed at streamlining the implementation of legislation.

For this Policy to be effectively implemented, it is imperative that there is close collaboration between Government, social partners and other stakeholders. Whereas the Government will establish mechanisms for the achievement of the objectives of the Policy, social partners and stakeholders will be expected to play a key role in facilitating the implementation of various OSH programmes earmarked to operationalize the Policy.

Appreciation and special thanks are extended to all stakeholders who participated in formulating this Policy. Special thanks are extended to the ILO and the European Union (EU) through GOPA Worldwide Consultants for their financial and technical support.

A safe and healthy workforce is key to the development of the Malawi nation.



Chikondano Mussa

Secretary for Labour

LIST OF ABBREVIATIONS AND ACRONYMS

AERA	Atomic Energy Regulatory Authority
AU	African Union
COMESA	Common Market for Eastern and Southern Africa
DHRMD	Department of Human Resource Management and Development
CSOs	Civil Society Organisations
DOSH	Directorate of Occupational Safety and Health
DWCP	Decent Work Country Programme
ECAM	Employers' Consultative Association of Malawi
IEC	Information, Education and Communication
IHR	International Health Regulations
ILO	International Labour Organisation
MCCCI	Malawi Confederation of Chambers of Commerce and Industry
MCTU	Malawi Congress of Trade Unions
MDAs	Ministries, Departments and Agencies
M&E	Monitoring and Evaluation
MEPA	Malawi Environment Protection Authority
MERA	Malawi Energy Regulatory Authority
MoA	Ministry of Agriculture
MoFEA	Ministry of Finance and Economic Affairs
MoGCDSW	Ministry of Gender, Community Development and Social Welfare
MoH	Ministry of Health
MoJ	Ministry of Justice
MoL	Ministry of Labour
MoLGUC	Ministry of Local Government, Unity and Culture
MoM	Ministry of Mining
MoNRC	Ministry of Natural Resources and Climate Change
MoTI	Ministry of Trade and Industry
MoT	Ministry of Tourism

MoTPW	Ministry of Transport and Public Works
MoYS	Ministry of Youth and Sports
MSMEs	Micro, Small and Medium Enterprises
NACIT	National College of Information Technology
NCIC	National Construction Industry Council
NCLS	National Child Labour Survey
NCST	National Commission for Science and Technology
NELP	National Employment and Labour Policy
OPC	Office of the President and Cabinet
OSH	Occupational Safety and Health
OSH-MS	Occupational Safety and Health Management System
OSHA	Occupational Safety Health and Welfare Act
PCB	Pesticides Control Board
PPE	Personal Protective Equipment
RISDP	Regional Indicative Strategic Development Plan
SADC	Southern African Development Community
SDGs	Sustainable Development Goals
TLAC	Tripartite Labour Advisory Council
UN	United Nations
WCA	Workers Compensation Act
WCD	Workers Compensation Division

GLOSSARY

Bipartite/Bipartism	Involving employer and workers
Hazardous work	Work which, by its nature or circumstances in which it is carried out, is likely to jeopardise the health, safety or morals of children
Reasonable accommodation	Modification or adjustment to a job or to the workplace that is reasonably practicable and enables a person living with some limitations/challenges to compete for and access employment on an equal footing with others, to enable them to remain in employment, or return to work following an absence.
Social Dialogue	All types of negotiation, consultation or exchange of information between, or among, representatives of Government, employers and workers, on issues of common interest relating to economic and social policy
Sub-Region	Southern Africa Development Community
The Act	The Occupational Safety, Health and Welfare Act
The Directorate	The Directorate of Occupational Safety and Health
The Policy	The National Occupational Safety and Health Policy of Malawi
The Region	Africa
The Republic	The Government of Malawi
Tripartite/ Tripartism	Involving Government, Employers and Workers

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CHAPTER 1

INTRODUCTION



CHAPTER 1

1. INTRODUCTION

Section 13 of the Constitution of Malawi commits the State to actively promote the welfare and development of the people of Malawi through the progressive adoption and implementation of policies and legislation aimed at achieving, among other things, a safe and healthy working environment for the people of Malawi. The Government of Malawi recognises the constitutional right of every person in the Republic, including men, women and youth, to fair and safe labour practices as provided for under Section 31(1) of the Constitution which states that, “Every person shall have the right to fair and safe labour practices.” The Government further acknowledges that it has an obligation to help actualize these rights by, among other things, promulgating policies and legislation that will give effect to the constitutional provisions regarding the right of citizens to fair and safe labour practices. Further still, Government shall endeavor to safeguard the safety and health of workers because it is cognizant of their invaluable contribution towards the development of the country. This Policy encompasses all workers in all sectors of the economy, and serves as a demonstration of Government’s commitment towards the realisation of the rights of citizens to decent working conditions that afford and guarantee their safety, health, welfare and dignity.

The successful implementation of this Policy will contribute towards Malawi’s Vision of being “an inclusively wealthy and self-reliant nation”, as articulated in Malawi 2063 and Malawi Decent Work Country Programme (DWCP) II, 2020. This will entail providing guidance on how Occupational Safety and Health (OSH) will be managed and administered in Malawi in order to contribute towards the creation of a decent and productive working environment that provides for the safety, health and welfare of all workers in all sectors of the economy thereby contributing to a competitive labour market capable of attracting both local and foreign investments.

The Policy gives a brief background regarding the development of OSH in Malawi and outlines the OSH challenges faced by the country. It also sets out the goal, expected outcomes and objectives. The Policy also identifies and states the principles that will guide its implementation process. To address the OSH challenges that have been identified, the Policy spells out the priority areas on which resources will be focused to improve OSH in the country. These priority areas include: OSH legislative and regulatory framework; capacity building; social dialogue and stakeholder co-operation; data and information management; risk assessment; and cross-cutting issues. Further, the Policy identifies key institutional stakeholders along with their roles and responsibilities in the implementation of the Policy. The Policy further sets out an implementation programme as well as a monitoring and evaluation plan which will be used to track progress regarding its implementation.

1.1. Background

In 1997, Malawi enacted the Occupational Safety, Health and Welfare Act (OSHWA), superseding the Factories Act, 1964, as a framework legislation for the regulation of OSH. The OSHWA was crafted along the lines of International Labour Organization (ILO) Recommendation 164 which gives guidance as to policy, legislation and practice regarding implementation of the provisions of ILO Convention 155 on Occupational Safety and Health. The Act strengthens bipartism in the world of work by providing for establishment of workplace safety and health committees.

In 2009, Malawi carried out a baseline assessment of occupational safety and health in the country which culminated into the development of the 'Malawi Country Profile on Occupational Safety and Health 2009'. The National Profile looked into the following: existing national OSH legislative and institutional framework; OSH enforcement mechanisms; OSH human resource capacity; OSH coordination and collaboration mechanisms; national OSH training programmes; occupational accidents and diseases; OSH policies and programmes of employers' and workers' organisations; and the logistical and financial resources available for implementation of OSH programmes.

Arising from the 2009 'Malawi Country Profile on Occupational Safety and Health', the country developed the 'Malawi National Occupational Safety and Health Programme 2011-2016.' The National OSH Programme sought to address the gaps that were highlighted in the Country Profile on OSH. These gaps included: lack of industry-specific OSH guidelines/regulations; fragmentation of the provision of OSH services among different Government departments; lack of occupational hygiene monitoring equipment in the Ministry of Labour (Directorate of OSH-DOSH); lack of formal OSH training for staff in the DOSH of the Ministry of Labour; lack of OSH training programmes in training institutions in the country; low levels of awareness regarding OSH among stakeholders including both employers and workers; non-ratification and inadequate domestication of major ILO OSH Conventions such as Convention 155 and Convention 161; and delayed responses to requests for changes to the OSHWA by the Law Commission which was said to be understaffed.

In 2012, Malawi, with the support of the ILO, commissioned a study on the collection, recording and notification of occupational accidents and diseases. The study, whose overall goal was to prevent occupational accidents and diseases in Malawi, resulted in the development of the 2012 report on 'Recording and Notification of Occupational Accidents and Diseases.'

In 2020, Malawi produced the second generation of its National Occupational Safety and Health Profile. This Profile provides an updated situation analysis of OSH in Malawi following a review of the interventions that have been carried out since the first-generation National OSH Profile was produced in 2009. The 2020 National OSH Profile indicated a number of achievements including ratification of ILO Convention 155 – Occupational

Safety and Health Convention, Convention 184 – Safety and Health in Agriculture Convention and Convention 187 - Promotional Framework for Occupational Safety and Health Convention on 7 November, 2019. Another important international instrument that Malawi ratified is the ILO Forced Labour Protocol through which the country has committed itself to eliminating all forms of forced or compulsory labour, including trafficking in persons.

Notwithstanding some improvements to the state of OSH in the country, the 2020 National OSH Profile still identified some gaps that need to be addressed if the level of OSH is to be enhanced in the country. The main outstanding gaps include the following: lack of a national policy on occupational safety and health; limited scope of definition of a 'Workplace' in the OSHWA that leaves out some sectors of the economy, such as the service sector, in its coverage; inadequate regulations, guidelines and codes of practice to operationalise the OSHWA; and lack of a national tripartite advisory body with direct responsibility for OSH.

1.2. Current Status of OSH

The current status of OSH in Malawi is such that there is inadequate legislative provision which is characterised by: a limited definition of "workplace" in the OSHWA thus leaving out some sectors of the economy, such as the service sector, from its application; and inadequate regulations, guidelines and codes of practice to operationalise the OSHWA.

Other current factors that are a hindrance to the advancement of OSH include the following:

- a) Inadequate enforcement of provisions of OSH laws.
- b) Inadequate, and in some cases lack of, data on occupational accidents, injuries and diseases which is compounded by underreporting of occupational accidents to the DOSH.
- c) Tedious administrative procedures for meting out penalties to those found in breach of the provisions of the law. The Ministry of Labour (DOSH), for example, is required to recommend to the Ministry of Justice any breach of the OSHWA including straight-forward cases such as failure to register a workplace, or report workplace accidents and dangerous occurrences.
- d) Inadequate collaboration and coordination among institutions responsible for the collection, recording and notification of occupational accidents and diseases.
- e) Lack of a national OSH tripartite advisory body as required by ILO Conventions 155 and 187

- f) Low levels of awareness about OSH.
- g) Inadequate OSH training institutions within the country.
- h) Inadequate occupational health services to provide for surveillance of workers' health and evaluation of impairments incurred by workers due to occupational accidents or diseases.

1.3. Problem Statement

The OSH challenges and gaps faced by Malawi are compounded by the fact that the country does not have a National Occupational Safety and Health Policy to provide direction as to how occupational safety and health will be managed and administered in the country. The absence of a National OSH Policy to direct how OSH is to be managed and administered in the country is a major contributing factor to the current poor state of OSH in the country.

With unavailability of a National OSH Policy to provide direction, the country is faced with challenges that primarily include limited and inadequate legislation. Legislation, particularly the OSHWA, is characterised by a number of gaps such as the exclusion of some workplaces in the definition of a workplace. Further, there is inadequate regulations, guidelines and codes of practice necessary to operationalise the OSHWA. Other OSH challenges facing Malawi include: inadequate enforcement of provisions of OSH laws due to constraints regarding human, technical and financial resources; inadequate, and in some cases lack of data on occupational accidents, injuries and diseases; tedious administrative procedures for meting out penalties to those found in breach of the provisions of the law; inadequate collaboration and coordination among institutions responsible for the collection, recording and notification of occupational accidents and diseases; and low OSH awareness levels.

According to the 2020 National OSH Profile, some categories of workers are faced with daunting OSH challenges. Informal economy workers constitute one of the groups that bear the brunt of poor safety and health conditions in workplaces as they do not usually benefit from OSH services offered by the Ministry of Labour. Whereas the Workers Compensation Act (WCA) covers informal economy workers, there is little to no enforcement of the provisions of the WCA in the informal economy. Children also bear the negative brunt of poor safety and health practices in workplaces. According to the 2015 National Child Labour Survey (NCLS), 38 per cent of children aged 5 – 17 years are involved in child labour. The NCLS further states that most children in hazardous forms of child labour work in the agriculture, forestry and fishing sectors (66.2 per cent), followed by domestic work (27.5 per cent).

In response to some of the OSH challenges facing the country, various measures have been taken over the years in order to improve the state of affairs. Some measures taken,

as outlined in the 2020 National OSH Profile, include: ratification of key ILO conventions on OSH; provision of advanced OSH training to some officers in OSH regulatory bodies such as the Ministry of Labour; and carrying out some awareness-raising activities. Further, legal provisions have been made to address OSH issues related to child labour, in general, and hazardous child labour, in particular, through the Employment Act of 2000 and the Employment (Prohibition of Hazardous Work for Children) Order of 2012, respectively. Section 21 of the Employment Act prohibits persons under the age of 14 years from being employed or working "in any public or private agricultural, industrial or non-industrial undertaking or any branch thereof." Further, Section 22 prohibits persons aged between 14 and 18 years from working or being employed in any occupation or activity considered as hazardous work.

To address the OSH challenges faced by Malawi as highlighted above, it is necessary that a National Occupational Safety and Health Policy is developed. This will not only provide the country with direction as to how it will manage occupational safety and health, but it will also enable it to domesticate and implement the provisions of the ILO OSH Conventions. These Conventions require each ratifying member state to develop and operationalise a National OSH Policy

1.4. Purpose

The purpose of the Policy is to provide for the management of occupational safety and health in the country in order to prevent accidents and injury to health arising out of, linked with or occurring in the course of work, by minimizing, so far as is reasonably practicable, the hazards inherent in the working environment.

1.5. Linkages with other relevant Policies and legislation

The Policy is linked to key international, regional and sub-regional conventions, treaties and instruments to which Malawi is a party. Further, the Policy is also linked to related national policies and legislation. The conventions, treaties and instruments, policies and legislation to which the Policy is linked are outlined below.

1.5.1. Linkages with International Obligations

Linkages between this Policy and some relevant international policy frameworks, treaties and conventions that have either been acceded to or ratified by Malawi are outlined below.

a) Transforming Our World: The 2030 Agenda for Sustainable Development

Malawi has, through this National OSH Policy, set a clear intent to fulfil its obligations towards the realization of productive and decent work for all as provided for under Goal No. 8 of Agenda 2030 which requires member states to "Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for

all.’ The Policy specifically responds to Target 8.8 of Goal No. 8 which requires member states to “Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment.”

b) International Labour Organisation’s Conventions

This Policy serves as a means of promoting domestication of the provisions of the ILO Conventions which the country has ratified. The Conventions are: Convention 155 on Occupational Safety and Health, Convention 187 on the Promotional Framework for Occupational Safety and Health, and Convention 184 on Safety and Health in Agriculture.

c) The International Health Regulations (IHR)

The IHR provides an overarching legal framework that calls member countries to build capacities in detection, verification, responding and reporting public health emergencies of national and international concern under the ONE-HEALTH approach. The IHR guides individual countries on key actions needed to efficiently and effectively respond to public health events. This policy document will be implemented in view of the IHR in order to achieve the public health security of the workforce across all sectors.

1.5.2. Linkages with Regional Obligations

a) African Union (AU) Agenda 2063

This Policy serves as one of the means by which Malawi will continue meeting its obligations towards the promotion of decent work under the African Union (AU) Agenda 2063 - The Africa We Want. The Policy will also contribute towards the attainment of high standards of living, quality of life and well-being for all citizens as provided for under Goal 1.1 of AU Agenda 2063. Priority 1.1.1. of Goal 1.1., in particular, requires member states to enhance “incomes, jobs and decent work.”

1.5.3. Linkages with Sub-Regional Obligations

Linkages between this Policy and some of the most relevant guiding policy frameworks of the sub-regional grouping of the Southern African Development Community (SADC) and the Common Market for Eastern and Southern Africa (COMESA), to which Malawi belongs, are outlined below.

a) Southern African Development Community (SADC) Development and Policy Frameworks

Malawi being a Member of SADC has an obligation to domesticate the Body’s policy frameworks, on decent work, to which it is a party. By articulating and putting this National OSH Policy in place, Malawi has domesticated key provisions of: Pillar 3 of both the SADC Vision 2050; Pillar 3 of the SADC Regional Indicative Strategic Development Plan

(RISDP) 2020 - 2030; and Article 12 of the SADC Protocol on Employment and Labour, 2022.

b) Common Market for Eastern and Southern Africa (COMESA) Social Charter

As a member of COMESA and a party to the COMESA Social Charter, this Policy serves to enhance the implementation of Malawi's obligations under the Charter. In particular, the Policy responds to article IV which requires Member States to establish programmes in the areas of employment and working conditions; labour laws; and the prevention of occupational accidents and diseases.

1.5.4. Linkages with Relevant National Developmental Frameworks, Policies and Laws

a) Linkages with National Developmental Frameworks and Policies

Linkages between this Policy and key national developmental frameworks and policies are outlined below.

i) Malawi 2063

The Policy supports all the Pillars of Malawi 2063 on "Agricultural Productivity and Commercialization", "Industrialization", and "Urbanization" respectively, in that it is only a health workforce that can be productive and innovative.

ii) The Malawi 2063 First 10-year Implementation Plan (MIP-1) 2021 - 2030)

The policy supports the MIP-1's second milestone whose aim is "to meet most of the Sustainable Development Goals (SDGs) whose end-line target is 2030." In particular, it responds to Goal No. 8 of the SDGs which requires member states to promote decent work for all.

iii) Malawi Decent Work Country Programme (DWCP) II, 2020

The Policy supports realization of Priority area 3 in enhancing and extending the coverage and quality of social security.

iv) National Employment and Labour Policy (NELP), 2017

The Policy is complementary to the National Employment and Labour Policy which, under Priority Area 10, seeks to improve labour administration and standards in order to promote decent and productive employment.

v) National Environmental Health Policy, 2018

The Policy complements the National Environmental Health Policy which, under Policy Theme 3.3, commits Government to ensuring that issues of health and safety are addressed in all workplaces.

vi) The National Decentralization Policy, 1996

The Policy is complementary to the national decentralization Policy by devolving OSH functions to the district level with the aim of making service delivery more efficient, more economical and cost effective.

vii) The National Tourism Policy, 2022

The Policy recognizes that tourism is a labour-intensive sector. As such, it shall support adherence to best practices including safe and healthy working environment in the tourism sector.

b) Linkages with National Laws

Linkages between this Policy, the Constitution of the Republic of Malawi and other relevant national legislation are outlined below.

i) The Constitution of the Republic of Malawi

Section 31 of the Constitution of the Republic of Malawi, the supreme law of the land, makes an explicit provision for the right of every person to fair and safe labour practices. This provides a firm, legal basis on which to develop and implement OSH policies and laws. Other parts of the constitution providing strong support to this include: Chapter III, Section 13(d); Chapter IV, Section 24(2); Chapter IV, Section 27(3); and Chapter IV, Section 27(4).

ii) The Occupational Safety, Health and Welfare Act, 1997

The OSHWA provides explicit and detailed legal provisions for the regulation of OSH in Malawi. Considering the overlaps that exist between the OSHWA and other pieces of legislation, the OSH Policy is needed to provide guidance.

iii) The Workers Compensation Act, 2000

The WCA gives legal effect to aspects of the National OSH Policy that provide for compensation to workers for injuries suffered or diseases contracted in the course of their employment, or for death resulting from work-related injuries or diseases.

iv) The Labour Relations Act, 1996

The Act provides for the regulation of employer/worker relations in the workplace including collective bargaining on OSH issues.

v) The Employment Act, 2000

The Employment Act provides for the regulation of aspects of OSH such as hours of work, sick leave, child labour and hazardous occupations or activities.

vi) The Employment (Amendment) Act, 2021

Among other things, the Act provides for the protection of pregnant or breastfeeding mothers from performing heavy and hazardous work.

vii) The Employment (Prohibition of Hazardous Work for Children) Order, 2012

The Order provides for explicit and detailed regulation against exposure of children to hazardous occupations or activities.

viii) The Environment Management Act, 2017

The Act provides for the protection and management of the environment, conservation and sustainable utilization of natural resources, regulates and guides environmental protection in order to reduce hazardous exposures in air, water and land. The Act also provides for safety and health in the transportation, storage, use and disposal of chemicals, toxic substances and waste.

ix) The Pesticides Act, 2018

The Act provides for the control and management of the import, export, manufacture, distribution, storage, disposal and use of pesticides. The Act also addresses OSH matters such as “death, injury or loss arising from the use, transportation or storage of pesticides.”

x) The Mines and Minerals Act, 2023

Apart from regulating the search for and mining of minerals, this Act also provides for the regulation of OSH in the mining sector.

xi) Gender Equality Act, 2014

The Act provides for Government to take active measures to ensure that employers develop and implement appropriate policies and procedures aimed at eliminating gender-based violence and sexual harassment in the workplace.

xii) The Malawi Bureau of Standards Act, 2012

The Act provides for the promotion of metrology, standardization and quality assurance of commodities and of the manufacture, production, processing or treatment thereof. The standard setting mandate in the Act extends to the setting of safety and health standards, including OSH management systems (OSH -MS).

xiii) The Atomic Energy Act, 2011

Among other things, the Act addresses safety and health by providing for the protection of people against the harmful effects of ionizing radiation through the control and regulation of the importation, exportation, production, processing, handling, use, holding, storage, transportation and disposal of radiation sources, nuclear materials, and any other radioactive materials.

xiv) The Energy Regulation Act, 2004

The Act provides for the regulation of the energy sector, including the production, transmission and usage of electricity. It also provides for monitoring of compliance to standards of safety and health in the sector.

xv) The Electricity Act, 2004

The Act provides for the regulation of the generation, transmission, wheeling distribution, sale, importation and exportation, use and safety of electricity. Among the issues addressed by the Act is the safety and health of workers in electrical installations. It goes as far as to provide for the notification and reporting of occupational accidents as well as inquiries and investigations into the same.

xvi) The Liquid Fuels and Gas (Production and Supply) Act, 2004

The Act makes provisions for the production, blending, extraction, conversion, importing, transforming, transporting, storing, distributing and selling of liquid fuels and gas. It also addresses safety and health in respect of the aforementioned matters.

xvii) The Biosafety Act, 2002

The Act provides for safety in the management of biotechnological activities.

xviii) The Road Traffic Act, 1998

The Act provides for the regulation of road traffic and the safety of road users by devising means aimed at reducing the risk of injury to persons using the road network.

xix) The National Construction Industry Act, 1996

The Act provides for the promotion and development of the construction industry in Malawi. In so doing, it also addresses aspects of safety and health in the construction sector.

xx) The Explosives Act, 1968

The Act provides for the regulation and control of the acquisition, manufacture, sale and use of explosives. The Act further addresses safety and health with regards to the matters aforementioned.

xxi) The Public Health Act, 1948

The Act provides for the preservation of public health. Among the work-related safety and health measures it addresses are: health protection; infection prevention in hospitals; and sanitation. It goes on to stipulate the requirement for separate toilets for male and female workers in workplaces. The Act also gives powers to the Minister of ordering medical examination of workers employed in food handling workplaces.

xxii) The Tourism and Hotels Act, 1968

The Tourism Act will regulate safety standards for tourist facilities, attractions and services, aligning with OSH principles to minimize risks and provide a safe and healthy environment for both tourism industry workers and visitors.

CHAPTER 2

BROAD POLICY DIRECTIONS



CHAPTER 2

2. BROAD POLICY DIRECTIONS

This section outlines the goal, outcomes, objectives and guiding principles of the Policy.

2.1. Policy Goal

The overall goal of this Policy is to support the national developmental agenda through the establishment of a national occupational safety and health system that promotes and maintains a safe, healthy and productive work environment for all people in all economic activities.

2.2. Policy Outcomes

The expected outcomes for this Policy are as follows:

- a) Strengthened OSH legal framework
- b) Enhanced capacities of OSH competent authorities
- c) Increased social dialogue on OSH
- d) Increased availability and accessibility of OSH data and information
- e) Enhanced risk assessment programmes in workplaces
- f) Enhanced diversity and inclusivity in the provision of OSH services

2.3. Policy Objectives

The following are the objectives of this National OSH Policy:

- a) To strengthen the OSH legal framework
- b) To enhance the capacities of OSH competent authorities
- c) To increase social dialogue on OSH
- d) To increase availability and accessibility of OSH data and information
- e) To enhance risk assessment programmes in workplaces

- f) To enhance diversity and inclusivity in the provision of OSH services

2.4. Guiding Principles

The following constitute the core guiding principles for the implementation of this policy:

- a) **Prevention** – this Policy will prioritise prevention of occupational accidents and diseases through the promotion of a preventive safety culture.
- b) **Inclusiveness** – This Policy will promote a holistic approach towards OSH management in the country taking into account the diversity of the workplace, to better engage and support all marginalized workers including MSMEs and the informal economy.
- c) **Continuous improvement** - the use of occupational safety and health management systems will be promoted to ensure that there is continuous improvement of OSH standards in the country.
- d) **Compensation** – The Policy will encourage reporting of incidents to ensure that workers receive fair compensation for work-related injuries or illnesses.

CHAPTER 3

POLICY PRIORITY AREAS



CHAPTER 3

3. POLICY PRIORITY AREAS

This Policy has identified the following as key priority areas for action:

1. OSH legislative and regulatory framework
2. Capacity building
3. Social dialogue and stakeholder co-operation
4. Data and information management
5. Risk assessment
6. Cross-cutting Issues

3.1. Priority Area 1: OSH Legislative and Regulatory Framework

OSH legislation aims to safeguard the safety, health and welfare of workers by preventing workers from being exposed to hazards in the workplace. It does this by placing duties upon employers and workers in the workplace in order to control the hazards.

The principal OSH legislation in Malawi is the OSHWA, 1997, which regulates the conditions of employment in workplaces as regards the safety, health and welfare of persons employed therein. The scope of definition of “workplace” provided by the OSHWA is narrow, for example it excludes some categories of work. Further, the OSHWA does not have all the regulations that are necessary to operationalise some parts of the Act, apart from regulations providing for fees to be charged in respect of some of the services provided by the Ministry of Labour. A case in point is the lack of regulation on threshold limit values for work environment parameters such as light and air quality.

Policy Statement:

- 1) The Policy will ensure that the OSH legal framework is strengthened.

Strategies

- a) Review the OSHWA and WCA.
- b) Review and harmonise lists of occupational diseases under the Second Schedules of both the OSHWA and the WCA.
- c) Domesticated ratified conventions on OSH.
- d) Develop OSHWA regulations.
- e) Develop OSH codes of practice and guidelines.

3.2. Priority Area 2: Capacity Building

Capacity is the combination of the knowledge, skills and infrastructure required to attain developmental goals. It therefore follows that capacity building requires investment in human capital and infrastructure. OSH capacity comprises OSH competent authorities found in various institutions including the Ministries responsible for Labour, Mining, Health and Local Government.

OSH capacity in Malawi is inadequate due to various factors. Firstly, the geographical coverage of OSH competent authorities is limited. For example: apart from the offices at the Ministry of Labour Headquarters in Lilongwe, the Ministry's Directorate of OSH only has three regional offices, one in each of the three administrative regions serving the whole country. Secondly, OSH inspectors/officers manning the competent authorities are inadequate. As of 2024, the Ministry of Labour, only has a staff of 11 OSH officers out of a staff establishment of 26 officers.

With regard to occupational health services, there is inadequate provision and limited technical expertise to effectively diagnose occupational diseases thereby creating a bottleneck where occupational diseases are rarely compensated. Finally, there is partial coverage of occupational safety and health in training institutions in the country. It is only the Malawi University of Business and Applied Sciences (MUBAS) currently running a full training programme in Occupational safety and health. Other universities and colleges, such as KUHES and Technical and vocational colleges cover safety and health as a topic in some of the courses, while curriculum for Pre-school (Kindergartens), Primary School and Secondary Education does not include occupational safety and health. This impacts heavily on the availability of OSH professionals in the country including those to work with competent authorities.

Policy Statement:

- 1) The Policy will ensure that the capacity of OSH competent authorities is enhanced.

Strategies

- a) Build capacity of competent authorities.
- b) Promote collaboration between, and among, OSH competent authorities.
- c) Mainstream OSH in education curricula at all levels of education and training including worker-service training.
- d) Develop resource mobilization strategy for OSH.

3.3. Priority Area 3: Social Dialogue and Stakeholder Co-operation

Social dialogue as defined by the ILO includes all types of negotiation, consultation or exchange of information between, or among, representatives of governments, employers and

workers on issues of common interest relating to economic and social policy, including OSH.

Social dialogue in OSH primarily takes place at two levels – at the workplace level between the employers and workers (bipartite co-operation), and at national level among government, employer and workers through their representatives (tripartite co-operation). Article 19(b) of ILO Convention 155 requires that Members make arrangements under which “representatives of workers in the undertaking co-operate with the employer in the field of occupational safety and health.” Such workplace level co-operation on OSH is

meant to enhance safety and health in the workplace through information sharing, training and remedial actions to mention but a few. Article 4(3)(a) of ILO Convention 187 states that each member’s national system of OSH shall, where appropriate, include “a national tripartite advisory body, or bodies, addressing occupational safety and health issues.” The advisory services of such a body should include periodic review of national legislation, policies and actions regarding OSH.

Having ratified both ILO Conventions 155 and 187, Malawi has an obligation to domesticate the provisions of these conventions. Malawi has domesticated the provisions of Article 19(b) of ILO Convention 155 through Section 21 of the OSHWA which states that “It shall be the duty of every employer to establish a safety committee in a workplace employing more than fifty workers or, having regard to the nature of the undertaking at the workplace, where the Director so directs.” As regards the provisions of Article 4(3)(a) of ILO Convention 187, Malawi does not have a national tripartite advisory body solely dedicated to addressing OSH matters. Though Malawi has a national tripartite advisory body in form of the Tripartite Labour Advisory Council (TLAC), the body is however not specifically focused on OSH matters.

Policy Statement:

- 1) The Policy will ensure that mechanisms for social dialogue on OSH are strengthened.

Strategies

- a) Review regulatory provisions for tripartite and bipartite (i.e. workplace OSH committees) consultations and cooperation on OSH.
- b) Strengthen the capacity of employers’ and workers’ organisations.
- c) Increase collaboration between OSH competent authorities and employers’ and workers’ organisations.

3.4. Priority Area 4: Data and Information Management

OSH data mostly comprises occupational accidents, injuries, diseases and fatalities. This data may help in the detection of new and emerging hazards and risks in workplaces as well as the identification of hazardous sectors, occupations, business models and practices. Ready availability of OSH data is necessary to inform the development of policies and the design and implementation of effective OSH prevention programmes.

Realising the importance of data and information in the management of OSH, the ILO, in 2002, adopted Protocol 155 (P155) to the OSH Convention, 1981, (No. 155). The protocol requires Members to establish and periodically review requirements and procedures for the recording and notification “of occupational accidents, occupational diseases and, as appropriate, dangerous occurrences, commuting accidents and suspected cases of occupational diseases.”

Despite having legal provisions for the recording and notification of work-related accidents and diseases, Malawi still faces many challenges regarding overall OSH data and information management. The challenges, according to the 2020 National OSH Profile, include: underreporting of occupational accidents; inadequate coordination and cooperation among the different stakeholders involved in recording and notification of occupational accidents; lack of standardised format for reporting of occupational accidents in the mining sector as each mine has its own format of the accident reports it sends to the Department of Mines; inadequate capacity for data capturing and analysis; inadequate awareness, and subsequently lack of advocacy, among stakeholders regarding the recording and notification of occupational accidents; lack of consolidated annual reports on OSH; and lack of data on occupational accidents, injuries and diseases from the informal economy.

Policy Statement:

- 1) The Policy will ensure that OSH data and information management is strengthened.

Strategies

- a) Build the capacity of employers and workers on OSH data and information management.
- b) Establish an electronic OSH data and information management system.
- c) Link the database to other OSH-related databases.
- d) Promote data and information sharing among competent authorities.
- e) Promote research on OSH.

3.5. Priority Area 5: Risk Assessment

Risk assessment is the process of evaluating the risks to safety and health arising from hazards at work. ILO Convention 187 article 3 requires the National OSH Policy to promote basic principles such as assessing occupational risks or hazards; and combating occupational risks or hazards at source. The Vision Zero Strategy (ISSA 2017) and the International Standards Organisation (ISO) 45001: 2018 standard recognizes hazard identification and risk assessment as a critical element in management of occupational hazards and risks. Availability of a robust hazard identification and risk assessment programme in an organization is therefore a prerequisite for occupational risks to be managed effectively and in a sustainable manner. The majority of workplaces in Malawi (approximately 84% according to an assessment conducted by Ministry of Labour in 2023) do not have any policy or programme to effectively identify and manage occupational hazards and risks. This implies that most workplaces in Malawi are not capable of managing occupational safety and health risks in a sustainable way, a situation that

is worrisome as it is detrimental to worker's safety and health. There is therefore a need for workplaces to have programmes to systematically identify as far as possible all hazards associated with any job or task and their associated risks on an ongoing basis.

Policy Statement:

- 1) The policy will ensure that all workplaces have functional risk assessment programmes.

Strategies

- a) Promote development and implementation of OSH Policy at the workplace.
- b) Educate employers and workers representative bodies on the importance of risk assessment and benefits thereof.
- c) Establish and roll out risk assessment programmes in all the workplaces.
- d) Promote the application of the hierarchy of risk controls.
- e) Promote OSH performance measurement as a tool for evaluating the effectiveness of the risk assessment programme.

3.6. Priority Area 6: Cross-cutting Issues

Equality of opportunity and treatment is a fundamental human right enshrined in the Constitution of Malawi. Section 20 of the Constitution prohibits discrimination of persons in any form and on any grounds while Section 29 guarantees every person the right to freely engage in economic activity, to work and to pursue a livelihood anywhere in Malawi. Meeting these constitutional provisions in the promotion of OSH in the workplace requires embracing both diversity and inclusion.

According to the United Nations (UN), diversity refers to the inclusion of different perspectives in developmental processes and is best ensured by including individuals of different backgrounds such as socio-economic status, profession, origin, ethnicity, gender, and religion, among others. Inclusion, on the other hand, is understood to mean a process by which efforts are made to ensure equal opportunities for all, regardless of their background, so that they can achieve their full potential in life.

Achieving diversity and inclusivity in the promotion of OSH requires that most workers be accorded reasonable accommodation at some point in their employment cycle. The Malawi DWCP II and the 2020 National OSH Profile cite the following as the main challenges: gender-based violence and sexual harassment which are mostly faced by women; low representation of women in trade unions; inadequate access to social security, including workers' compensation, for women; inaccessible public and private buildings, including offices and factories, for people with physical disabilities; and more than half of the 2.1 million children involved in child labour are engaged in hazardous work.

Work injury compensation, benefits and rehabilitation are an essential element of the national OSH system. Work injury compensation includes medical aid and any benefit to which a worker

or his/her dependents may be entitled to. Rehabilitation constitutes services designed to prepare a person who has been disabled due to an occupational injury/disease for the resumption of his/her previous duties, or, where this is not possible, prepare the person for the most suitable alternative duties while taking into consideration his/her aptitudes and capacity. Sections 57 to 61 of the Workers' Compensation Act, 2000 provide for the establishment of a Workers Compensation Fund that should serve as a source of funds for this service. Despite having both a legislative and institutional framework in place, the workers' compensation fund is still not functional.

According to "Malawi's Strategy on Climate Change Learning" produced by the Ministry of Forestry and Natural Resources in 2021, scientific evidence shows that climate change is causing serious negative effects on Malawi's agro-based economy. It has manifested itself through increased magnitude and frequency of floods, droughts, strong winds and outbreaks of pests and diseases. Apart from the agricultural sector, these phenomena of climate change are likely to impact negatively on the safety and health of workers who work in predominantly outdoor activities such as forestry, fishing and construction.

Policy Statement:

- 1) The Policy will ensure that workplace safety and health programmes embrace diversity and inclusivity.

Strategies

- a) Eliminate violence and harassment in the workplace.
- b) Promote increased representation of women and people with disabilities in trade unions and on workplace safety and health committees.
- c) Promote the adaptation of workplace environment to accommodate all.
- d) Eliminate hazardous child labour.
- e) Promote OSH in the informal economy.
- f) Promote workplace wellness programmes.

- 2) The policy will ensure that administration of worker's compensation services is improved.

Strategies

- a) Operationalize worker's compensation fund.
- b) Promote collaboration between competent authorities on OSH and worker's compensation.
- c) Increase awareness about worker's compensation services among employers,

workers and the general public.

- 3) The policy will ensure that workplace safety and health programmes are responsive to climate change and other emerging issues such as digitalization, artificial intelligence and automation.

Strategies

- a) Increase awareness about impact of climate change and other emerging issues on workplace safety and health.
- b) Promote workplace practices and technologies that help fight against climate change and other emerging issues.
- c) Adapt work practices to minimise the impact of climate change and other emerging issues on workplace safety and health.
- d) Promote collaboration between competent authorities on OSH and meteorological services.

CHAPTER 4

IMPLEMENTATION ARRANGEMENTS



CHAPTER 4

4. IMPLEMENTATION ARRANGEMENTS

The Government of Malawi, in collaboration with social partners and other stakeholders, shall implement this Policy in consistency with national, sub-regional, regional and international legislation, conventions and standards.

The approach to the implementation of this Policy is as outlined below and it includes: key stakeholder institutions and their roles and responsibilities in the implementation of the Policy; an implementation plan; and a monitoring and evaluation strategy that will be used to track implementation of the Policy.

4.1. Institutional Arrangements

OSH is a multi-disciplinary and cross-sectoral field whose implementation requires the cooperation and collaboration of various stakeholders. The main stakeholders include the tripartite institutions of government and employers' and workers' representative organisations. Independent, non-state actors that play an advocacy role in employment and labour matters, including OSH, are also critical to the advancement of OSH in the country.

4.1.1. Government Institutions

In general, Government's role will be to create an enabling environment for the implementation of this National Occupational Safety and Health Policy. The specific responsibilities of some of the relevant Government Ministries, Departments and Agencies (MDAs) are outlined below.

a) Ministry responsible for Labour

The Ministry will spearhead policy implementation.

b) Ministry responsible for Agriculture

The ministry will collaborate with the Ministry of Labour in promoting and raising OSH awareness in Agriculture

c) Ministry responsible for Natural Resources and Climate Change

The ministry will collaborate with the Ministry of Labour in promoting and raising OSH awareness in fisheries and forestry sectors. Further it will aid in increasing awareness about impact of climate change and its mitigation measures on workplace safety and health.

d) Ministry responsible for Health

The Ministry of Health will complement the Ministry of Labour in the provision of Occupational Health services at all workplaces to ensure the availability of occupational health surveillance system for all workers exposed to various occupational health hazards

e) Ministry responsible for Local Government

The Ministry, in collaboration with the Ministry of Labour, will facilitate OSH service delivery to MSMEs and informal enterprises operating from trading places it oversees such as markets.

f) Ministry responsible for Mining

The Ministry of Mining will facilitate implementation of the Policy in the mining sector by regulating the safety and health of mining activities, including the manufacture, conveyancing, storage, handling, use and disposal of civil explosives.

g) Ministry responsible for Trade and industry

The Ministry will assist in coming up with policies that promote adoption of modern and appropriate technologies thereby ensuring OSH compliance at workplaces.

h) Ministry responsible for Education

The Ministry will augment the efforts of the Ministry of Labour in the creation of a national preventive safety and health culture by inclusion of occupational safety and health issues at all levels of education and training curricula.

i) Ministry responsible for Information and Digitalisation

The Ministry will cooperate and collaborate with the Ministry of Labour in building national OSH awareness through dissemination of OSH information through various national media platforms that are utilized by the generality of the working population in Malawi.

j) Ministry responsible for Gender, Community Development and Social Welfare

The Ministry will aid the implementation of this Policy by promoting gender equality, protecting the welfare of women, men, children, persons with disability and the elderly at the workplace.

k) Ministry responsible for Youth and Sports

The ministry will work in liaison with the Ministry of Labour in promoting and raising OSH awareness among the youth.

l) Ministry responsible for Tourism

The ministry will collaborate with the Ministry of Labour in promoting and raising OSH awareness in tourism and hospitality industry.

m) Ministry responsible for Finance

The Ministry will ensure the availability of financial resources and budget for OSH interventions.

n) Ministry responsible for Justice

The Ministry will be responsible for:

- (a) Guiding development of the regulatory framework to ensure that it is compliant with Malawi Laws and
- (b) Drafting, reviewing and amending Labour legislation.

o) National Construction Industry Council

National Construction Industry Council (NCIC) will facilitate implementation of the Policy's provisions in the construction sector.

p) Pesticides Control Board

The Pesticides Control Board (PCB) will facilitate implementation of the Policy by monitoring and ensuring compliance with safety and health standards regarding the storage, transportation, handling, use and disposal of pesticides.

q) Atomic Energy Regulatory Authority

The role of the Atomic Energy Regulatory Authority (AERA) will be to regulate and control the use of radiation emitting devices and processes in order to ensure the safety and health of workers.

r) Malawi Energy Regulatory Authority

The Malawi Energy Regulatory Authority (MERA) will be responsible for ensuring compliance with safety and health standards in the exploitation, production, transportation and distribution of energy.

s) Malawi Environment Protection Authority

The role of the Malawi Environment Protection Authority (MEPA) will be safeguarding workers from occupational health risks associated with environmental degradation.

t) Department of E-Government

The role of the department of E-Government will be to support in development of the ICT infrastructure at all levels of implementation.

u) Technical, Entrepreneurial and Vocational Education and Training Authority

Technical, Entrepreneurial and Vocational Education and Training Authority (TEVETA) will support the efforts of the Ministry of Labour in the creation of a national preventive safety and health culture by inclusion into the Technical, Entrepreneurial and Vocational Education and Training (TEVET) curricular, issues of occupational safety and health.

v) Office of the President and Cabinet (OPC)

The role of the OPC in the implementation of this Policy will include: ensuring coherence and harmony between this Policy and other social and economic policies and programmes; and providing oversight regarding implementation of the Policy.

4.1.2. Employers' Representative Organisations

Employers' representative organisations will support implementation of this Policy by: raising awareness; facilitating OSH training; facilitating establishment of workplace safety and health committees; and generally promoting good OSH practices.

4.1.3. Workers' Representative Organisations

The role of workers' representative organisations will be to: advocate for implementation of the Policy; raise awareness; facilitate OSH training; support establishment of workplace safety and health committees; and mobilise workers to take active participation in workplace safety and health matters.

4.1.4 Malawi Confederation of Chambers of Commerce and Industry (MCCI)

MCCCI will support implementation of the Policy by raising awareness and promoting good OSH practices among its members.

4.1.4. Development Partners

Development partners will compliment Government's efforts in promoting and enhancing occupational safety and health in the country by providing technical and financial support.

4.1.5. Civil Society Organisations

Civil Society Organisations (CSOs) will contribute towards implementation of the Policy by raising public awareness and advocating for good OSH laws and practices.

4.1.6. Academia

The role of academia in the implementation of the Policy will comprise: conducting research on OSH-related matters; provision of relevant, formal OSH training programmes; and provision of short term, tailor-made OSH training programmes.

4.1.7. Private Sector

The role of private sector/industry will be to abide by and implement the provisions of OSH laws. This includes, but is not limited to adoption of workplace OSH policies that cover: formation of workplace safety and health committees that are inclusive; maintenance of records of occupational accidents, injuries and diseases; reporting of occupational accidents, injuries and diseases to relevant agencies; and cooperating with relevant Government agencies tasked with the enforcement of provisions of OSH legislation.

4.2. Implementation Plan

In order to ensure effective implementation of the Policy, a detailed implementation plan has been developed and is attached as Annex 1. The Plan provides a linkage between the specific Policy objectives on the one hand, and strategies to be employed as well as institutions that will be responsible for implementing the strategies on the other hand. The Implementation Plan also includes a time frame within which each strategy is to be implemented.

4.3. Monitoring and Evaluation

The implementation of the Policy requires an effective and efficient monitoring and evaluation (M&E) system in order to measure progress and provide feedback information on the implementation status. The Ministry responsible for Labour, being the Government Institution with the overall mandate to oversee OSH in the country, will be responsible for the monitoring and evaluation of this Policy. MoL will carry out the Policy's monitoring and evaluation function in collaboration with other MDAs as well as employers' and workers' representative organisations and other stakeholders. Monitoring and evaluation will constitute periodic data collection and analysis on progress made regarding implementation of the Policy. This will be necessary in order to inform future planning and strategic resource allocation to Policy priority areas. The monitoring and evaluation exercise will be aligned to the overall national monitoring and evaluation system in order to ensure that the Policy is consistent with, and contributes to, the country's development agenda as outlined in the Malawi 2063 developmental framework.

Attached as Annex 2 is a detailed M & E plan of the Policy with objectives, outputs, appropriate performance indicators and targets.

4.4. Policy Review

Due to the dynamic nature of work, technology, policy, legislation, and commitments at national, sub-regional, regional and global levels are constantly going through changes. It will therefore be of utmost importance to review this Policy periodically in order to ensure that it remains relevant and stays abreast with new developments at all times.

In view of the above, the Policy will be reviewed every five (5) years or as deemed necessary based on changes in: legislation; technology; sub-regional, regional or international standards, treaties and/or conventions; and/or any other conditions that may necessitate its review.

Government will, in consultation with the most representative organisations of employers and workers, periodically review this Policy to ensure that it stays relevant to the OSH needs of the country. The Ministry responsible for Labour, being the Government institution with the overall mandate to oversee occupational safety and health in the country, will take the lead in reviewing this Policy. Relevant MDAs and other stakeholders will be consulted and coopted in the process of reviewing the Policy.

ANNEXES

Annex 1: Implementation Plan

Priority Area 1: OSH Legal Framework			
Policy statement: The Policy will ensure that OSH legal framework is strengthened			
Objective	Strategy	Responsibility	Time frame
To strengthen the OSH legal framework	Review the OSHWA	MoL, MoJ, ECAM, MCTU	2025-2026
	Review and harmonize lists of occupational diseases under the Second Schedules of both the OSHWA and WCA	MoL, MoH, MCTU, ECAM	2025-2026
	Domesticate ratified conventions on OSH	MoL, MoJ, MoGCDSW, ECAM, MCTU	2025-2030
	Develop OSHWA regulations	MoL, MoJ, ECAM, MCTU	2025-2027
	Develop OSH codes of practice and guidelines	MoL, MoM, MoJ, MBS, ECAM, MCTU	2026-2028
Priority Area 2: Capacity Building			

Policy Statement: The Policy will ensure that the capacity of OSH competent authorities is enhanced			
Objective	Strategy	Responsibility	Time frame
To enhance the capacities of OSH competent authorities	Build capacity of competent authorities	DHRMD, MoL, ECAM, MCTU	2025-2030
	Promote collaboration between, and among, competent authorities	MoL	2025-2030
	Mainstream OSH in education curricula at all levels of learning including worker service training	MoL/TEVETA, MoEST, ECAM, MCTU, MCCCCI, Academia, MIE, NCHE	2025-2030
	Develop resource mobilization strategy for OSH	MoL, MoH, MoM, MoA, MoFEA	2025-2030
Priority Area 3: Social Dialogue and Stakeholder Co-operation			
Policy Statement: The Policy will ensure that mechanisms for social dialogue on OSH are strengthened			
Objective	Strategy	Responsibility	Time frame
To increase social dialogue on OSH	Review regulatory provisions for tripartite and bipartite (i.e. workplace OSH committees) consultations and cooperation on OSH	MoL, ECAM, MCTU, MoJ	2025-2027

	Strengthen the capacity of employers' and workers' organisations	MoL, ECAM, MCTU, MCCCCI	2025-2030
	Increase collaboration between OSH competent authorities and employers' and workers' organisations	MoL, ECAM, MCTU, MCCCCI	2025-2030
Priority Area 4: Data and Information Management			
Policy statement 1: The Policy will ensure that OSH data and Information management is strengthened			
Objective	Strategy	Responsibility	Time frame
To increase availability and accessibility of OSH data and information	Build the capacity of employers and workers on OSH data and information management	MoL, ECAM, MCTU, MCCCCI, Department of E-Government	2025-2030
	Establish an electronic OSH data and information management system	MoL, NACIT, NSO, Department of E-Government	2025-2030
	Link the OSH database to other OSH-related databases	MoL, NACIT, NSO, Department of E-Government	2025-2027
	Promote data and information sharing among competent authorities	MoL, MoM, ECAM, NCIC, MERA, MCCCCI, Department of E-Government	2025-2030

	Promote research on OSH	MoL, MoH, MoM, NCST, Academia, Department of E-Government	2025-2026
Priority Area 5: Risk Assessment			
Policy statement: The Policy will ensure that all workplaces have functional risk assessment programmes			
Objective	Strategy	Responsibility	Time frame
To enhance risk assessment programmes in workplaces	Promote development and implementation of OSH Policy at the workplace	MoL, MoM, ECAM, MCTU, MCCCCI	2025-2030
	Educate employers and workers representative bodies on the importance of risk assessment and benefits thereof	MoL, MoM, ECAM, MCTU, MCCCCI	2025-2030
	Establish and rolling out risk assessment programmes in all the workplaces	MoL, MoM, ECAM, MCTU, MCCCCI	2025-2028
	Promote the application of the hierarchy of risk controls	MoL, MoM, ECAM, MCTU, MCCCCI	2025-2028
	Promote OSH performance measurement as a tool of evaluating	MoL, MoM, ECAM, MCTU, MCCCCI	2025-2028

	the effectiveness of the risk assessment programme		
Priority Area 6: Cross-cutting Issues			
Policy statement 1: The Policy will ensure that workplace safety and health programmes embrace diversity and inclusivity			
Objective	Strategy	Responsibility	Time frame
To enhance diversity and inclusivity in the provision of OHS services	Eliminate violence and harassment in the workplace	MoL, MoGCDSW, ECAM, MCTU, MCCCCI	2025-2030
	Promote increased representation of women and people with disabilities in trade unions and on workplace safety and health committees	MoL, MoGCDSW, ECAM, MCTU, MCCCCI	2025-2030
	Promote the adaptation of workplace environment to accommodate all	MoL, MoLGUC, MoGCDSW, NCIC, MCTU, ECAM, MCCCCI	2025-2030
	Eliminate hazardous child labour	MoL, MoGCDSW, MCTU, ECAM, MCCCCI	2025-2030
	Promote OSH in the informal economy	MoL, MoTI, MoLGUC, MoT, MoYS, MoNRC, ECAM, MCTU, MCCCCI	2025-2030

	Promote workplace wellness programmes	MoL, MoH, MoM, MoLGUC, MoT, MoYS, MoNRC, ECAM, MCTU, CSOs, MCCCCI	2025-2030
Policy Statement 2: The Policy will ensure that Administration of worker's compensation services are improved.			
Objective	Strategy	Responsibility	Time frame
To enhance diversity and inclusivity in the provision of OHS services	Operationalise workers' compensation fund	MoL, MoFEA, ECAM, MCTU, MCCCCI	2025-2030
	Promote collaboration between competent authorities on OSH and workers' compensation	MoL, MoM, MoH,	2025-2030
	Increase awareness about workers' compensation services among employers and workers	MoL, MoM, MoH, ECAM, MCTU, MCCCCI	2025-2030
Policy Statement 3: The Policy will ensure that workplace safety and health programmes are responsive to climate change			
Objective	Strategy	Responsibility	Time frame

To enhance diversity and inclusivity in the provision of OHS services	Increase awareness about impact of climate change on workplace safety and health	MoL, MoNRC, MoA, MoT, MoYS, MoNRC, MET, MERA, EAD, NCIC, AERA, MEPA, ECAM, MCTU, MCCCCI	2025-2030
	Adapt work practices to minimise the impact of climate change on workplace safety and health	MoL, MoNRC, MoA, MoT, MoYS, MoNRC, MET, MERA, EAD, MEPA, NCIC, ECAM, MCTU, MCCCCI	2025-2030
	Promote collaboration between competent authorities on OSH and meteorological services	MoL, MoNRC, MoT, MoYS, MoNRC, MET, MERA, MoM, EAD, MEPA	2025-2030

Annex 2: Monitoring and Evaluation Plan

Priority Area 1: OSH Legal Framework						
Outcome: Strengthened OSH legal framework						
Objective	Output	Performance Indicator	Target	Baseline	Source of Verification	Assumptions/ Risks
To strengthen the OSH legal framework	OSHWA reviewed	Copy of enacted OSHWA	OSHWA enacted of 2026	0	MoJ records, Parliamentary records, revised OSHWA	Availability of political will and financial support
	Lists of occupational diseases reviewed and Harmonised	Copy of harmonised list of occupational diseases	Harmonised list of occupational diseases by end of 2026	0	Updated lists of occupational diseases under Second Schedules of OSHWA	Availability of political will, technical and financial support
	Ratified ILO OSH Conventions domesticated	Number of ILO OSH Conventions domesticated	3 ILO OSH Conventions domesticated by end of 2030	0	MoJ records, Parliamentary records, revised OSH legislation	Availability of political will and financial support

	Regulations for the OSHWA developed	Number of OSHWA supporting regulations developed and approved	6 regulations developed and approved by end of 2027	1	MoJ records, new and approved regulations	Availability of political will and financial support
	Codes of practice and guidelines developed	Number of codes of practice and guidelines developed	1 code of practice or set of guidelines developed by end of 2028	0	Approved code of practice or set of guidelines	Availability of political will and financial support
Priority Area 2: Capacity Building						
Outcome: Enhanced capacities of OSH Competent Authorities						
Objective	Output	Performance Indicator	Target	Baseline	Source of Verification	Assumptions/ Risks
To enhance the capacities of OSH competent authorities	Capacity of competent authorities enhanced	Percentage of vacancies of OSH officers filled	100% existing vacancies filled by end of 2027	42.3%	DHRMD records Notice published in Gazette	Availability of political will and fiscal space

		Percentage of OSH officers subjected to continuous professional development (CPD) programmes	100% of OSH officers provided with CPD programmes by end of 2030	0	Training reports/ records from competent authorities	Availability of political will, fiscal space and technical support from cooperating partners
	Collaboration between, and among, competent authorities promoted	Number of MDAs having delegated functions from Ministry of Labour	At least 2 MDA implementing some functions of Ministry of Labour by end of 2030	0	Number of appointment letters issued by the Minister to officers of MDAs	Availability of political will, technical and financial support
	OSH integrated in education curricula at all levels of education	Number of education levels with OSH component	All the 3 levels of education by 2030	0	Curricula documents	Willingness of Ministry of Education to integrate OSH Availability of financial support
	OSH resource mobilization strategies developed	Number of OSH resource mobilization strategies developed	1 resource mobilization strategy developed by second quarter of 2026	0	Resource mobilization strategy paper from MoL	Availability of political will, fiscal space and technical support from cooperating partners

Priority Area 3: Social Dialogue and Stakeholder Co-operation						
Outcome: Increased social dialogue on OSH						
Objective	Output	Performance Indicator	Target	Baseline	Source of Verification	Assumptions/ Risks
To increase social dialogue on OSH	Legal provisions for social dialogue reviewed	Legal provisions for national OSH tripartite body	Legal provision provided for setting up of National OSH tripartite body by end of 2026	0	Parliamentary, MoJ and MoL records	Availability of political will, technical and financial support
	Workplace safety and health committee establishment procedures reviewed	Reviewed procedure for establishment of workplace safety and health committee	1 by 2027	0	Regulation on safety and health committee, MoJ and MoL records	Availability of political will, technical and financial support
	Capacities of employers' and workers' organisations strengthened	Percentage of employers' and workers' organizations trained in OSH	100% of employers' and workers' organizations trained by end of 2030	0	Training reports	Availability of technical and financial support
	Collaboration between competent authorities and employers' and workers'	Number of OSH themed meetings between competent authorities and employers' and workers'	1 meeting held annually	0	Minutes/records of meetings	Availability of technical and financial support

	organisations increased	workers' organisations held annually				
Priority Area 4: Data and Information Management						
Outcome: Increased availability and accessibility of OSH data and information						
Objective	Output	Performance Indicator	Target	Baseline	Source of Verification	Assumptions/ Risks
To increase availability and accessibility of OSH data and information	Capacity of employers and workers on OSH data and information management built	Percentage of employers and workers trained on data and information management	20 percent of workers and 60 percent of employers trained by end of 2030	0	Reports of training activities from competent authorities	Availability of political will and financial support
	Electronic OSH data and information management system developed	Established national OSH data and information management system	Functional National OSH data and information management system by 2027	0	reports generated by the system	Availability of political will, technical and financial support
	National electronic OSH data and information management system linked to other OSH databases	Number of OSH databases linked to the National OSH data and information management system	1 OSH database linked to the National OSH data and information management	0	National OSH data and information management system hosted by MoL	Availability of political will and funds Availability of technical support

			system by end of 2027			from cooperating partners
	Data and information sharing among competent authorities and other stakeholders promoted	Number of memoranda of understanding (MOUs) on data and information sharing	2 MOUs signed and operationalized by end of 2026	0	Signed MOUs with MoL	Availability of political will, technical and financial support
		Number of OSH information sharing workshops with other relevant stakeholders	40 workshops held by 2030	0	Minutes	Availability of technical and financial support
	Research on OSH promoted	Number of research publications on OSH	1 research published by end of 2026	0	Published research papers	Availability of political will, technical and financial support

Priority Area 5: Risk Assessment

Outcome: Enhanced risk assessment programmes in workplaces

Objective	Output	Performance Indicator	Target	Baseline	Source of Verification	Assumptions/ Risks
To enhance risk assessment programmes in workplaces	Employers and workers trained on the formulation and implementation of	Percentage of workplaces implementing OSH Policy	50% of workplaces implementing OSH Policy by 2030	4%	Training reports, inspection reports	Availability of political will and buy-in from private sector

	workplace OSH Policy					
	Employers' and workers' representative bodies capacitated on risk assessment	percentage of employers and workers' representative bodies trained	100% of employers' and workers' representative bodies trained by 2027	0	Training Report	Availability of political will and buy-in from private sector
	Risk assessment programmes established in workplaces	Percentage of workplaces implementing risk assessment programmes	50% of workplaces implementing risk assessment programmes by 2028	4%	Risk assessment reports and OSH inspection reports	Availability of political will and buy-in from private sector
	Application of the hierarchy of risk controls promoted in workplaces	percentage of workplaces applying risk hierarchy of controls	50% of workplaces applying hierarchy of controls by 2028	4%	Risk assessment reports and OSH inspection reports	Availability of political will and buy-in from private sector
	OSH performance measurement tool developed in workplaces	Percentage of workplaces with a functional OSH performance measurement tool	50% of workplaces have functional performance measurement tool by 2028	4%	Risk assessment reports and OSH inspection reports	Availability of political will and buy-in from private sector

Priority Area 6: Cross-cutting Issues						
Outcome: Enhanced diversity and inclusivity in the provision of OHS services						
Objective	Output	Performance Indicator	Target	Baseline	Source of Verification	Assumptions/ Risks
To enhance diversity and inclusivity in the provision of OHS services	Violence and harassment in the workplace reduced	percentage of workplaces implementing programmes on violence and harassment	30% of workplaces inspected are implementing programmes on violence and harassment by end of 2030	0	Progress reports of MoL, ECAM, MCTU	Availability of political will, technical and financial support
	Representation of women in decision making on OSH increased	Percentage of women serving in workplace safety and health committees	30% of workplace safety and health committee members comprise women by end of 2030	0	Workplace OSH committee reports	Availability of political will, technical and financial support
	Workplace environment accessible to all	Percentage of office buildings and factories retrofitted	30% of office buildings and factories	0	Progress reports from	Availability of political will and buy-in from private sector

	workers, including those with disabilities		retrofitted by end of 2030		MoL, MoTPW, NCIC	
	Hazardous child labour reduced	Percentage of children freed from hazardous child labour	50% of children in hazardous child labour freed by end of 2030	10%	Progress reports from MoL, MoAFS	Availability of political will, technical and financial support
	OSH services provided to the informal sector	Percentage of informal workplaces accessing OSH services	30% of informal workplaces capacitated with knowledge and skills on how to improve OSH among members by end of 2030	0	Records/reports of OSH training of associations of informal sector businesses from MoL	Availability of political will and technical support
	Wellness programmes promoted in workplaces	Percentage of workplaces with functioning wellness programmes	50% of workplaces having wellness programmes by 2030	4%	OSH inspection reports	Availability of political will and buy-in from private sector
	Worker's compensation fund operationalized	Operational worker's compensation fund	A functional worker's compensatio	0	Reports on processed	Availability of political will, seed money, and buy-

			n fund in place by 2026		worker's compensation Staff return reports, activity reports	in from private sector
	Collaboration between competent authorities on OSH and worker's compensation promoted	Number of information exchange meetings between competent authorities	20 meetings held by 2030	0	Minutes/records of meetings from competent authorities	Availability of political will and s finances
	Awareness about worker's compensation services among employers and workers raised	Number of awareness-raising activities	24 awareness-raising activities conducted by end of 2030	0	Reports of awareness-raising activities from competent authorities	Availability of political will and finances
	Awareness about impact of climate change on workplace safety and health raised	Number of awareness-raising activities	15 awareness-raising activities conducted by end of 2030	0	Reports of awareness-raising activities from competent authorities	Availability of political will, technical and financial support

	Workplace practices and technologies that help fight against climate change promoted	Percentage of workplaces reached with awareness campaigns on workplace practices and technologies that help fight against climate change	60% of workplaces reached by 2030	0%	Reports of awareness-raising activities from competent authorities	Availability of political will, technical and financial support
		Percentage of workplaces implementing interventions aimed at fighting against climate change	30% of workplaces implementing interventions by 2030	10%	Industry standard operating procedures (SOPs)	Availability of political will, technical and financial support

	Work practices to minimise the impact of climate change on workplace safety and health adapted	Percentage of workplaces implementing measures to mitigate impact of climate change on workplace safety and health	30% of workplaces implementing measures to mitigate impact of climate change by end of 2030	5%	Industry standard operating procedures (SOPs)	Availability of political will, technical and financial support
	Collaboration between competent authorities on OSH and meteorological services promoted	Number of OSH related activities jointly planned and implemented between competent authorities	5 activities held by end of 2030	0	Minutes/ activity reports from competent authorities	Availability of political will and financial support



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